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COMMISSION REGULATION (EU) .../...

of **XXX**

amending Commission Regulation (EU) No 142/2011 as regards alignment with Regulation (EU) 2016/429 on animal health and Regulation (EU) 2017/625 on official controls

(Text with EEA relevance)

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amending Commission Regulation (EU) No 142/2011 as regards alignment with Regulation (EU) 2016/429 on animal health and Regulation (EU) 2017/625 on official controls

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)¹, and in particular the last subparagraph of Article 5(2), Articles 6(1)(b)(ii) and the second subparagraph of Article 6(1), Article 15(1)(b), (d), (e), (h) and (i) and the second subparagraph of Article 15(1), Article 20(10) and (11), Article 21(5) and (6), Article 27, Articles 31(2), 32(3), Article 40, the first and third subparagraph of Article 41(3), Article 42 and 47(2), thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011² lays down implementing measures for the public and animal health rules for animal by-products and derived products laid down in Regulation (EC) No 1069/2009 as regards specific rules for the collection, transport, processing, storage and placing on the market.
- (2) Regulation (EU) No 142/2011 makes references to legislation applicable in the areas of official controls and of animal health at the time of the adoption of the Regulation. Following the entry into force and application of Regulation (EU) 2017/625³ on official

¹ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1– 33), ELI: <http://data.europa.eu/eli/reg/2009/1069/oj>).

² Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1, ELI: <http://data.europa.eu/eli/reg/2011/142/oj>).

³ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC,

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controls and Regulation (EU) 2016/429⁴ on transmissible animal diseases, as well as several delegated and implementing acts adopted pursuant to those Regulations, those references in Regulation (EU) No 142/2011 are outdated. To ensure continuing legal clarity, it is necessary to change the references in Regulation (EU) No 142/2011 to new Regulations and to delegated and implementing acts adopted pursuant to those Regulations, as appropriate.

- (3) Due to a revision of the legal basis laid down in Article 5 of Regulation (EC) No 1069/2009 for determination of end point in the manufacturing chain for certain derived products as amended by Regulation (EU) 2019/1009⁵, the provisions of Article 3 of Regulation (EU) No 142/2011 have to be laid down in a Delegated Act and therefore should be removed from this Regulation and the article be deleted.
- (4) Article 4 of Regulation (EU) No 142/2011 provides for a reference to the list of diseases to be considered serious transmissible diseases in the context of Article 6 of Regulation (EC) No 1069/2009. This list should be aligned with the listed diseases set out in Article 5(1) of Regulation (EU) 2016/429.
- (5) It is appropriate to take this opportunity to update the references to outdated acts in the area of food and feed safety in Regulation (EU) No 142/2011.
- (6) Moreover, Directive 2000/76/EC⁶ has been replaced with the Industrial Emissions Directive 2010/75/EU⁷. Article 6 should be amended with a reference to Directive 2010/75/EU. In addition, paragraph 6 should be replaced with a new paragraph to avoid ambiguous wording.
- (7) Article 20a of Commission Regulation (EU) No 142/2011 provides for the listing of establishments and plants in Member States, including a link to the technical specifications for the format for the lists of approved or registered establishments, plants or operators⁸. Commission Implementing Regulation (EU) 2019/1715⁹ laid down rules for the functioning of the information management system for official controls and its system components, including Trade Control and Expert System (TRACES). In light of

90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)(OJ L 95, 07/04/2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

⁴ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31/03/2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>)

⁵ Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 laying down rules on the making available on the market of EU fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 and repealing Regulation (EC) No 2003/2003(OJ L 170, 25.6.2019, p. 1–114, ELI: <http://data.europa.eu/eli/reg/2019/1009/oj>).

⁶ Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste (OJ L 332, 28.12.2000, p. 91, ELI: <http://data.europa.eu/eli/dir/2000/76/oj>).

⁷ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17, ELI: <http://data.europa.eu/eli/dir/2010/75/oj>).

⁸ Technical Specifications for the format for the lists of approved or registered establishments, plants or operators handling animal by-products inside the European Union and in Third Countries https://food.ec.europa.eu/system/files/2022-03/animal-products_approved-establishments_abp_tech-specs.pdf

⁹ Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation) (OJ L 261, 14.10.2019, p. 37, ELI: http://data.europa.eu/eli/reg_impl/2019/1715/oj).

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the ongoing digitalisation, Article 20a letter (a) should be deleted, as the link to the technical specifications is available directly in TRACES.

