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Brussels, XXX
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COMMISSION DELEGATED REGULATION (EU) .../...

of XXX

Commission Delegated Regulation amending 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

(Text with EEA relevance)

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EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2016/429¹ 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') lays down rules on transmissible animal diseases and rules on animal health requirements for movements within the Union of terrestrial animals.

Commission Delegated Regulation (EU) 2020/688² supplements the rules on the prevention and control of animal diseases transmissible to animals or to humans referred to in Article 5(1) of Regulation (EU) 2016/429 as regards movements within the Union of kept terrestrial animals and wild terrestrial animals.

For ruminants, it lays down, amongst others, requirements related to infection with bluetongue virus (serotype 1-24) ('infection with BTV') and infection with epizootic haemorrhagic disease virus.

infection with BTV is a category C+D+E disease as provided for in Commission Implementing Regulation (EU) 2018/1882 and is as such, subject to optional eradication programmes to achieve freedom in accordance with Regulation (EU) 2016/429. Rules for optional eradication programmes including the requirements for movement of animals when entering in a zone under eradication are laid down in Commission Delegated Regulation (EU) 2020/689.

Consequently, the requirements related to infection with BTV for movements within the EU in Delegated Regulation (EU) 2020/688 are, by way of cross-references, those laid down in Delegated Regulation (EU) 2020/689 for movement of animals when entering in a zone under eradication.

Infection with BTV is subject to re-categorisation to a category D+E disease by an ongoing amendment to Commission Implementing Regulation (EU) 2018/1882. Amongst other implications, such recategorization implies that the rules for BTV optional eradication programmes including the requirements for movement of animals when entering in a zone under eradication are being deleted from Delegated Regulation (EU) 2020/689 by a separate amendment.

Therefore, this amendment will introduce into Delegated Regulation (EU) 2020/688 the actual infection with BTV requirements applicable to movements within the EU, by replacing the current cross references to Delegated Regulation (EU) 2020/689.

This Regulation will also fine-tune some of the requirements considering the experience gained in recent years controlling infection with BTV in the following aspects:

- By removing the possibility for the Competent Authority of the Member State of destination to accept the movement of animals from another Member State not subject

¹ OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

² 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, 3.6.2020, p. 140, ELI: https://eur-lex.europa.eu/eli/reg_del/2020/688/oj).

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to any infection with BTV condition as currently provided for in Articles 13, 17(b), 24(b), 27(b), and 30(b).

- By removing the derogation for movements of kept animals intended for slaughter to other Member States as currently provided for in Articles 14(e), 18(e), 25(c), 28(c) and 31(c).
- By removing the supplementary animal health requirements regarding infection with BTV for transport operations as currently provided for in Articles 32 and 33.

Infection with BTV and infection with epizootic haemorrhagic disease virus are very similar diseases from an epidemiological point of view and they share the same listed species. It is also the intention of this amendment to further align the requirements related to BTV to the requirements related to EHD. This alignment applies to the following aspects

- For infection with BTV, by removing the supplementary risk mitigating measures for operators of slaughterhouses related to transport operations as currently provided for in Article 9(2);
- For infection with BTV, by removing the requirements for movements of kept terrestrial animals from confined establishments into confined establishments in other Member States as currently provided for in Article 64(2) and (3);
- For infection with BTV, by removing the special rules for movements of travelling circus and animal acts to other Member States currently provided for in Article 65(2) and (3);
- For infection with epizootic haemorrhagic disease and infection with BTV by laying down the same movement requirements applicable to wild animals in Article 101.
- For infection with epizootic haemorrhagic disease, by removing the possibility for the Competent Authority of the Member State of destination to accept the movement of animals not subject to any with epizootic haemorrhagic disease condition as currently provided for in letter (a) of the second subparagraph of Articles 10, 15, 23, 26 and 29;
- For infection with epizootic haemorrhagic disease, by removing the health requirements for transport operations as currently provided for in the third subparagraph of Articles 10, 15, 23, 26 and 29.

