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 (Text with EEA relevance)

CHAPTER VIII

IMPORT, TRANSIT AND EXPORT

Article 25

Import, transit and export of animal by-products and of derived products

1 The importation into and the transit through the Union of the following animal by-products shall be prohibited:

a unprocessed manure;

b untreated feathers and parts of feathers and down;

c beeswax in the form of honeycomb.

[[F1]2 The importation into and the transit through the Union of the following shall not be subject to any animal health conditions:

a wool and hair which has been factory-washed or which has been treated by another method which ensures that no unacceptable risks remain;

b furs which have been dried at an ambient temperature of 18 °C for a period of at least two days at a humidity of 55 %;

c wool and hair produced from animals other than those of the porcine species, which has been treated by factory-washing which consisting of the immersion of the wool and hair in series of baths of water, soap and sodium hydroxide or potassium hydroxide;

d wool and hair produced from animals other than those of the porcine species, which is dispatched directly to a plant producing derived products from wool and hair for the textile industry and has been treated by at least one of the following methods:

— chemical depilation by means of slaked lime or sodium sulphide,

— fumigation in formaldehyde in a hermetically sealed chamber for at least 24 hours,

— industrial scouring which consists of the immersion of wool and hair in a water-soluble detergent held at 60–70 °C,

— storage, which may include the journey time, at 37 °C for eight days, 18 °C for 28 days or 4 °C for 120 days;

e wool and hair that is dry and securely enclosed in packaging, produced from animals other than those of the porcine species, which is intended for dispatch to a plant producing derived products from wool and hair for the textile industry and meets all of the following requirements:

(i) it was produced at least 21 days before the date of entry into the Union kept in a third country or region thereof which is

— listed in Part 1 of Annex II to Regulation (EU) No 206/2010 and authorised for imports into the Union of fresh meat of ruminants not subject to supplementary guarantees A and F 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 basic general criteria listed in Annex II to Directive 2004/68/EC;

(ii) it is accompanied by a importers' declaration as required in accordance with Chapter 21 of Annex XV;

(iii) it was presented by the operator to one of the approved Union border inspection posts listed in Annex I to Decision 2009/821/EC where it passed with satisfactory result the documentary check carried out in accordance with Article 4(3) of Directive 97/78/EC.**]**

3 Operators shall comply with the following specific requirements for the importation into and the transit through the Union of certain animal by-products and derived products, as referred to in Articles 41(3) and 42 of Regulation (EC) No 1069/2009, set out in Annex XIV hereto:

a the specific requirements for the import and transit of Category 3 material and derived products for uses in the feed chain, other than for petfood or feed to fur animals, set out in Chapter I of that Annex;

b the specific requirements for the import and transit of animal by-products and derived products for uses outside the feed chain for farmed animals, set out in Chapter II of that Annex.

[F2 4 The rules set out in Chapter V of Annex XIV shall apply to exports from the Union of the derived products specified therein.**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 1063/2012 of 13 November 2012 amending Regulation (EU) No 142/2011 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 (Text with EEA relevance).

F2 Inserted by Commission Regulation (EU) 2017/172 of 1 February 2017 amending Regulation (EU) No 142/2011 as regards parameters for the transformation of animal by-products into biogas or compost, conditions for imports of petfood and for the export of processed manure (Text with EEA relevance).

Article 26

Placing on the market, including importation, and export of certain Category 1 materials

The competent authority may authorise the placing on the market, including the importation, and the export of hides and skins derived from animals which have been submitted to an illegal treatment as defined in Article 1(2)(d) of Directive 96/22/EC or in Article 2(b) of Directive 96/23/EC, 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:

(a) those materials must not be Category 1 materials derived from any of the following animals:

(i) animals suspected of being infected by a TSE in accordance with Regulation (EC) No 999/2001;

(ii) animals in which the presence of a TSE has been officially confirmed;

(iii) animals killed in the context of TSE eradication measures;

(b) those materials must not be intended for any of the following uses:

(i) feeding;

(ii) application to land from which farmed animals are fed;

(iii) the manufacture of:

— cosmetic products as defined in Article 1(1) of Directive 76/768/EEC;

— active implantable medical devices as defined in Article 1(2)(c) of Directive 90/385/EEC;

— medical devices as defined in Article 1(2)(a) of Directive 93/42/EEC;

— in vitro diagnostic medical devices as defined in Article 1(2)(b) of Directive 98/79/EC;

— veterinary medicinal products as defined in Article 1(2) of Directive 2001/82/EC;

— medicinal products as defined in Article 1(2) of Directive 2001/83/EC;

(c) the materials must be imported with a label and must comply with the specific requirements for certain movements of animal by-products set out in Section 1 of Chapter IV of Annex XIV hereto;

(d) the materials must be imported in accordance with sanitary certification requirements laid down in national legislation.