- (8) Article 25 of Commission Regulation (EU) No 142/2011 provides for rules on import into and transit through the Union, transit, and export of animal by-products and of derived products. It should be aligned, where relevant, with the new rules for import into and transit through the Union laid down in Regulation (EU) 2017/625, Commission Implementing Regulation (EU) 2021/404¹⁰, Commission Delegated Regulation (EU) 2020/692¹¹ and Commission Delegated Regulation 2019/1666¹².
- (9) Certain Category 1 materials are subject to provision of Article 26 of Commission Regulation (EU) No 142/2011 in respect to public and animal health conditions for entry into the EU. The references set out in that Article to Directive 96/23/EC¹³ should be updated with a reference to Article 2 (c) of Commission Delegated Regulation (EU) 2019/2090 or substances and environmental contaminants listed in Group A (2) of Annex I to Commission Delegated Regulation (EU) 2022/1644, of dyes, plant protection products and biocides listed in Group A (3) (a) and (b) of Annex I to Commission Delegated Regulation (EU) 2022/1644 as appropriate.
- (10) Article 27(2) of Commission Regulation (EU) No 142/2011 has been repealed and replaced by Regulation (EU) 2017/625 and Commission Delegated Regulation (EU) 2019/2122¹⁴. It is necessary to align the numeration of paragraphs.
- (11) Articles 29 and 29a of Commission Regulation (EU) No 142/2011 provide for specific conditions for transit through the Union of consignments intended to Russia and Bosnia and Herzegovina. Both Articles have been partially replaced by Regulation (EU) 2017/625 and Commission implementing Regulation (EU) 2019/2124¹⁵ which deleted

¹⁰ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2021/404/oj).

¹¹ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (Text with EEA relevance) (OJ L 174, 3.6.2020, p. 379, ELI: http://data.europa.eu/eli/reg_del/2020/692/oj).

¹² Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union (OJ L 255, 4.10.2019, p. 1, ELI: http://data.europa.eu/eli/reg_del/2019/1666/oj).

¹³ Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC (OJ L 125, 23/05/1996, p. 10, ELI: <http://data.europa.eu/eli/dir/1996/23/oj>).

¹⁴ Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending Commission Regulation (EU) No 142/2011 (OJ L 321, 12/12/2019, p. 45, ELI: http://data.europa.eu/eli/reg_del/2019/2122/oj).

¹⁵ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30/04/2004, p. 55, ELI: <http://data.europa.eu/eli/reg/2004/853/oj>).

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paragraphs on official controls. Those paragraphs must be deleted from the above Articles, and the numeration of the paragraphs has to be adapted.

- (12) Article 30 of Commission Regulation (EU) No 142/2011 provides for the lists of establishments and plants in third countries and listing in the Trade Control and Expert System (TRACES). Its wording should be aligned with Regulation (EU) 2017/625. Detailed information on listing of establishments in third countries are provided by Annex II of the Technical specifications for the format for the lists of approved or registered establishments, plants or operators, available also in the TRACES.
- (13) Provisions of Article 31(1) to Commission Regulation (EU) No 142/2011 on model health certificates and declarations for entry into the Union and transit should be aligned with the references to the official controls at border control posts provided for in Regulation (EU) 2017/625.
- (14) Following the alignment of rules for production of certificates for imports into and transit through the Union with Commission Implementing Regulation (EU) 2020/2235, a new paragraph should be included in Article 31 of Regulation (EU) No 142/2011 in order to establish a link with Commission Implementing Regulation (EU) 2020/2235.
- (15) Article 32 of Commission Regulation (EU) No 142/2011 provides for official controls implementing measures. Regulation (EU) 2017/625 repealed Articles 45, 49 and 50 of Regulation (EC) No 1069/2009, which laid down the legal bases for implementing provision on official controls. Rules on official controls should be removed from that Article 32. However, provision on the listing of establishments and authorization of movements of certain animal by-products and derived products should be kept in that Article. Article 32 should therefore be amended accordingly.
- (16) Annex I, point 5 to Regulation (EU) No 142/2011 sets out definitions of processed animal protein and white water which refers also to milk, dairy products derived from raw milk and dairy product and centrifuge or separator sludge. The definition should be updated along the ~~new~~ wording in Annex I to Commission Regulation (EC) No 2004/853¹⁶.
- ~~(16)~~(17) Annex I, point 5 to Regulation (EU) No 142/2011 sets out definitions of processed animal protein which refers also to and centrifuge or separator sludge. The definition should be updated along the new wording in Implementing Regulation (EU) 2021/405¹⁷.
- ~~(17)~~(18) Annex I, point 7 to Regulation (EU) No 142/2011 sets out the definition of fishmeal which refers to Council Directive 2006/88/EC¹⁸, repealed by Regulation (EU)

¹⁶ Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118, ELI: http://data.europa.eu/eli/reg_impl/2021/405/oj).

¹⁷ Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118, ELI: http://data.europa.eu/eli/reg_impl/2021/405/oj).

¹⁸ Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14, ELI: <http://data.europa.eu/eli/dir/2006/88/oj>).

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2016/429. The reference should be replaced by a reference to Regulation (EU) 2016/429.

~~(18)~~(19) Annex I, point 9 to Regulation (EU) No 142/2011 sets out the definition of fish oil which refers to repealed Council Directive 2006/88/EC. The reference should be replaced by a reference to Regulation (EU) 2016/429.