In addition, Delegated Regulation (EU) 2020/688 lays down animal health requirements for movements within the Union of terrestrial animals, including equine animals. During the implementation of Delegated Regulation (EU) 2020/688 some Member States experienced that certain operators are moving their registered equine animals from one establishment to another, both located in the territory of the same Member State, but passing through another Member State, as such routes seem to be logistically more suitable. Movements of registered equine animals, which comply with the general requirements laid down in Article 124 and with the diseases prevention measures in relation to transport laid down in Article 125 Regulation (EU) 2016/429, do not pose a significant risk for the spread of listed diseases, provided that during the passage registered equine animals are physically separated from equine animals of the Member State of passage. Therefore, the movements of such animals should be allowed without animal health certification if they are accompanied by a self-declaration document issued by operators.

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2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission consulted with members of the Expert Group on Animal Health (E00930) on the content of this draft Delegated Regulation during meetings that took place on 30 September 2025.

Several other exchanges and meetings also took place with stakeholders as well as with competent authorities of Member States where relevant drivers and elements were discussed regarding the purpose and content of the draft delegated act.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This Delegated Regulation is to be adopted within the framework of Regulation (EU) 2016/429, and in particular pursuant to Article 131(1)(c) and (d) and Article 144(1)(a)(iv).

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

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Commission Delegated Regulation amending 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

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

Having regard to 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')³, and in particular Article 131(1), points (c) and (d) and Article 144(1)(a)(iv), thereof

Whereas:

- (1) Regulation (EU) 2016/429 lays down rules for the prevention and control of animal diseases that are transmissible to animals or to humans. That Regulation lays down in its Part IV, Title I, Chapter 3 and Chapter 4 the animal health requirements for movements within the Union of kept terrestrial animals and wild animals respectively. Commission Delegated Regulation (EU) 2020/688⁴ supplements the rules on the prevention and control of diseases listed in Article 5(1) of Regulation (EU) 2016/429 as regards movements within the Union of kept terrestrial animals and wild animals, including ungulates, susceptible to infection with bluetongue virus (serotype 1-24) ('infection with BTV') and infection with epizootic haemorrhagic disease virus.
- (2) In addition, Regulation (EU) 2016/429 includes rules for the prioritisation and categorisation of listed diseases that are of concern at Union level. According to Article 5 of that Regulation, disease-specific rules apply to the prevention and control of diseases that have been listed in accordance with that provision. Infection with infection with BTV and infection with epizootic haemorrhagic disease are listed diseases in the sense of Article 5 of Regulation (EU) 2016/429.

³ OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

⁴ 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, 3.6.2020, p. 140, ELI: https://eur-lex.europa.eu/eli/reg_del/2020/688/oj).