Article 27

Importation and transit of research and diagnostic samples

1 The competent authority may authorise the importation and the transit of research and diagnostic samples, comprising derived products or animal by-products, including the animal by-products referred to in Article 25(1), in accordance with conditions which ensure the control of risks to public and animal health.

Such conditions shall include at least the following:

a the introduction of the consignment must have been authorised in advance by the competent authority of the Member State of destination; and

b the consignment must be sent directly from the point of entry into the Union to the authorised user.

2 Operators shall present research and diagnostic samples which are intended to be imported via a Member State, other than the Member State of destination, at an approved Union border inspection post listed in Annex I to Decision 2009/821/EC. At the border inspection post,

those research and diagnostic samples shall not be subject to veterinary checks in accordance with Chapter I of Directive 97/78/EC. The competent authority of the border inspection post shall inform the competent authority of the Member State of destination of the introduction of the research and diagnostic samples by means of the TRACES system.

3 Operators handling research samples or diagnostic samples shall comply with the special requirements for disposal of research and diagnostic samples set out in Section 1 of Chapter III of Annex XIV hereto.

Article 28

Importation and transit of trade samples and display items

1 The competent authority may authorise the importation and the transit of trade samples in accordance with the special rules set out in point 1 of Section 2 of Chapter III of Annex XIV hereto.

2 Operators handling trade samples shall comply with the special rules for handling and disposal of trade samples set out in points 2 and 3 of Section 2 of Chapter III of Annex XIV hereto.

3 The competent authority may authorise the importation and the transit of display items in accordance with the special rules for display items set out in Section 3 of Chapter III of Annex XIV hereto.

4 Operators handling display items shall comply with the conditions for packaging, handling and disposal of display items set out in Section 3 of Chapter III of Annex XIV hereto.

Article 29

Specific requirements for certain movements of animal by-products between territories of the Russian Federation

1 The competent authority shall authorise specific movements of consignments of animal by-products coming from and destined to the Russian Federation directly or via another third country, by road or by rail through the Union, between approved Union border inspection posts listed in Annex I to Decision 2009/821/EC, provided that the following conditions are met:

a the consignment shall be sealed with a serially numbered seal at the border inspection post of entry to the Union by the veterinary services of the competent authority;

b the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC shall be stamped ‘ONLY FOR TRANSIT TO RUSSIA VIA THE EU’ on each page by the official veterinarian of the competent authority responsible for the border inspection post;

c the procedural requirements provided for in Article 11 of Directive 97/78/EC shall be complied with;

d the consignment is certified as acceptable for transit on the Common Veterinary Entry Document provided for in Annex III to Regulation (EC) No 136/2004 by the official veterinarian of the border inspection post of introduction.

2 Unloading or storage, as defined in Article 12(4) or Article 13 of Directive 97/78/EC of such consignments shall not be allowed on the territory of a Member State.

3 Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the Union territory matches the number and quantities entering.

[F3 Article 29a

Specific requirements for transit through Croatia of animal by-products coming from Bosnia and Herzegovina and destined to third countries

1 The movements 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 inspection post of Nova Sela and the border inspection post of Ploče, shall be authorised provided that the following conditions are met:

a the consignment is sealed with a serially numbered seal by the official veterinarian at the border inspection post of entry;

b the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC are stamped 'ONLY FOR TRANSIT TO THIRD COUNTRIES VIA THE EU' on each page by the official veterinarian at the border inspection post of entry;

c the procedural requirements provided for in Article 11 of Directive 97/78/EC are complied with;

d the consignment is certified as acceptable for transit on the Common Veterinary Entry Document referred to in Article 2(1) of Regulation (EC) No 136/2004 by the official veterinarian at the border inspection post of entry.

2 Unloading or storage, as defined in Article 12(4) or in Article 13 of Directive 97/78/EC, of such consignments in the Union shall not be allowed.

3 Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the Union matches the number and quantities entering the Union.**]**

Textual Amendments

F3 Inserted by Commission Regulation (EU) No 555/2013 of 14 June 2013 amending Regulation (EU) No 142/2011 as regards the transit of certain animal by-products from Bosnia and Herzegovina (Text with EEA relevance).

Article 30

Lists of establishments and plants in third countries

Lists of establishments and plants in third countries shall be entered into the TRACES system in accordance with technical specifications which are published by the Commission on its website.

Each list shall be kept up to date regularly.

Article 31

Models of health certificates and declarations for importation and transit

Consignments of animal by-products and derived products for importation 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 point of entry into the Union where the veterinary checks take place, as provided for in Directive 97/78/EC.

Status:
Point in time view as at 02/08/2017.

Changes to legislation:
There are currently no known outstanding effects for the Commission Regulation (EU) No 142/2011, CHAPTER VIII.