~~(19)~~(20) Annex I, point 15 to Regulation (EU) No 142/2011 sets out the definition of white water which refers also to milk, milk-based products, milk derived products, colostrum and, colostrum products and centrifuge or separator sludge. Definition should be updated along the new wording in Implementing Regulation (EU) 2021/405 of definition of milk set out in Annex I to Commission Regulation (EC) No 2004/853.

~~(20)~~(21) Annex I to Regulation (EU) No 142/2011 sets out definitions of co-incineration, incineration, and 'incineration and co-incineration residues', co-incineration plant and incineration plant which refers to the repealed Directive 2000/76/EC. New definitions have been introduced by Directive 2010/75/EU. The afore-mentioned definitions set out in Annex I, point 40, point 42, point 43, point 55 and point 56, respectively, should be updated with a reference to Directive 2010/75/EU.

~~(21)~~(22) Annex I to Regulation (EU) No 142/2011 sets out definitions of collection centre, petfood plant and processing plant which refers to the wording: 'premises or facilities' for which no definition has been laid down. It is opportune to align the wording in Annex I, point 53, point 57 and 58 with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009. Annex I to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(22)~~(23) Annex III, Chapter I, Section 1 and Chapter IV, Section 1 to Regulation (EU) No 142/2011 refers to the wording: 'premises or facilities' for which no definition have been laid down. It is opportune to align the wording of Annex III with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009.

~~(23)~~(24) Annex III, Chapter II and Chapter III to Regulation (EU) No 142/2011 refers to the repealed Directive 2000/76/EC. The afore-mentioned references to repealed Directive 2000/76/EC should be updated with a reference to Directive 2010/75/EU.

~~(24)~~(25) Annex III, Chapter III to Regulation (EU) No 142/2011 sets up standards for incineration of dead individually identified equine animals. The outdated reference to Directive 2009/156/EC¹⁹ should be replaced by a reference to Regulation (EU) 2016/429, Commission Delegated Regulation (EU) 2020/687²⁰ and Commission Delegated Regulation (EU) 2020/688²¹. Annex III to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

¹⁹ Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192, 23/07/2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/156/oj>).

²⁰ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 03/06/2020, p. 64, ELI: http://data.europa.eu/eli/reg_del/2020/687/oj).

²¹ Commission Delegated Regulation (EU) 2020/688 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs (OJ L 174, 03/06/2020, p. 140, ELI: http://data.europa.eu/eli/reg_del/2020/688/oj).

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~~(25)~~~~(26)~~ Annex IV, Chapter I, Section 2 and 4 to Regulation (EU) No 142/2011 refers to the wording: 'premises' for which no definition has been laid down. It is opportune to align the wording of Annex IV with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009.

~~(26)~~~~(27)~~ Findings of recent Commission controls in Member States and reports by the Commission pursuant to Articles 116 and 117 of Regulation (EU) 2017/625, identified that the wording of Method 5 described in point E of Annex IV, Chapter III to Regulation (EU) 142/2011 provides for a certain level of uncertainty as regards the treatment of rendered fats in comparison with the well-defined treatment of processed animal protein. The wording should be aligned to avoid ambiguity and ensure high level of animal and public health safety of rendered fats subject to processing method 5.

~~(27)~~~~(28)~~ In Chapter IV, Section 2 of Regulation (EU) No 142/2011, the reference to pig manure should be replaced by a reference to porcine manure.

~~(28)~~~~(29)~~ Following an application for the authorisation of an alternative method, as provided for in Article 20 of Regulation (EC) No 1069/2009, submitted by the Netherlands, the European Food Safety Authority (EFSA) published a Scientific Opinion on the "Evaluation of a multi-step catalytic co-processing hydrotreatment for the production of renewable fuels using Category 3 animal fat and used cooking oils"²². The new alternative method has been considered by EFSA as safe for processing rendered fats of Category 3 material and used cooking oil of Category 3 material into renewable fuels. Annex IV to Regulation (EU) No 142/2011 should be amended by introducing a new alternative processing method for the production of renewable fuels.

~~(29)~~~~(30)~~ Following an application for the authorisation of an alternative method, as provided for in Article 20 of Regulation (EC) No 1069/2009, submitted by Belgium and the European Composting Network, the EFSA published a Scientific Opinion on Evaluation of alternative methods of tunnel composting of catering waste and former foodstuff, mixed with materials of non-animal origin²³. The EFSA assessed two combinations of heat treatment through the time provided that all starting material is reduced to a maximum particle size. Annex IV to Regulation (EU) No 142/2011 should be amended by introducing new alternative methods for producing compost in a tunnel.

~~(30)~~~~(31)~~ Annex IV to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(31)~~~~(32)~~ Annex V, Chapter I and Chapter II point 4 to Regulation (EU) No 142/2011 refers to the wording: 'premise' for which no definition has been laid down. It is opportune to align wording of Annex V with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009.