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- (3) Moreover, Article 9(1) of Regulation (EU) 2016/429 provides for different categories of listed diseases to be subject to the application of different disease-specific rules. Based on Article 9(2) of Regulation (EU) 2016/429, Commission Implementing Regulation (EU) 2018/1882⁵ categorises each listed disease as A, B, C, D or E diseases which are subject to the corresponding disease-specific rules referred to in Article 9(1), points (a) to (e) of Regulation (EU) 2016/429. Infection with BTV is currently categorised as a C+D+E disease and infection with epizootic haemorrhagic disease is categorised as D+E disease as set out in the table of the Annex to Implementing Regulation (EU) 2018/1882. Consequently, they are subject to the disease-specific rules referred to in Article 9(1), points (c), (d) and (e) or (d) and (e) respectively of Regulation (EU) 2016/429.
- (4) Infection with BTV is a category C+D+E disease and one of the disease-specific rules to prevent and control infection with BTV is the implementation of optional eradication programmes. The provisions for optional eradication programmes for infection with BTV are laid down in Section 4 of Chapter 2 of Part II of Commission Delegated Regulation (EU) 2020/689. Article 43 of Delegated Regulation (EU) 2020/689 also includes rules for the movements of animals into Member States or zones covered by eradication programmes. Consequently, the requirements related to infection with BTV for movements within the EU in Delegated Regulation (EU) 2020/688 are, by way of cross-references, those laid down in Delegated Regulation (EU) 2020/689 for movement of animals when entering in a zone under eradication.
- (5) Infection with BTV is subject to re-categorisation to a category D+E disease by an ongoing amendment to Commission Implementing Regulation (EU) 2018/1882. Amongst other implications, such recategorization implies that the rules for BTV optional eradication programmes including the requirements for movement of animals when entering in a zone under eradication are being deleted from Delegated Regulation (EU) 2020/689 by a separate amendment. Therefore, the requirements related to infection with BTV for movements within the EU in Delegated Regulation (EU) 2020/688 will cease to exist.
- (6) This amendment will introduce into Delegated Regulation (EU) 2020/688 the actual infection with BTV requirements applicable to movements within the EU, by replacing the current cross references to Delegated Regulation (EU) 2020/689.
- (7) In addition, the experience gained in recent years controlling infection with BTV as regards has shown the need to refine further several provisions. This amendment removes the possibility for the Competent Authority of the Member State of destination to accept the movement of animals not subject to any infection with BTV condition, the derogation for movements of kept animals intended for slaughter to other Member States and the supplementary animal health requirements regarding infection with BTV for transport operations.

⁵ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases. (OJ L 308, 4.12.2018, p. 21, ELI: http://data.europa.eu/eli/reg_impl/2018/1882/oj).

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- (8) Infection with BTV and infection with haemorrhagic epizootic disease are two very similar diseases from an epidemiological point of view and they share the same listed species. Therefore, it is convenient to further align the animal health requirements for movements within the Union for both diseases. For infection with BTV, this amendment removes the supplementary risk mitigating measures for operators of slaughterhouses related to transport operations, removes the requirements for movements of kept terrestrial animals from confined establishments into confined establishments in other Member States and removes the special rules for movements of travelling circus and animal acts to other Member States. For infection with epizootic haemorrhagic disease, this amendment removes the possibility for the Competent Authority of the Member State of destination to accept the movement of animals not subject to any with epizootic haemorrhagic disease condition and the health requirements for transport operations.
- (9) Article 144(1)(a)(iv) of Regulation (EU) 2016/429 empowers the Commission to adopt delegated acts concerning derogations from the animal health certification requirements provided for in Article 143(1), for movements of kept terrestrial animals, which do not pose a significant risk for the spread of listed diseases, where the place of destination of those kept terrestrial animals is in the same Member State as their place of origin but they pass through another Member State in order to reach their place of destination.
- (10) Delegated Regulation (EU) 2020/688 supplements Regulation (EU) 2016/429 and lays down animal health requirements for movements within the Union of terrestrial animals, including equine animals. During the implementation of Delegated Regulation (EU) 2020/688 some Member States experienced that certain operators are moving their registered equine animals from one establishment to another, both located in the territory of the same Member State, but passing through another Member State, as such routes seem to be logistically more suitable. Movements of registered equine animals, which comply with the general requirements laid down in Article 124 and with the diseases prevention measures in relation to transport laid down in Article 125 Regulation (EU) 2016/429, do not pose a significant risk for the spread of listed diseases, provided that during the passage registered equine animals are physically separated from equine animals of the Member State of passage. Therefore, the movements of such registered equine animals should be allowed without animal health certification if they are accompanied by a self-declaration document issued by operators.
- (11) Delegated Regulation (EU) 2020/688 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1
Amendments to Delegated Regulation (EU) 2020/688

Delegated Regulation (EU) 2020/688 is amended as follows:

1. in Article 3, points (18) and (19) are deleted;

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2. Article 9 is replaced by the following:

‘Article 9

Supplementary risk mitigating measures for operators of slaughterhouses

Operators of slaughterhouses shall ensure that animals of listed species for infection with bluetongue virus (serotypes 1-24) or infection with epizootic haemorrhagic disease virus are slaughtered at the latest within 24 hours of arrival at the slaughterhouse when they come from another Member State and do not fulfil at least one of the following criteria:

- (a) they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX
- (b) they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX subject to the authorisation referred to in Article 13(2), Article 17(2), Article 24(2), Article 27(2), or Article 30(2).’;

3. Article 10, paragraph 1 is amended as follows:

- (a) point (f) is replaced by the following:

‘(f) except when the animals are moved in accordance with Article 13, they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX.’;

- (b) points (i), (j) and the second, third and fourth subparagraphs are deleted;

4. Article 11 is amended as follows:

- (a) paragraph 4 is deleted;

- (b) paragraph 5 is replaced by the following:

‘4. The provisions in paragraphs 1 to 3 shall not apply to kept bovine animals intended for slaughter as referred to in Article 14.’;

5. Article 12 is amended as follows:

- (a) paragraph 4 is deleted;

- (b) paragraph 5 is replaced by the following:

‘4. The provisions in paragraphs 1 to 3 shall not apply to kept bovine animals intended for slaughter as referred to in Article 14.’;

6. Article 13 is replaced by the following:

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‘Article 13

Derogations for movements of kept bovine animals to other Member States as regards infection with BTV and infection with epizootic haemorrhagic disease virus

1. By way of derogation from Article 10(1)(f), the competent authority of the Member State of origin may authorise the movement of kept bovine animals if they animals fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX.
2. The competent authority of the Member State of origin may only authorise the types of movements in accordance with paragraph 1, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;
7. in Article 14, point (e) is deleted;
8. Article 15, paragraph 1 is amended as follows:
 - (a) point (e) is replaced by the following:

‘(e) except when the animals are moved in accordance with Article 17, they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX.’;
 - (b) points (h), (i) and the second, third and fourth subparagraphs are deleted;
9. Article 17 is replaced by the following:

‘Article 17

Derogations for movements of kept ovine and caprine animals to other Member States as regards infection with BTV and infection with epizootic haemorrhagic disease virus

1. By way of derogation from Article 15(1)(e), the competent authority of the Member State of origin may authorise the movement of kept ovine and caprine animals if they animals fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX.
2. The competent authority of the Member State of origin may only authorise the types of movements in accordance with paragraph 1, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;
10. in Article 18, point (e) is deleted;

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11. Article 23, paragraph 1 is amended as follows:

(a) point (g) is replaced by the following:

‘(g) except when the animals are moved in accordance with Article 24, they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX.’;

(b) points (j), (k) and the second, third and fourth subparagraphs are deleted;

12. Article 24 is replaced by the following:

‘Article 24

Derogations for movements of kept camelid animals to other Member States as regards infection with BTV and infection with epizootic haemorrhagic disease virus

1. By way of derogation from Article 23(1)(g), the competent authority of the Member State of origin may authorise the movement of kept camelid animals if they animals fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX.

2. The competent authority of the Member State of origin may only authorise the types of movements in accordance with paragraph 1, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;

13. in Article 25, point (c) is deleted;

14. Article 26, paragraph 1 is amended as follows:

(a) point (g) is replaced by the following:

‘(g) except when the animals are moved in accordance with Article 27, they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX.’;

(b) points (j), (k) and the second, third and fourth subparagraphs are deleted;

12. Article 27 is replaced by the following:

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‘Article 27

Derogations for movements of kept cervid animals to other Member States as regards infection with BTV and infection with epizootic haemorrhagic disease virus

1. By way of derogation from Article 26(1)(g), the competent authority of the Member State of origin may authorise the movement of kept cervid animals if they animals fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX.
2. The competent authority of the Member State of origin may only authorise the types of movements in accordance with paragraph 1, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;
13. in Article 28, point (c) is deleted;
14. Article 29, paragraph 1 is amended as follows:
 - (a) point (f) is replaced by the following:

‘(f) except when the animals are moved in accordance with Article 30, they fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 1 or 2 of Part 1 of Annex IX.’;
 - (b) points (i), (j) and the second, third and fourth subparagraphs are deleted;
15. Article 30 is replaced by the following:

‘Article 30

Derogations for movements of other kept ungulate animals to other Member States as regards infection with BTV and infection with epizootic haemorrhagic disease virus

1. By way of derogation from Article 29(1)(f), the competent authority of the Member State of origin may authorise the movement of other kept ungulate animals if they animals fulfil at least one of the set requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in point 3 of Part 1 of Annex IX.
2. The competent authority of the Member State of origin may only authorise the types of movements in accordance with paragraph 1, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;
16. in Article 31, point (c) is deleted;

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17. Article 32 is deleted;
18. Article 33 is deleted;
19. in Article 64, paragraphs 2 and 3 are deleted;
20. in Article 65, paragraphs 2 and 3 are deleted;
21. the following Article 69a is added after Article 69:

'Article 69a

Derogation for movements of registered equine animals passing through another Member State to reach their place of destination in Member State of origin

1. By way of derogation from animal health certification requirements laid down in Article 143(1) of Regulation (EU) 2016/429, the operators may move registered equine animals where their place of destination is in the same Member State as their place of origin but they pass through another Member State in order to reach their place of destination provided that they are accompanied during the movement by a self-declaration document issued by the operator demonstrating the following:
 - (a) the registered equine animals fulfil at least the animal health requirements laid down in Article 124 of Regulation (EU) 2016/429;
 - (b) the registered equine animals show no disease symptoms on the day of the movement;
 - (c) the operator ensured that the transport conditions fulfil at least the animal health requirements laid down in Article 125 of Regulation (EU) 2016/429 and in Articles 4, 5 and 6(2) of this Regulation;
 - (c) the operator has taken the necessary measures to ensure that the registered equine animals are consigned directly to their place of destination without contact with other equine animals while in the Member State of passage;
 - (d) the following information concerning the movement must be included in the self declaration document:
 - (i) the address and registration number of the establishment of dispatch;
 - (ii) the address and registration number of the establishment of destination;
 - (iii) the date of the movement;
 - (iv) the species of registered equine animals moved;
 - (v) the unique codes of registered equine animals moved;

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- (e) the operator is aware that the authorisation of the Member State of passage referred to in paragraph 2 is applicable and exists for the time of the movement.
 - 2. The competent authority of the Member State of passage has informed the Commission, the other Member States and the public that such movements are authorised.’;
22. Article 101 is amended as follows:
- (a) point (c)(iv) of paragraph 4 is replaced by the following:
‘(iv) infection with BTV or infection with epizootic haemorrhagic disease virus within a radius of 150 km in terrestrial animals of listed species for that disease during the last 2 years prior to departure.’;
 - (b) point (d) of paragraph 4 is deleted;
 - (c) paragraph 5 is replaced by the following:
‘5. By way of derogation of point point (c)(iv) of paragraph 4, the competent authority of the Member State of origin may authorise the movement of wild terrestrial animals belonging to the families of animals belonging to the families of *Antilocapridae*, *Bovidae*, *Camelidae*, *Cervidae*, *Giraffidae*, *Moschidae* or *Tragulidae*, if the animals comply with at least one of the set of requirements for infection with bluetongue virus (serotype 1-24) or infection with epizootic haemorrhagic, as relevant, set out in points 2(a)(i), 3(a) or 3(b) of Part 1 of Annex IX.’;
 - (d) a new paragraph 6 is added as follows:
‘6. The competent authority of the Member State of origin may only authorise types of movements in compliance with one of the set of requirements in with points 3(a) or 3(b) of Part 1 of Annex IX, if the competent authority of the Member State of destination has informed the Commission and the other Member States of the authorisation of such types of movement regardless of the Member State of origin or area thereof.’;
23. Annex IX is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20 day following that of its publication in the *Official Journal of the European Union*.

It shall apply as of XXXX.

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

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Done at Brussels,

For the Commission
The President
[\[...\]](#)

DRAFT