~~(32)~~~~(33)~~ Annex V to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(33)~~~~(34)~~ Annex VI, Chapter II, Section 2 to Regulation (EU) No 142/2011 provides for special feeding rules for certain species in feeding stations. The repealed Annex XVI, Chapter III, provided for certain official controls of establishments and plants subject to

²² EFSA Journal, Volume 20, Issue 11, (<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2022.7591>).

²³ EFSA Journal, Volume 22, Issue 4 (<https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2024.8745>).

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the legislation on animal by-products. It contains also certain instructions which are not directly linked to official controls governed by Regulation (EU) 2017/625, such as monitoring the health status of farmed animals in the region where the special feeding is carried out. Requirements on monitoring of animal health status as condition for the authorisation of special feeding in the region should be included in Annex VI.

~~(34)~~~~(35)~~ Annex VI, Chapter II, Section 3 to Regulation (EU) No 142/2011 provides for special feeding of wild animals outside feeding stations. It should be amended with conditions from repealed Annex XVI, Chapter III. The wording of Section 3 should also be aligned with the wording of Regulation (EC) No 999/2001²⁴ and Regulation (EU) 2017/625.

~~(35)~~~~(36)~~ Annex VI to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(36)~~~~(37)~~ An outdated reference in Chapter III of Annex VIII to Regulation (EU) No 142/2011 to border control post should be updated with the reference to Regulation (EU) 2017/625.

~~(37)~~~~(38)~~ Chapter VII of Annex VIII to Regulation (EU) No 142/2011 provides for an obligation of the competent authority to notify consignments by means of TRACES. The reference to repealed Decision 2004/292/EC²⁵ should be updated by a reference to Regulation (EU) 2019/1715.

~~(38)~~~~(39)~~ Annex VIII to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(39)~~~~(40)~~ Annex IX, Chapter II and Chapter III to Regulation (EU) No 142/2011 refers to the wording: 'premises or facilities' for which no definition has been laid down. It is necessary to clarify and to align wording in Annex VIII, Chapter III and Chapter IV with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009.

~~(40)~~~~(41)~~ Annex IX, Chapter III, Section 2 to Regulation (EU) No 142/2011 provides for specific requirements for storage of certain milk products. The title of Section 2 should be updated along the new wording in Regulation EU 2021/405 as regards reference to milk, milk-based products, milk derived products, colostrum, colostrum products and centrifuge or separator sludge.

~~(41)~~~~(42)~~ Annex IX to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(43)~~ The Commission requested EFSA for a scientific opinion on the efficacy of methods 2 to 5 and method 7 set out in [Annex IV to Regulation \(EU\) No 142/2011](#) to inactivate relevant pathogens when producing processed animal protein of porcine origin intended to feed poultry, insects and aquaculture animals. Following a favourable assessment in the EFSA scientific opinion²⁶ it is appropriate to revise Annex X to Regulation (EU) No

²⁴ Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147 31.5.2001, p. 1, ELI: <http://data.europa.eu/eli/reg/2001/999/oj>).

²⁵ Commission Decision of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC (OJ L 94, 31/03/2004, p. 63, ELI: <http://data.europa.eu/eli/dec/2004/292/oj>).

²⁶ EFSA Journal, Volume 21, Issue 7 e08093 (<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2023.8093>).

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142/2011 and introduce some additional processing methods for the production of processed animal protein of porcine origin.

~~(42)~~~~(44)~~ Annex X, Chapter II, Section 4 to Regulation (EU) No 142/2011 provides for animal health treatment of certain milk products. It should be updated along the new wording in Annex I to Regulation (EC) No 2004/853.

~~(43)~~~~(45)~~ As regards tuberculosis and brucellosis diseases, their names have been changed to infection with Mycobacterium tuberculosis complex (M. bovis, M. caprae and M. tuberculosis) and to infection with Brucella abortus, B. melitensis and B. suis, respectively, by Regulation (EU) 2016/429. It is therefore necessary to change their names in Annex X to Regulation (EU) No 142/2011 accordingly.

~~(44)~~~~(46)~~ As regards freedom from infection with Mycobacterium tuberculosis complex, infection with Brucella abortus, B. melitensis and B. suis and enzootic bovine leukosis, the criteria thereof are laid down in Commission Delegated Regulation (EU) 2020/689²⁷. It is therefore necessary to change the legal references for freedom in Annex X to Regulation (EU) No 142/2011 accordingly.

~~(45)~~~~(47)~~ Annex X to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(46)~~~~(48)~~ Annex XI, Chapter I, Section 1 to Regulation (EU) No 142/2011 provides for conditions for trade in unprocessed manure and refers also to certain animal health restrictions. The outdated references to disease control measures should be replaced by a reference to Commission Delegated Regulation (EU) 2020/687.

~~(47)~~~~(49)~~ Annex XI, Chapter I, Section 1 sets out conditions for intra-Union trade in unprocessed manure of poultry origin. An outdated reference to the non-vaccination status for Newcastle disease should be replaced by a reference to Delegated Regulation (EU) 2020/689 Annex V, Part IV.

~~(48)~~~~(50)~~ Annex XI, Chapter I, Section 1 sets out conditions for intra-Union trade in unprocessed manure of equidae. The outdated references to glanders, vesicular stomatitis, anthrax or rabies should be replaced by references to Delegated Regulation (EU) 2020/687 and Delegated Regulation (EU) 2020/688.

~~(49)~~~~(51)~~ Annex XI, Chapter II, Section 1 to Regulation (EU) No 142/2011 sets out the conditions for the production of certain organic fertilisers and soil improvers. Frass, defined in Annex I, point 61, should be subject to the standard processing for the processing of processed manure. For the sake of legal certainty, it is necessary to align the conditions with the requirements for the placing on the market of processed frass in Chapter I section 2 of the same Annex.

~~(50)~~~~(52)~~ Annex XI to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(51)~~~~(53)~~ Annex XII to Regulation (EU) No 142/2011 provides for conditions for imports and transit of intermediate products. An outdated reference to Directive 96/23/EC

²⁷ Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 03/06/2020, p. 211, ELI: http://data.europa.eu/eli/reg_del/2020/689/oj).

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should be replaced by a reference to [Article 2 \(c \) of Commission Delegated Regulation \(EU\) 2019/2090](#).

~~(52)~~~~(54)~~ Annex XII provides for a list of third countries eligible for imports of intermediate products which refers to the list of Member Countries of the Office international des epizooties (OIE). An outdated reference to OIE should be replaced by a reference to the World Organisation for Animal Health (WOAH)²⁸.

~~(53)~~~~(55)~~ Annex XII provides for conditions for transit of intermediate products through the territory of the Union. An outdated reference to border control post checks laid down in Directive 97/78/EC should be replaced by a reference to Regulation (EU) 2017/625. An outdated reference to rules on transit should be replaced by a reference to Commission Delegated Regulation (EU) 2019/2124²⁹.

~~(54)~~~~(56)~~ Annex XII to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(55)~~~~(57)~~ Annex XIII to Regulation (EU) No 142/2011 provides for conditions for production of petfood. An outdated reference to Article 2(b) of Directive 96/23/EC should be replaced by a reference to [Article 2 \(c \) of Commission Delegated Regulation \(EU\) 2019/2090](#).

~~(56)~~~~(58)~~ Annex XIII, Chapter II, point ~~7~~(b) provides for conditions for processing of petfood. It is necessary to clarify which conditions apply for petfood containing meat of mammals or poultry and petfood containing meat of other animals.

~~(57)~~~~(59)~~ Annex XIII, Chapter II, point 3 refers to conditions for an endpoint for petfood. An outdated reference to border control post checks should be replaced by a reference to Regulation (EU) 2017/625.

~~(58)~~~~(60)~~ Annex XIII, Chapter IV refers to conditions for production of blood products. The outdated list of animal diseases should be replaced by a reference to Regulation (EU) 2016/429 and Commission Delegated Regulation (EU) 2020/687 and Commission Delegated Regulation (EU) 2020/688.

~~(59)~~~~(61)~~ Annex XIII, Chapter IX sets out specific requirements for apiculture by-products. Acariosis (*Acarapis woodi*) (Rennie) is no longer a listed disease according to Regulation (EU) 2016/429. Point 1(b) should therefore be deleted. Point 2 should be adapted to the new references laid down in Regulation (EU) 2016/429.

~~(60)~~~~(62)~~ Annex XIII to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(61)~~~~(63)~~ Annex XIV, Chapter I, Section 4 to Regulation (EU) No 142/2011 provides for the conditions for imports of certain milk products. The wording should be aligned with the wording laid down in Commission Implementing Regulation (EU) 2021/405.

²⁸ <https://www.woah.org/en/home/>

²⁹ Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12/12/2019, p. 73, ELI: http://data.europa.eu/eli/reg_del/2019/2124/oj).

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~~(62)~~(64) As regards tuberculosis and brucellosis diseases, their names have been changed to infection with *Mycobacterium tuberculosis* complex (*M. bovis*, *M. caprae* and *M. tuberculosis*) and to infection with *Brucella abortus*, *B. melitensis* and *B. suis*, respectively, by Regulation (EU) 2016/429. It is therefore necessary to change their names in Annex XIV to Regulation (EU) No 142/2011.

~~(63)~~(65) Article 7(1) of Regulation (EC) No 999/2001 prohibits the feeding to ruminants of protein derived from animals. Article 7(2) of that Regulation extends that prohibition to animals other than ruminants, as laid down in Annex IV, Chapter I, while Chapters II to V set out and detail certain derogations to the prohibitions provided for in Chapter I under specific conditions. In 2021³⁰, Annex IV to Regulation (EC) No 999/2001 has been amended as regards authorisation for feeding poultry with processed animal protein of porcine origin and porcine animals with processed animal protein of poultry origin. It is opportune to introduce requirements for imports of poultry and porcine Category 3 material, other than Category 3 material referred to in Article 10(n), (o) and (p) of Regulation 1069/2009, for the production of processed animal protein. In Annex XIV, Chapter I, to Regulation (EU) No 142/2011 a new Section with specific requirements for imports of poultry and porcine Category 3 material should be introduced and Section 1, Table 1 should be amended accordingly.

~~(64)~~(66) As regards freedom from infection with *Mycobacterium tuberculosis* complex, infection with *Brucella abortus*, *B. melitensis* and *B. suis* and enzootic bovine leukosis, the criteria thereof are laid down in Commission Delegated Regulation (EU) 2020/689. It is therefore necessary to change the references for freedom in Annex XIV to Regulation (EU) No 142/2011 accordingly.

~~(67)~~ Following the revision of condition for imports of bee's by-products set out in Chapter IX of Annex XIII and a new model of certificate for bee's by-products in Chapter 13 of Annex XV, row 10 of Table 2 in Annex XIV, Chapter II should be amended accordingly.

~~(65)~~(68) Pig bristles listing may be imported from third countries free of African swine fever or from countries which are not free of disease pending the treatment of pig bristles. It is necessary to align conditions with the health requirements, including the list of authorised third countries for imports of untreated and treated pig bristles.

~~(66)~~(69) Annex XIV, Chapter II, Section 2 refers to the wording: 'premises or facilities' for which no definition has been laid down. It is necessary to clarify by aligning with the wording: 'establishment' or 'plants' defined in Article 3(13) of Regulation (EC) No 1069/2009. In addition, a reference to OIE should be replaced by a reference to WOAH.

~~(67)~~(70) Annex XIV, Chapter II, Section 3 provides for conditions for imports of certain blood products. An outdated reference to African horse sickness should be replaced by a reference to Regulation (EU) 2020/688. The list of diseases should be aligned with the list laid down according to Regulation (EU) 2016/429.

~~(68)~~(71) Annex XIV, Chapter II, Section 7 provides for conditions for imports of bones and bone products. An outdated reference to Directive 97/78/EC should be replaced by

³⁰ Commission Regulation (EU) 2021/1372 of 17 August 2021 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the prohibition to feed non-ruminant farmed animals, other than fur animals, with protein derived from animals (OJ L 295, 18.8.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1372/oj>)

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a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(69)~~~~(72)~~ Annex XIV, Chapter II, Section 9 provides for conditions for imports of rendered fats. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(70)~~~~(73)~~ Annex XIV, Chapter II, Section 10 provides for conditions for imports of fat derivatives. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(71)~~~~(74)~~ Annex XIV, Chapter II, Section 11 provides for conditions for imports of photogelatine. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(72)~~~~(75)~~ Annex XIV, Chapter II, Section 12 provides for conditions for imports of horns and horn products. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(73)~~~~(76)~~ Annex XIV, Chapter II provides for conditions for imports of several animal by-products for uses outside the feed chain. It is necessary to present the conditions for imports of pig bristles in an unambiguous and transparent way. A new section should be introduced in Chapter II.

~~(74)~~~~(77)~~ Annex XIV, Chapter III, Section 1 provides for conditions for imports of research and diagnostic samples. An outdated reference to the list of third countries should be replaced by a reference to Implementing Regulation (EU) 2021/404.

~~(75)~~~~(78)~~ Annex XIV, Chapter III, Section 2 provides for conditions for imports of trade samples. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666. An outdated reference to the list of third countries should be replaced by a reference to Implementing Regulation (EU) 2021/404.

~~(76)~~~~(79)~~ Annex XIV, Chapter III, Section 3 provides for conditions for imports of display items. An outdated reference to Directive 97/78/EC should be replaced by a reference to Regulation (EU) No 2017/625, and Delegated Regulation (EU) 2019/1666.

~~(77)~~~~(80)~~ Annex XIV to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(78)~~~~(81)~~ Implementing Regulation (EU) 2020/2235³¹ and Regulation (EU) 2017/625 have introduced new model certificates to be used during certain movements of animals and products, including animal by-products. Those models are compatible with the models set up in Implementing Regulation (EU) 2019/1715 for the EU trade control and TRACES and its function to produce electronic certificates. The certificates in

³¹ Commission Implementing Regulation (EU) 2020/2235 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates and repealing Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/EC (OJ L 442, 30.12.2020, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2020/2235/oj).

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Regulation (EU) No 142/2011 should be aligned with the new model certificates. In addition, several animal health provisions set out in the current certificates should be aligned with the provisions of Regulation (EU) 2016/429 and its delegated and implementing acts.

(82) Following introduction of animal health requirements for imports of Category 3 animal by-products of poultry and porcine animals for the production or processed animal protein, two certificates should be introduced into Annex XV to ensure compliance with intra Union rules for feeding poultry with processed animal protein of porcine origin and porcine animals with processed animal protein of poultry origin as laid down in Annex IV to Regulation 999/2001.

~~(79)~~(83) Regulation 999/2001³² introduced new rules on genetic resistance to transmissible spongiform encephalopathies (TSE) in goats in order to recognise that goats can also be genetically resistant to classical scrapie strains known to occur naturally in the Union's goat population, when they have the K222, D146 or S146 alleles. A statement on TSE in health certificates should be amended accordingly.

~~(80)~~(84) Annex XV to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(81)~~(85) Annex XVI to Regulation (EU) No 142/2011 provides for official controls implementing measures. Regulation (EU) 2017/625 repealed Articles 45, 49 and 50 of Regulation (EC) No 1069/2009, which laid down the legal basis for implementing measures in Annex XVI to Regulation (EU) No 142/2011. Therefore, Annex XVI, Chapter I, Section 1 and Chapter III, Section 1 to 9 and Sections 11 to 12 should be deleted. Parts of Annex XVI, Chapter III, Section 5 on listing of establishments and plants in accordance with Article 47 of Regulation (EC) No 1069/2009 should be included in Annex XVI, Section 2. The first paragraph of Annex XVI, Chapter III, Section 6, which provides conditions for authorisation of special feeding of wild animals should be relocated to Annex VI, Chapter II.

~~(82)~~(86) Annex XVI, Chapter III, Section 10 provides for a standard format for applications for certain intra-Union trade in animal by-products and derived products subject to authorisation in accordance with Article 48(1) of Regulation (EC) No 1069/2009. Annex XIV, Chapter III to Regulation (EC) No 142/2011 should be re-named and renumbered accordingly.

~~(83)~~(87) Annex XVI to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(84)~~(88) In order to avoid any disruption of international trade, this Regulation should provide for a transitional period during which the goods concerned by the amendments made to Commission Regulation (EU) No 142/2011 should continue to be accepted for entry into and transit through the Union, provided that those goods comply with the requirements laid down in Regulation (EU) No 142/2011 before they were amended by this Regulation.

³² Amended by Commission Regulation (EU) 2024/887 of 22 March 2024 amending Annexes IV, VIII and IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards animal feeding, placing on the market and importation into the Union (OJ L, 2024/887, 25.3.2024, ELI: <http://data.europa.eu/eli/reg/2024/887/oj>).

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~~(85)~~(89) Commission Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

~~(86)~~(90) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EU) No 142/2011 is amended as follows:

1. Articles 3, 4, 6, 25, 26, 27, 29, 30, 31, and 32 are amended as follows:

(a) Article 3 is deleted;

(b) Article 4 is replaced by the following:

‘The diseases listed in Article 5(1)(a) and Annex II to Regulation (EU) 2016/429, as amended by Delegated Regulation (EU) 2018/1629, shall be regarded as diseases for the purposes of general animal health restrictions, as provided for in Article 6(1)(b)(ii) of Regulation (EC) No 1069/2009.’;

(c) Article 6 is amended as follows:

(i) points (a) and (b) of paragraph 1 are replaced by the following:

‘(a) in incineration plants and co-incineration plants which have been granted a permit in accordance with Directive 2010/75/EU; or

(b) for plants not required to have a permit under Directive 2010/75/EU, in incineration and co-incineration plants which have been approved by the competent authority to carry out disposal by incineration, or disposal or recovery of animal by-products or derived products, if they are waste, by co-incineration, in accordance with Article 24(1)(b) or (c) of Regulation (EC) No 1069/2009.’;

(ii) paragraph 6 is replaced by the following:

‘6. Operators shall ensure that combustion plants other than those which use only the alternative processing methods laid down in point E and F of Section 2 of Chapter IV of Annex IV, under their control and in which animal by-products or derived products are used as a fuel, comply with the general conditions and specific requirements set out in Chapters IV and V of Annex III respectively and are approved by the competent authority in accordance with Article 24(1)(d) of Regulation (EC) No 1069/2009.’;

(d) Article 20a is replaced by the following:

‘Article 20a

Lists of establishments, plants and operators in Member States

The competent authority of a Member State shall ensure that up-to-date lists of establishments, plants and operators, referred to in the first subparagraph of

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Article 47(1) of Regulation (EC) No 1069/2009 are either entered in TRACES or ~~accessible~~-available by means of TRACES.’.

(e) in Article 25, points (i) and (iii) of paragraph 2(e) are replaced by the following:

- ‘(i) it was produced at least 21 days before the date of entry into the Union and kept in a third country, territory or zones thereof which is
 - listed in Part 1 of Annex XIII to Commission Implementing Regulation (EU) 2021/404 from which the entry into the Union of fresh meat of ungulates is permitted without supplementary guarantees mentioned therein,
 - free of foot and mouth disease, and, in the case of wool and hair from sheep and goats, of sheep pox and goat pox in accordance with the requirements for minimum periods of disease freedom and as regards the absence of vaccination listed in Part 1 and Part 3 of Annex IV to Commission Delegated Regulation (EU) 2020/692;’;

- ‘(iii) it was presented by the operator to one of the approved Union border control posts where it passed with satisfactory result the documentary check carried out in accordance with Article 49 ~~and 52~~ of Regulation (EU) 2017/625;’;

(f) Article 26 is amended as follows:

(i) the opening sentence is replaced by the following:

‘The competent authority may authorise the placing on the market, including the entry into the Union, and the export of hides and skins derived from animals which have been submitted to an illegal treatment in accordance with Article 1(2)(d) of Directive 96/22/EC and Article 2(c) of Commission Delegated Regulation (EU) 2019/2090 and of ruminant intestines with or without content and of bones and bone products containing vertebral column and skull, subject to compliance with the following requirements:’;

(ii) point (b)(iii) is replaced by the following:

‘(iii) the manufacture of:

- cosmetic products as defined in Article 2 of Regulation (EU) No 1223/2009;
- implantable medical devices as defined in Article 2 Regulation (EU) 2017/745;
- medical devices as defined in Article 2 of Regulation (EU) 2017/745;
- veterinary medicinal products as defined in Article 4 of Regulation (EU) 2019/6;
- medicinal products as defined in Article 1(2) of Directive 2001/83/EC;’;

(g) in Article 27 paragraph 3 becomes paragraph 2.

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- (h) Article 29(1) is replaced by the following:

“The competent authority shall authorize transit of consignments of animal by-products and derived products coming from and destined to the Russian Federation directly or via another third country, by road or by rail through the Union, between border control posts designated in accordance with Article 59 of Regulation (EU) 2017/625 and Commission Delegated Regulation (EU) 2019/2124, provided that the consignment is sealed with a serially numbered seal at the border control post of entry into the Union by the veterinary services of the competent authority.”;

- (i) Article 29a(1) is replaced by the following:

“The transit of consignments of animal by-products and derived products coming from Bosnia and Herzegovina and destined to third countries through the Union, by road, directly between the border control post of Nova Sela and the border control post of Ploče, shall be authorized provided that the consignment is sealed with a serially numbered seal by the official veterinarian at the border control post of entry and comply with Regulation (EU) 2017/625 and Commission Delegated Regulation (EU) 2019/2124.”;

- (j) Article 30, first paragraph is replaced by the following:

“List of establishments in third countries shall be entered into the TRACES system defined in Article 2(36) of Implementing Regulation (EU) 2019/1715 in accordance with Annex II of the technical specifications for the format for the lists of approved or registered establishments, plants or operators handling animal by-products inside the European Union and in Third Countries which are published by the Commission on its website.

- (k) Article 31, first paragraph is replaced by the following:

“Consignments of animal by-products and derived products for entry into, or transit through, the Union shall be accompanied by health certificates and declarations, in accordance with the models set out in Annex XV hereto, at the designated border control posts where the official controls take place as provided for in Article 49 of Regulation (EU) 2017/625.”;

- (l) In Article 31, a new paragraph is added as following:

The model health certificates in Annex XV hereto shall be produced in accordance with requirements laid down in Article 5 and 6 of Commission Implementing Regulation (EU) 2020/2235, completed in accordance with Notes laid down in Annex I, Chapter IV thereof, and notes set out in each model. Model health certificates other than those set out in Chapter 2 and 9, shall be signed by an official veterinarian. Model health certificates set out in Chapters 2 and in Chapter 9 may be signed by an official veterinarian or a certifying officer.

Notes in Model certificates set out in Annex XV for entry into the Union of animal by-products and derived products correspond to the notes referred to in the standard model set out in Chapter 3 of Annex I to Regulation (EU) 2020/2235.

- (m) Article 32 is replaced by the following:

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‘Article 32

Listing of establishments and authorization of movement for certain animal by-products and derived products referred to in Article 48(1) of Regulation (EC) No 1069/2009

1. The competent authority shall draw up the lists of establishments, plants and operators referred to in Article 47(1) of Regulation (EC) No 1069/2009 in accordance with the format set out in Chapter II of Annex XVI hereto.
 2. The competent authority of the Member State of destination shall decide upon the application by an operator concerning the acceptance or refusal of certain Category 1, Category 2 material and meat-and-bone meal or animal fat derived from Category 1 and Category 2 materials, within 20 calendar days from the date of receipt of such application provided that it has been submitted in one of the official languages of that Member State.
 3. Operators shall submit applications for the authorisation referred to in paragraph 2 in accordance with the standard format set out in Section 10 of Chapter III of Annex XVI hereto by means of TRACES.’.
2. Annexes I, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV and XVI are amended in accordance with the text in the Annexes to this Regulation.

Article 2

For a transitional period until [12 months after publication], consignments of animal by-products and of derived products accompanied by a health certificate or commercial documents duly completed and signed in accordance with the appropriate model health certificate set out in Annex XV to Commission Regulation (EU) No 142/2011, in the version applicable before the amendments provided for by Article 1 of this Regulation, shall continue to be accepted for importation into or transit through the Union, provided that such health certificates were duly completed and signed no later than [10 months after publication].

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission