[F1ANNEX IV

ANIMAL FEEDING

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 56/2013 of 16 January 2013 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

CHAPTER I

Extensions of the prohibition provided for in Article 7(1)

In accordance with Article 7(2), the prohibition provided for in Article 7(1) shall be extended to the feeding:

(a) to ruminants of dicalcium phosphate and tricalcium phosphate of animal origin and compound feed containing these products;

(b) to non-ruminant farmed animals, other than fur animals, of:

- (i) processed animal protein;
- (ii) collagen and gelatine of ruminant origin;
- (iii) blood products;
- (iv) hydrolysed protein of animal origin;
- (v) dicalcium phosphate and tricalcium phosphate of animal origin;
- (vi) feed containing the products listed in (i) to (v).

CHAPTER II

Derogations from the prohibitions provided for in Article 7(1) and in Chapter I

In accordance with the first subparagraph of Article 7(3), the prohibitions provided for in Article 7(1) and in Chapter I shall not apply to the feeding to:

(a) ruminants of:

- (i) milk, milk-based products, milk-derived products, colostrum and colostrum products;
- (ii) eggs and egg products;
- (iii) collagen and gelatine derived from non-ruminants;
- (iv) hydrolysed proteins derived from:
  - — parts of non-ruminants, or
  - — ruminant hides and skins;

(v) compound feed containing the products listed in points (i) to (iv) above;

(b) non-ruminant farmed animals of the following feed materials and compound feed:

(i) hydrolysed proteins derived from parts of non-ruminants or from ruminant hides and skins;

(ii) fishmeal and compound feed containing fishmeal which are produced, placed on the market and used in accordance with the general conditions laid down in Chapter III and the specific conditions laid down in Section A of Chapter IV;

(iii) dicalcium phosphate and tricalcium phosphate of animal origin and compound feed containing such phosphates which are produced, placed on the market and used in accordance with the general conditions laid down in Chapter III and the specific conditions laid down in Section B of Chapter IV;

(iv) blood products derived from non-ruminants and compound feed containing such blood products which are produced, placed on the market and used in accordance with the general conditions laid down in Chapter III and the specific conditions laid down in Section C of Chapter IV;

(c) **[**[F2]aquaculture animals of the following feed materials and compound feed:

(i) processed animal protein derived from non-ruminants, other than fishmeal and other than processed animal protein derived from farmed insects, and compound feed containing such processed animal protein, which are produced, placed on the market and used in accordance with the general conditions laid down in Chapter III and the specific conditions laid down in Section D of Chapter IV;

(ii) processed animal protein derived from farmed insects, and compound feed containing such processed animal protein, which are produced, placed on the market and used in accordance with the general conditions laid down in Chapter III and the specific conditions laid down in Section F of Chapter IV;**]**

(d) unweaned ruminants of milk replacers containing fishmeal and which are produced, placed on the market and used in accordance with specific conditions laid down in Section E of Chapter IV;

(e) farmed animals of feed materials of plant origin and compound feed containing such feed materials contaminated with insignificant amount of bone spicules derived from unauthorised animal species. Member States may only use this derogation if they have carried out a risk assessment beforehand which has confirmed there is a negligible risk for animal health. That risk assessment must take into account at least the following:

(i) the level of the contamination;

(ii) the nature and the source of the contamination;

(iii) the intended use of the contaminated feed.

Textual Amendments

F2 Substituted by Commission Regulation (EU) 2017/893 of 24 May 2017 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council and Annexes X, XIV and

XV to Commission Regulation (EU) No 142/2011 as regards the provisions on processed animal protein (Text with EEA relevance).

CHAPTER III

General conditions for the application of certain derogations provided for in Chapter II

[F2 SECTION A

Transport and storage of feed materials and compound feed intended to be used for feeding non-ruminant farmed animals

1. The following products intended to be used for feeding non-ruminant farmed animals shall be transported in vehicles and containers and stored in storage facilities which are not used, respectively, for the transport or storage of feed intended for ruminants:

(a) bulk processed animal protein derived from non-ruminants, including fishmeal and processed animal protein derived from farmed insects;

(b) bulk dicalcium and tricalcium phosphate of animal origin;

(c) bulk blood products derived from non-ruminants;

(d) bulk compound feed containing the feed materials listed in (a), (b) and (c).

Records detailing the type of products that were transported or stored in a storage plant shall be kept available to the competent authority for a period of at least two years.

2. By way of derogation from point 1, vehicles, containers and storage facilities which have been previously used for the transport or storage of the products listed in that point, may be subsequently used for the transport or storage of feed intended for ruminants provided that they are cleaned beforehand in order to avoid cross-contamination, in accordance with a documented procedure which has been given prior authorisation by the competent authority.

Whenever such a procedure is used, a documented record of such use shall be kept available to the competent authority for a period of at least two years.

3. Storage plants storing in accordance with point 2 feed materials and compound feed listed in point 1 shall be authorised by the competent authority based on verification of their compliance with the requirements listed in point 2.

4. Bulk processed animal protein derived from non-ruminants, including processed animal protein derived from farmed insects but excluding fishmeal, and bulk compound feed containing such processed animal protein, shall be transported in vehicles and containers and stored in storage facilities which are not used, respectively, for the transport or storage of feed intended for non-ruminant farmed animals other than aquaculture animals.

5. By way of derogation from point 4, vehicles, containers and storage facilities which have been previously used for the transport or storage of the products referred to in that point may be subsequently used for the transport or storage of feed intended for non-ruminant farmed animals other than aquaculture animals provided that they are cleaned beforehand in order to avoid cross-contamination, in accordance with a

documented procedure which has been given prior authorisation by the competent authority.

Whenever such a procedure is used, a documented record of such use shall be kept available to the competent authority for a period of at least two years.**]**

SECTION B

Production of compound feed intended to be used for feeding non-ruminant farmed animals

1. Compound feed intended to be used for feeding non-ruminant farmed animals and which contain the following feed materials, shall be produced in establishments which do not produce compound feed for ruminants, and which are authorised by the competent authority:

(a) fishmeal;

(b) dicalcium and tricalcium phosphate of animal origin;

(c) blood products derived from non-ruminants.

2. By way of derogation from point 1, the production of compound feed for ruminants, in establishments which also produce compound feed for non-ruminant farmed animals which contains the products listed in that point, may be authorised by the competent authority, following an on-site inspection by it, subject to compliance with the following conditions:

(a) compound feed intended for ruminants must be manufactured and kept, during storage, transport and packaging, in facilities that are physically separate from those facilities where compound feed for non-ruminants are manufactured and kept;

(b) records detailing the purchases and uses of the products listed in point 1 and the sales of compound feed containing those products must be kept available to the competent authority for a period of at least five years;

(c) regular sampling and analysis of the compound feed intended for ruminants must be carried out in order to verify the absence of unauthorised constituents of animal origin using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Commission Regulation (EC) No 152/2009[(1)]; the frequency of sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on hazard analysis and critical control points (HACCP) principles; the results of such sampling and analysis shall be kept available to the competent authority for a period of at least five years.

[[F2]3. By way of derogation from point 1, a specific authorisation for the production of complete feed from compound feed containing the products listed in that point, shall not be required for home compounders subject to their compliance with the following conditions:

(a) they must be registered by the competent authority as producing complete feed from compound feed containing the products listed in point 1;

(b) they must keep only non-ruminant animals;

(c) any compound feed containing fishmeal used in the production of the complete feed must contain less than 50 % crude protein;

(d) any compound feed containing dicalcium and tricalcium phosphate of animal origin used in the production of the complete feed must contain less than 10 % total phosphorus;

(e) any compound feed containing blood products derived from non-ruminants used in the production of the complete feed must contain less than 50 % crude protein.**]**

SECTION C

Import of feed materials and compound feed intended to be used for feeding non-ruminant farmed animals other than fur animals

Before release [F3]..., importers shall ensure that each of the consignment of the following feed materials and compound feed, which are intended to be used for the feeding of non-ruminant farmed animals, other than fur animals, in accordance with Chapter II of this Annex, is analysed in accordance with the methods of analysis for the determination of constituents of animal origin for the control of feed set out Annex VI to Regulation (EC) No 152/2009 in order to verify the absence of unauthorised constituents of animal origin:

Textual Amendments

F3 Words in Annex 4 Ch. 3 s. C omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(28)**; 2020 c. 1, Sch. 5 para. 1(1)

(a) **[**[F2]processed animal protein derived from non-ruminants, including fishmeal and processed animal protein derived from farmed insects;**]**

(b) blood products derived from non-ruminants;

(c) compound feed containing the feed materials listed in (a) and (b).

SECTION D

Use and storage on farms of feed intended to be used for feeding non-ruminant farmed animals

1. The use and storage of the following feed shall be prohibited on farms keeping farmed animal species for which such feed is not intended:

(a) **[**[F2]processed animal protein derived from non-ruminants, including fishmeal and processed animal protein derived from farmed insects;**]**

(b) dicalcium and tricalcium phosphate of animal origin;

(c) blood products derived from non-ruminants;

(d) compound feed containing the feed materials listed in (a) to (c).

2. By way of derogation from point 1, the competent authority may authorise the use and storage of compound feed referred to in point 1(d) in farms keeping farmed animal

species for which the compound feed is not intended provided that on-farm measures are implemented to prevent such compound feed being fed to an animal species for which it is not intended.

CHAPTER IV

Specific conditions for the application of derogations provided for in Chapter II

SECTION A

Specific conditions applicable to the production and the use of fishmeal and compound feed containing fishmeal intended to be used for feeding non-ruminant farmed animals other than fur animals

The following specific conditions shall apply to the production and use of fishmeal and compound feed containing fishmeal intended to be used for the feeding of non-ruminant farmed animals other than fur animals:

(a) **[**[F4]the fishmeal must be produced in processing plants dedicated exclusively to the production of products derived from:

(i) aquatic animals, except sea mammals;

(ii) farmed aquatic invertebrates other than those that fall within the definition of ‘aquatic animals’ provided for in Article 3(1)(e) of Directive 2006/88/EC; or

(iii) starfish of the species *Asterias rubens* which are harvested in a production area as defined in Annex I point 2.5 of Regulation (EC) No 853/2004 and classified accordingly;**]**

(b) **[**[F2]The words ‘fishmeal — shall not be used in feed for ruminants except unweaned ruminants’ shall be clearly indicated on the accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, as well as on the label of fishmeal;

The words ‘contains fishmeal — shall not be fed to ruminants’ shall be clearly indicated on the label of compound feed containing fishmeal intended for non-ruminant farmed animals other than fur animals.**]**

Textual Amendments

F4 Substituted by Commission Regulation (EU) 2017/110 of 23 January 2017 amending Annexes IV and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

[F2 SECTION B

Specific conditions applicable to the use of dicalcium phosphate and tricalcium phosphate of animal origin and compound feed containing such phosphates intended to be used for feeding non-ruminant farmed animals other than fur animals

(a) The words 'di-/tricalcium phosphate of animal origin — shall not be used in feed for ruminants' shall be clearly indicated on the accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, as well as on the label of dicalcium/tricalcium phosphate of animal origin;

(b) The words 'contains dicalcium/tricalcium phosphate of animal origin — shall not be fed to ruminants' shall be clearly indicated on the label of compound feed containing dicalcium/tricalcium phosphate of animal origin.**]**

SECTION C

Specific conditions applicable to the production and use of blood products derived from non-ruminants and compound feed containing those products intended to be used for feeding non-ruminant farmed animals other than fur animals

The following specific conditions shall apply to the production and use of blood products derived from non-ruminants and to compound feed containing such blood products, intended to be used for the feeding of non-ruminant farmed animals other than fur animals:

(a) The blood intended to be used for the production of blood products shall be derived from slaughterhouses which do not slaughter ruminants and which are registered by the competent authority as not slaughtering ruminants.

By way of derogation from that specific condition, the competent authority may authorise the slaughter of ruminants in a slaughterhouse producing non-ruminant blood intended for the production of blood products for use in feed for non-ruminant farmed animals.

That authorisation may be granted only where the competent authority is satisfied, following an inspection, concerning the effectiveness of measures aimed to prevent cross-contamination between ruminant and non-ruminant blood.

Those measures shall include the following minimum requirements:

(i) the slaughtering of non-ruminants must be carried out in lines that are physically separate from lines used for the slaughtering of ruminants;

(ii) the collection, storage, transport and packaging facilities for blood of non-ruminant origin must be kept separate from those used for blood of ruminant origin;

(iii) a regular sampling and analysis of blood of non-ruminant origin must be carried out to detect the presence of ruminant proteins. The method of analysis used must be scientifically validated for that purpose. The frequency of sampling and analysis must be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on the HACCP principles.

(b) The blood intended to be used for the production of blood products for non-ruminants shall be transported to a processing plant in vehicles and containers dedicated exclusively for the transport of non-ruminant blood.

By way of derogation from that specific condition, vehicles and containers which have been previously used for the transport of blood derived from ruminants may be used for the transport of non-ruminant blood provided that they have been thoroughly cleaned beforehand in order to avoid cross-contamination in accordance with a documented procedure which has been given prior authorisation by the competent authority. Whenever such a procedure is used, a documented trace of such use shall be kept available to the competent authority for a period of at least two years.

(c) **[**[F2]The blood products shall be produced in processing plants exclusively processing non-ruminant blood, and registered by the competent authority as processing exclusively non-ruminant blood.**]**

By way of derogation from that specific condition, the competent authority may authorise the production of blood products for use in feed for non-ruminant farmed animals in processing plants processing ruminant blood.

That authorisation may be granted only where the competent authority is satisfied, following an inspection, concerning the effectiveness of measures aimed to prevent cross-contamination.

Those measures shall include the following minimum requirements:

(i) the production of non-ruminant blood products must be carried out in a closed system that is kept physically separated from that used for the production of ruminant blood products;

(ii) the collection, storage, transport and packaging facilities for bulk raw material and bulk finished products of non-ruminant origin must be kept separate from those for bulk raw material and bulk finished of ruminant origin;

(iii) an ongoing reconciliation process between the incoming blood respectively derived from ruminants and non-ruminants and the corresponding blood products must be applied;

(iv) a regular sampling and analysis of blood products of non ruminant origin must be carried out to verify the absence of cross-contamination with blood products of ruminant origin using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009; the frequency of sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on hazard analysis and critical control points (HACCP) principles; the results of such sampling and analysis shall be kept available to the competent authority for a period of at least five years.

(d) **[**[F2]The words ‘non-ruminant blood products — shall not be used in feed for ruminants’ shall be clearly indicated on the accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, as well as on the label of blood products derived from non-ruminants.

The words ‘contains non-ruminant blood products — shall not be fed to ruminants’ shall be clearly indicated on the label of compound feed containing blood products derived from non-ruminants.**]**

[F2 SECTION D

Specific conditions applicable to the production and use of processed animal protein derived from non-ruminants, other than fishmeal and other than processed animal protein derived from farmed insects, and compound feed containing such protein, intended to be used for feeding aquaculture animals

The following specific conditions shall apply to the production and use of processed animal protein derived from non-ruminants, other than fishmeal and other than processed animal protein derived from farmed insects, and compound feed containing such protein, intended to be used for feeding aquaculture animals:

(a) The animal by-products intended to be used for the production of processed animal protein referred to in this Section shall come from:

(i) slaughterhouses which do not slaughter ruminants and which are registered by the competent authority as not slaughtering ruminants; or

(ii) cutting plants which do not bone or cut up ruminant meat and which are registered by the competent authority as not boning or cutting up ruminant meat; or

(iii) other establishments than those referred to in (i) or (ii) which do not handle ruminant products and which are registered by the competent authority as not handling ruminant products.

By way of derogation from that specific condition, the competent authority may authorise the slaughter of ruminants in a slaughterhouse producing non-ruminant animal by-products intended for the production of processed animal protein referred to in this Section, and the handling of ruminant products in a cutting plant or another establishment producing non-ruminant animal by-products intended for the production of processed animal protein referred to in this Section.

That authorisation may be granted only where the competent authority is satisfied, following an on-site inspection, of the effectiveness of measures aimed to prevent cross-contamination between ruminant and non-ruminant by-products.

Those measures shall include the following minimum requirements:

(i) the slaughtering of non-ruminants must be carried out in lines that are physically separate from those used for the slaughtering of ruminants;

(ii) non-ruminant products must be handled on production lines that are physically separate from those used for the handling of ruminant products;

(iii) the collection, storage, transport and packaging facilities for animal by-products of non-ruminant origin must be kept separate from those for animal by-products of ruminant origin;

(iv) a regular sampling and analysis of animal by-products of non-ruminant origin must be carried out to detect the presence of ruminant proteins. The

method of analysis used must be scientifically validated for that purpose. The frequency of sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on the HACCP principles.**]**

(b) The animal by-products of non-ruminant origin intended to be used for the production of processed animal protein referred to in this Section shall be transported to a processing plant in vehicles and containers which are not used for the transport of animal by-products of ruminant origin.

By way of derogation from that specific condition, they may be transported in vehicles and containers which have been previously used for the transport of animal by-products derived from ruminants, provided that those vehicles and containers have been cleaned beforehand in order to avoid cross-contamination in accordance with a documented procedure which has been given prior authorisation by the competent authority.

Whenever such a procedure is used, a documented trace of such use shall be kept available to the competent authority for a period of at least two years.

(c) **[**[F2]The processed animal protein referred to in this Section shall be produced in processing plants that are dedicated exclusively to processing non-ruminant animal by-products sourced from slaughterhouses, cutting plants or other establishments referred to in point (a). Those processing plants shall be registered by the competent authority as processing exclusively non-ruminant animal by-products.**]**

By way of derogation from that specific condition, the competent authority may authorise the production of processed animal protein referred to in this Section in processing plants processing ruminant animal by-products.

That authorisation may be granted only where the competent authority is satisfied, following an inspection, concerning the effectiveness of the measures aimed to prevent cross-contamination between processed animal protein of ruminant origin and processed animal protein of non-ruminant origin.

Those preventive measures shall include the following minimum requirements:

(i) the production of processed animal protein derived from ruminants must be carried out in a closed system that is physically separated from that used for the production of the processed animal protein referred to in this Section;

(ii) the keeping of animal by-products derived from ruminants during storage and transport in facilities that are physically separated from those for animal by-products derived from non-ruminants;

(iii) the keeping of processed animal protein derived from ruminants during storage and packaging in facilities that are physically separated from those used for finished products derived from non-ruminants;

(iv) regular sampling and analysis of the processed animal protein referred to in this Section must be carried out to verify the absence of cross-contamination with ruminant processed animal protein using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009; the frequency of sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on hazard analysis and

critical control points (HACCP) principles; the results of such sampling and analysis shall be kept available to the competent authority for a period of at least five years.

(d) Compound feed containing processed animal protein referred to in this Section shall be produced in establishments authorised for that purpose by the competent authority and which are dedicated exclusively to the production of feed for aquaculture animals.

By way of derogation from that specific condition:

(i) **[**[F2]the production of compound feed, containing processed animal protein referred to in this Section, for aquaculture animals in establishments which also produce compound feed intended for other farmed animals, other than fur animals, may be authorised by the competent authority, following an on-site inspection, subject to compliance with the following conditions:**]**

— compound feed destined for ruminants must be manufactured and kept, during storage, transport and packaging, in facilities that are physically separate from those facilities where compound feed for non-ruminant animals are manufactured and kept;

— compound feed destined for aquaculture animals must be manufactured and kept, during storage, transport and packaging, in facilities that are physically separate from those facilities where compound feed for other non-ruminant animals are manufactured and kept;

— records detailing the purchases and uses of processed animal protein referred to in this Section and the sales of compound feed containing such protein must be kept available to the competent authority for a period of at least five years;

— regular sampling and analysis of the compound feed destined for farmed animals other than aquaculture animals in order to verify the absence of unauthorised constituents of animal origin using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009; the frequency of such sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on the HACCP principles; the results must be kept available to the competent authority for a period of at least five years;

(ii) **[**[F2]a specific authorisation for the production of complete feed from compound feed containing processed animal protein referred to in this Section shall not be required for home compounders that comply with the following conditions:

— they are registered by the competent authority as producing complete feed from compound feed containing processed animal protein derived from non-ruminants, other than fishmeal and other than processed animal protein derived from farmed insects,

— they keep only aquaculture animals, and

— the compound feed containing processed animal protein referred to in this Section used in their production contains less than 50 % crude protein.**]**

(e) **[**F2The accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, of processed animal protein referred to in this Section and the label thereof shall be clearly marked with the following words: ‘non-ruminant processed animal protein — shall not be used in feed for farmed animals except aquaculture and fur animals’.

The following words shall be clearly indicated on the label of compound feed containing processed animal protein referred to in this Section:

contains non-ruminant processed animal protein — shall not be fed to farmed animals except aquaculture and fur animals.**]**

SECTION E

Specific conditions applicable to the production, placing on the market and use of milk replacers containing fishmeal for the feeding of unweaned ruminants

The following specific conditions shall apply to the production, placing on the market and use of milk replacers containing fishmeal in the feeding of unweaned farmed animals of the ruminant species:

(a) **[**F4the fishmeal used in milk replacers shall be produced in processing plants dedicated exclusively to the production of products derived from:

(i) aquatic animals, except sea mammals;

(ii) farmed aquatic invertebrates other than those that fall within the definition of ‘ aquatic animals ’ provided for in Article 3(1)(e) of Directive 2006/88/EC; or

(iii) starfish of the species *Asterias rubens* which are harvested in a production area as defined in Annex I point 2.5 of Regulation (EC) No 853/2004 and classified accordingly.

The fishmeal used in milk replacers shall comply with general conditions laid set out in Chapter III.**]**

(b) **[**F2the words ‘ fishmeal — shall not be used in feed for ruminants except unweaned ruminants ’ shall be clearly indicated on the accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, as well as the label of fishmeal intended to be used in milk replacers;

(c) the use of fishmeal for unweaned farmed animals of the ruminant species shall only be authorised for the production of milk replacers, distributed in dry form and administered after dilution in a given quantity of liquid, intended for the feeding of unweaned ruminants as a supplement to, or substitute for, post-colostral milk before weaning is complete;

(d) milk replacers containing fishmeal intended for unweaned farmed animals of the ruminant species shall be produced in establishments which do not produce other compound feed for ruminants and which are authorised for this purpose by the competent authority.

By way of derogation from that special condition, the production of other compound feed for ruminants in establishments which also produce milk replacers containing

fishmeal intended for unweaned farmed animals of the ruminant species may be authorised by the competent authority, following an on-site inspection, subject to compliance with the following conditions:

(i) other compound feed destined for ruminants must be kept in facilities that are physically separate from those used for bulk fishmeal and bulk milk replacers containing fishmeal during storage, transport and packaging;

(ii) other compound feed destined for ruminants must be manufactured in facilities that are physically separate from facilities where milk replacers containing fishmeal are manufactured;

(iii) records detailing the purchases and uses of fishmeal and the sales of milk replacers containing fishmeal must be kept available to the competent authority for a period of at least five years;

(iv) regular sampling and analysis of the other compound feed destined for ruminants must be carried out in order to verify the absence of unauthorised constituents of animal origin using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009; the frequency of such sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on the HACCP principles; the results must be kept available to the competent authority for a period of at least five years;

(e) before release [F5]..., importers shall ensure that each consignment of imported milk replacers containing fishmeal is analysed in accordance with methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009 in order to verify the absence of unauthorised constituents of animal origin;

(f) The label of milk replacers containing fishmeal, intended for unweaned farmed animals of the ruminant species, must be clearly marked with the words ‘ contains fishmeal — shall not be fed to ruminants except unweaned ruminants ’ ;

(g) bulk milk replacers containing fishmeal intended for unweaned farmed animals of the ruminant species shall be transported in vehicles and containers and stored in storage facilities which are not used, respectively for the transport or storage of other feed intended for ruminants.

By way of derogation from that special condition, vehicles, containers and storage facilities which will be subsequently used for the transport or storage of other bulk feed intended for ruminants may be used for the transport or storage of bulk milk replacers containing fishmeal intended for unweaned farmed animals of the ruminant species provided that they have been cleaned beforehand in order to avoid cross-contamination in accordance with a documented procedure which has been given prior authorisation by the competent authority. Whenever such a procedure is used, a documented record of such use shall be kept available to the competent authority for a period of at least two years;

(h) on farms where ruminants are kept, on-farm measures shall be in place to prevent milk replacers containing fishmeal being fed to other ruminants than unweaned ruminants. The competent authority shall establish a list of farms where milk replacers containing fishmeal are used through a system of prior notification by the farm or another system thereby ensuring compliance with this specific condition.**]**

Textual Amendments

F5 Words in Annex 4 Ch. 4 s. E point (e) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(29)**; 2020 c. 1, Sch. 5 para. 1(1)

[F6 SECTION F

Specific conditions applicable to the production and use of processed animal protein derived from farmed insects and compound feed containing such protein intended to be used for feeding aquaculture animals

The following specific conditions shall apply to the production and use of processed animal protein derived from farmed insects and compound feed containing such processed animal protein intended to be used for feeding aquaculture animals:

(a) Processed animal protein derived from farmed insects must:

(i) be produced in processing plants approved in accordance with Article 24(1)(a) of Regulation (EC) No 1069/2009 and dedicated exclusively to the production of products derived from farmed insects; and

(ii) be produced in accordance with the requirements laid down in Section 1 of Chapter II of Annex X to Regulation (EU) No 142/2011.

(b) Compound feed containing processed animal protein derived from farmed insects must be produced in establishments authorised for that purpose by the competent authority and which are dedicated exclusively to the production of feed for aquaculture animals.

By way of derogation from that specific condition:

(i) the production of compound feed, containing processed animal protein derived from farmed insects, for aquaculture animals in establishments which also produce compound feed intended for other farmed animals, except fur animals, may be authorised by the competent authority, following an on-site inspection, subject to compliance with the following conditions:

— compound feed destined for ruminants must be manufactured and kept, during storage, transport and packaging, in facilities that are physically separate from those facilities where compound feed for non-ruminant animals are manufactured and kept,

— compound feed destined for aquaculture animals must be manufactured and kept, during storage, transport and packaging, in facilities that are physically separate from those facilities where compound feed for other non-ruminant animals are manufactured and kept,

— records detailing the purchases and uses of processed animal protein derived from farmed insects and the sales of compound feed containing such protein must be kept available to the competent authority for a period of at least five years,

— regular sampling and analysis of the compound feed destined for farmed animals other than aquaculture animals in order to verify

the absence of unauthorised constituents of animal origin using the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009; the frequency of such sampling and analysis shall be determined on the basis of a risk assessment carried out by the operator as part of its procedures based on the HACCP principles; the results must be kept available to the competent authority for a period of at least five years;

(ii) a specific authorisation for the production of complete feed from compound feed containing processed animal protein derived from farmed insects shall not be required for home compounders that comply with the following conditions:

— they are registered by the competent authority as producing complete feed from compound feed containing processed animal protein derived from farmed insects,

— they keep only aquaculture animals, and

— the compound feed containing processed animal protein derived from farmed insects used in their production contains less than 50 % crude protein.

(c) The accompanying commercial document or health certificate referred to in Article 21(2) of Regulation (EC) No 1069/2009, as appropriate, of processed animal protein derived from farmed insects and the label thereof shall be clearly marked with the following words: ‘processed insect protein — shall not be used in feed for farmed animals except aquaculture and fur animals’.

The following words shall be clearly indicated on the label of compound feed containing processed animal protein derived from insects:

contains non-ruminant processed animal protein — shall not be fed to farmed animals except aquaculture and fur animals.**]**

Textual Amendments

F6 Inserted by Commission Regulation (EU) 2017/893 of 24 May 2017 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council and Annexes X, XIV and XV to Commission Regulation (EU) No 142/2011 as regards the provisions on processed animal protein (Text with EEA relevance).

CHAPTER V

General requirements

[F2 SECTION A

Listing

1. **[**F7The appropriate authority**]** shall keep up-to-date and make publicly available lists of:

(a) slaughterhouses registered as not slaughtering ruminants in accordance with the first paragraph of point (a) of Section C of Chapter IV, as well as authorised slaughterhouses from which blood produced in accordance with the second, third and fourth paragraphs of point (a) of Section C of Chapter IV can be sourced;

(b) processing plants registered as processing exclusively non-ruminant blood in accordance with the first paragraph of point (c) of Section C of Chapter IV, as well as authorised processing plants producing blood products in accordance with the second, third and fourth paragraph of point (c) of Section C of Chapter IV;

(c) slaughterhouses, cutting plants and other establishments registered as, respectively, not slaughtering ruminants, boning or cutting up ruminant meat, and not handling ruminant products, from which animal by-products intended to be used for the production of processed animal protein derived from non-ruminants in accordance with the first paragraph of point (a) of Section D of Chapter IV can be sourced, as well as authorised slaughterhouses, cutting plants and other establishments, from which animal by-products intended to be used for the production of processed animal protein derived from non-ruminants in accordance with the second, third and fourth paragraphs of point (a) of Section D of Chapter IV can be sourced;

(d) processing plants registered as not processing ruminant animal by-products in accordance with the first paragraph of point (c) of Section D of Chapter IV, as well as authorised processing plants producing processed animal protein derived from non-ruminants which operate in accordance with the second, third and fourth paragraphs of point (c) of Section D of Chapter IV;

(e) authorised compound feed establishments producing, in accordance with Section B of Chapter III, compound feed containing fishmeal, dicalcium and tricalcium phosphate of animal origin, or blood products derived from non-ruminants;

(f) authorised compound feed establishments producing, in accordance with point (d) of Section D of Chapter IV, compound feed containing processed animal protein derived from non-ruminants; as well as authorised compound feed establishments producing, in accordance with point 3(b)(ii) of Section E of Chapter V, exclusively compound feed for export from the Union or compound feed for export from the Union and compound feed for aquaculture animals to be placed on the market;

(g) authorised compound feed establishments producing, in accordance with point (d) of Section E of Chapter IV, milk replacers containing fishmeal intended for unweaned farmed animals of the ruminant species;

(h) authorised compound feed establishments producing, in accordance with point (b) of Section F of Chapter IV, compound feed containing processed animal protein derived from farmed insects;

(i) storage plants authorised in accordance with point 3 of Section A of Chapter III or in accordance with the third paragraph of point 3(d) of Section E of Chapter V.

Textual Amendments

F7 Words in Annex 4 Ch. 5 s. A substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(31)**; 2020 c. 1, Sch. 5 para. 1(1)

2. Member States shall keep up-to-date lists of home compounders registered in accordance with point 3 of Section B of Chapter III, point (d)(ii) of Section D of Chapter IV, and point (b)(ii) of Section F of Chapter IV.

SECTION B

Transport and storage of feed materials and compound feed containing products derived from ruminants

1. Bulk feed materials and bulk compound feed containing products derived from ruminants other than those listed in the following points (a) to (d) shall be transported in vehicles and containers and stored in storage facilities which are not used, respectively, for the transport or storage of feed intended for farmed animals other than fur animals:

(a) milk, milk-based products, milk-derived products, colostrum and colostrum products;

(b) dicalcium and tricalcium phosphate of animal origin;

(c) hydrolysed proteins derived from ruminant hides and skins;

(d) rendered fat from ruminants with a maximum level of insoluble impurities of 0,15 % in weight and derivatives made from such fat.

2. By way of derogation from point 1, vehicles, containers and storage facilities which have been previously used for the transport or storage of bulk feed materials and bulk compound feed listed in that point, may be used for the transport or storage of feedingstuffs intended for farmed animals other than fur animals provided that they have been cleaned beforehand in order to avoid cross-contamination in accordance with a documented procedure which has been given prior authorisation by the competent authority.

Whenever such a procedure is used, a documented record of this use shall be kept available to the competent authority for a period of at least two years.

SECTION C

Production of compound feed intended for fur animals or for pet animals containing products derived from ruminants or from non-ruminants

1. Compound feed intended for fur animals or for pet animals which contains products derived from ruminants other than those listed in the following points (a) to (d) shall not be produced in establishments which produce feed for farmed animals other than fur animals:

(a) milk, milk-based products, milk-derived products, colostrum and colostrum products;

(b) dicalcium and tricalcium phosphate of animal origin;

(c) hydrolysed proteins derived from ruminant hides and skins;

(d) rendered fat from ruminants with a maximum level of insoluble impurities of 0,15 % in weight and derivatives made from such fat.

2. Compound feed intended for fur animals or for pet animals, which contains processed animal protein derived from non-ruminants, other than fishmeal, shall not be produced in establishments which produce feed for farmed animals other than fur animals or aquaculture animals.**]**

[F2 SECTION D

Use and storage on farms of feed materials and compound feed for farmed animals containing products derived from ruminants

The use and storage of feed materials and compound feed for farmed animals containing products derived from ruminants other than those listed in points (a) to (d) shall be prohibited in farms keeping farmed animals other than fur animals:

(a) milk, milk-based products, milk-derived products, colostrum and colostrum products;

(b) dicalcium and tricalcium phosphate of animal origin;

(c) hydrolysed proteins derived from ruminant hides and skins;

(d) rendered fat from ruminants with a maximum level of insoluble impurities of 0,15 % in weight and derivatives made from such fat.**]**

[F2 SECTION E

Export of processed animal protein and products containing such protein

1. The export of processed animal protein derived from ruminants, or of processed animal protein derived from both ruminants and non-ruminants, shall be subject to compliance with the following conditions:

(a) The processed animal protein shall be transported in sealed containers, directly from the processing plant of production to the point of exit **F8**....

(b) **[F9**The consignment must be accompanied by a duly completed commercial document made available for the time being by the appropriate authority, and the border inspection post of exit must be indicated as the exit point in that document.**]**

(c) When the consignment arrives at the point of exit, the competent authority at the border inspection post shall verify the seal of each of the containers presented at the border inspection post.

By way of derogation, based on an analysis of the risk, the competent authority at the border inspection post may decide to verify the seal of the container on a random basis.

If the seal verification is not satisfactory, the consignment must either be destroyed or must be re-dispatched to the establishment of origin.

The competent authority at the border inspection post shall inform, via **[F10**the appropriate computerised information management system**][F11**or any replacement system in operation in Great Britain**]**, the competent authority responsible for the establishment of origin of the arrival of the consignment at the point of exit and, where

applicable, of the outcome of the verification of the seal and of any corrective action taken.

(d) The competent authority responsible for the establishment of origin shall carry out regular official controls to verify the correct implementation of points (a) and (b) and to verify that, for each consignment of processed animal protein of ruminant origin intended for export, the confirmation of the control carried out at the exit point was received from the competent authority of the border inspection post, through TRACES **[**F12or any replacement system in operation in Great Britain**]**.

Textual Amendments

F8 Words in Annex 4 Ch. 5 s. E point 1(a) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(32)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F9 Annex 4 Ch. 5 s. E point 1(b) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(22)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

F10 Words in Annex 4 Ch. 5 s. E point 1(c) substituted (31.12.2020) by S.I. 2019/170, reg. 2(32)(a)(ii) (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(k)(i)**)

F11 Words in Annex 4 Ch. 5 s. E point 1(c) inserted (31.12.2020) by S.I. 2019/170, reg. 2(32)(a)(ii) (as substituted by The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1220), regs. 1(2)(b), **5(2)(d)(i)(aa)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **22(2)(a)(ii)**)); 2020 c. 1, Sch. 5 para. 1(1))

F12 Words in Annex 4 Ch. 5 s. E point 1(d) inserted (31.12.2020) by S.I. 2019/170, reg. 2(32)(a)(iii) (as substituted by The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1220), regs. 1(2)(b), **5(2)(d)(i)(bb)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **22(2)(a)(ii)**)); 2020 c. 1, Sch. 5 para. 1(1))

[F13**2.** Without prejudice to point 1, the export of products containing processed animal protein derived from ruminants shall be prohibited.

By way of derogation, that prohibition shall not apply to:

(a) processed petfood containing processed animal protein derived from ruminants which:

(i) has been processed in establishments or plants approved in accordance with Article 24(1)(e) of Regulation (EC) No 1069/2009; and

(ii) is packaged and labelled in accordance with **[**F14EU-derived domestic**]** legislation.

(b) organic fertilisers or soil improvers, as defined in point 22 of Article 3 of Regulation (EC) No 1069/2009, that contain in their composition processed animal proteins derived from ruminants or a mixture of processed animal proteins from ruminants and non-ruminants provided that:

(i) they do not contain Category 1 material and products derived therefrom or Category 2 material and products derived therefrom, other than manure, as defined in point 20 of Article 3 of Regulation (EC) No 1069/2009, processed in accordance with the rules for placing on the market of processed manure, laid down in Section 2(a), (b), (d) and (e) of Chapter I of Annex XI to Commission Regulation (EU) No 142/2011;

(ii) the processed animal proteins contained in the organic fertilisers or soil improvers are in compliance with the specific requirements described in Section 1 of Chapter II of Annex X to Regulation (EU) No 142/2011;

(iii) the organic fertilisers or soil improvers may contain other category 3 materials, that have been processed in accordance to:

— any of the processing methods 1 to 7 set out in Chapter III of Annex IV to Regulation (EU) No 142/2011, or

— the requirements laid down in Section 1 Chapter III of Annex V to Regulation (EU) No 142/2011 in the case of compost or digestion residues from the transformation of animal by-products into biogas, or;

— the specific requirements set out in Annex XIII to Regulation (EU) No 142/2011, where such materials may be used for organic fertilisers and soil improvers in accordance to that Regulation.

(iv) they have been produced in establishments or plants approved in accordance with Article 24(1)(f) of Regulation (EC) No 1069/2009;

(v) are mixed with a sufficient proportion of a component, authorised by the **[**[F15]appropriate authority of the relevant constituent nation**]** where the organic fertilisers or soil improvers are produced, which renders the product unpalatable to animals or is otherwise effective to prevent misuse of the mixture for feeding purposes. This component is to be mixed with the organic fertilizers or soil improvers in the plant manufacturing them or in a plant registered for this purpose in accordance with point 2 of Section 1 of Chapter II of Annex XI to Regulation (EU) No 142/2011.

If required by the competent authority of the third country of destination, the **[**[F15]appropriate authority of the relevant constituent nation**]** where the organic fertilisers or soil improvers are produced may accept the use of other components or other methods to prevent the use of the organic fertilisers or soil improvers as feed, different than those authorised in **[**[F16]the relevant constituent nation**]**, provided that these are not in contradiction with the rules laid down in point 3 of Article 22 and point 3 of Section 1 of Chapter II of Annex XI to Regulation (EU) No 142/2011;

(vi) they have been processed to ensure decontamination of pathogens in accordance with point 5 of Section 1 of Chapter II of Annex XI to Regulation (EU) No 142/2011;

(vii) they have a label attached to the packaging or container bearing the words ‘ organic fertilisers or soil improvers/no grazing of farmed animals or use of crops as herbage during at least 21 days following application ’ ;

(viii) they are exported in compliance with the following conditions:

— they shall be transported in sealed containers, directly from the plant manufacturing the organic fertilisers or soil improvers or the registered plant where the component which renders the product unpalatable to animals is added, to the point of exit from the **[**[F17]United Kingdom**]**, which shall be a border control post listed in Annex I to Commission Decision 2009/821/EC. Before leaving the **[**[F17]United Kingdom**]**, the operator responsible for arranging the

transport of the organic fertilisers or soil improvers shall inform the competent authority at that border control post of the arrival of the consignment at the point of exit;

— the consignment shall be accompanied by a duly completed commercial document produced according to the model set out in point 6 of Chapter III of Annex VIII to Regulation (EU) No 142/2011 and issued from the integrated computerised veterinary system (TRACES) **[**[F18]or any replacement system in place in the United Kingdom, and the border inspection post of exit must be indicated in the relevant Box**]**;

— when the consignment arrives at the point of exit, the competent authority at the border control post shall, on a risk basis, verify the seal of the containers presented at the border control post. If the seal is verified and the verification is not satisfactory, the consignment must either be destroyed or must be re-dispatched to the establishment of origin, indicated in box I.12 of the commercial document;

— the competent authority at the border control post shall inform, via TRACES **[**[F19]or any replacement system in operation in the United Kingdom**]**, the competent authority indicated in box I.4 of the commercial document of the arrival of the consignment at the point of exit and, where applicable, of the outcome of the verification of the seal and of any corrective action taken;

— The competent authority responsible for the manufacturing plant of origin or the registered plant where the component which renders the product unpalatable to animals is added shall carry out risk based official controls to verify compliance with the first and second indents and to verify that, for each consignment of organic fertilisers and soil improvers that contain in their composition processed animal proteins derived from ruminants or a mixture of processed animal proteins from ruminants and non-ruminants exported, the confirmation of the control carried out at the exit point was received from the competent authority of the border control post, through TRACES **[**[F19]or any replacement system in operation in the United Kingdom**]**.

The conditions set out in points (v), (vii) and (viii) of point 2(b) shall not apply to organic fertilisers or soil improvers which are in ready-to-sell packages of not more than 50 kg in weight for use by the final consumer.**]**

Textual Amendments

F14 Words in Annex 4 Ch. 5 s. E point 2(a)(ii) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F15 Words in Annex 4 Ch. 5 s. E point 2(b)(v) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(b)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

F16 Words in Annex 4 Ch. 5 s. E point 2(b)(v) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(b)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

F17 Words in Annex 4 Ch. 5 s. E point 2(viii) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

F18 Words in Annex 4 Ch. 5 s. E point 2(viii) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

F19 Words in Annex 4 Ch. 5 s. E point 2(viii) inserted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(3)(b)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F13 Substituted by Commission Regulation (EU) 2019/1091 of 26 June 2019 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the requirements for export of products containing processed animal protein derived from ruminants and non-ruminants (Text with EEA relevance).

3. The export of processed animal protein derived from non-ruminants, or compound feed containing such protein, shall be subject to compliance with the following conditions:

(a) The processed animal protein derived from non-ruminants shall be produced in processing plants which fulfil the requirements of point (c) of Section D of Chapter IV.

(b) The compound feed containing processed animal protein derived from non-ruminants shall be produced in compound feed establishments which:

(i) produce in accordance with point (d) of Section D of Chapter IV; or

(ii) source the processed animal protein used in compound feed destined for export in processing plants that comply with point (a) and, either:

— are dedicated exclusively to the production of compound feed for export [F20]... and are authorised for that purpose by the competent authority, or

— are dedicated exclusively to the production of compound feed for export [F20]... and to the production of compound feed for aquaculture animals to be placed on the market [F21]..., and authorised for that purpose by the competent authority.

(c) The compound feed containing processed animal protein derived from non-ruminants shall be packaged and labelled in accordance with **[**[F22]retained EU law**]** or with the legal requirements of the importing country. Where the compound feed containing processed animal protein derived from non-ruminants is not labelled in accordance with **[**[F22]retained EU law**]**, the following words shall be indicated on the labelling: ‘ contains non-ruminant processed animal protein ’ .

(d) Bulk processed animal protein derived from non-ruminants and bulk compound feed containing such protein, and intended for export [F23]..., shall be transported in vehicles and containers and stored in storage facilities which are not used, respectively, for the transport or storage of feed for placing on market and intended for feeding to ruminants or non-ruminant farmed animals other than aquaculture animals. Records detailing the type of products that were transported or stored shall be kept available to the competent authority for a period of at least two years.

By way of derogation from the first paragraph, vehicles, containers and storage facilities which have been previously used for the transport or storage of bulk processed animal protein derived from non-ruminants and bulk compound feed containing such protein, and intended for export [F23]..., may be subsequently used for the transport or storage of feed for placing on the market and intended for feeding to ruminants or non-ruminant farmed animals other than aquaculture animals, provided that they are cleaned beforehand in order to avoid cross-contamination, in accordance with a documented procedure which has been given prior authorisation by the competent authority. Whenever such a procedure is used, a documented record of such use shall be kept available to the competent authority for a period of at least two years.

Storage plants storing bulk processed animal protein derived from non-ruminants and bulk compound feed containing such protein under the conditions set out in the second paragraph of point (d) shall be authorised by the competent authority based on verification of their compliance with the requirements listed in that paragraph.

Textual Amendments

F20 Words in Annex 4 Ch. 5 s. E point 3(b)(ii) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(32)(b)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)

F21 Words in Annex 4 Ch. V s. E point 3(b)(ii) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(32)(b)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

F22 Words in Annex 4 Ch. 5 s. E point 3(c) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(32)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F23 Words in Annex 4 Ch. 5 s. E point 3(d) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(32)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

4. By way of derogation from point 3, the conditions laid down in that point shall not apply to:

(a) petfood which contains processed animal protein derived from non-ruminants and which has been processed in petfood establishments approved in accordance with Article 24 of Regulation (EC) No 1069/2009 and which is packaged and labelled in accordance with Union legislation;

(b) fishmeal, provided that it is produced in accordance with this Annex;

(c) processed animal protein derived from farmed insects, provided that it is produced in accordance with this Annex;

(d) compound feed containing no other processed animal protein than fishmeal and processed animal protein derived from farmed insects, provided that it is produced in accordance with this Annex;

(e) processed animal protein derived from non-ruminants destined for the manufacturing of petfood or of organic fertilisers and soil improvers in the [F24]... country of destination, provided that, before export, the exporter ensures that each consignment of processed animal protein is analysed in accordance with the method of analysis set out in point

2.2 of Annex VI to Regulation (EC) No 152/2009 in order to verify the absence of constituents of ruminant origin.

Textual Amendments

F24 Word in Annex 4 Ch. 5 s. E point 4(e) omitted (31.12.2020) by S.I. 2019/170, reg. 2(32)(c) (as substituted by The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1220), regs. 1(2)(b), **5(2)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1))

[F25 5. The export of organic fertilisers or soil improvers that contain in their composition processed animal proteins derived only from non-ruminants and do not contain any materials of ruminant origin, shall be subject to compliance with the following conditions:

(a) the requirements set out in points 2(b)(i), (ii), (iii), (iv), (v), (vi) and (vii) of this section shall apply. The conditions set out in points 2(b)(v) and (vii) shall not apply to organic fertilisers or soil improvers which are in ready-to-sell packages of not more than 50 kg in weight for use by the final consumer.

(b) the processed animal protein derived from non-ruminants contained in them shall be produced in processing plants which fulfil the requirements point (c) of Section D of Chapter IV, and are listed in accordance with point 1(d) of Section A of Chapter V.

(c) they have been produced in establishments or plants that are dedicated exclusively to processing non-ruminant organic fertilisers or soil improvers.

By way of derogation from this specific condition, the competent authority may authorise the export of organic fertilisers or soil improvers referred to in this point produced in establishments or plants processing organic fertilisers or soil improvers containing ruminant material, if effective measures to prevent cross contamination between organic fertilisers or soil improvers containing only non-ruminant material and organic fertilisers or soil improvers containing ruminant material are implemented;

(d) they are transported to the point of exit from the **[**F26 United Kingdom**]** in new packaging material, or in bulk containers which are not used for the transport of materials of ruminant origin or that have been cleaned beforehand in order to avoid cross-contamination in accordance with a documented procedure which has been given prior authorisation by the competent authority.

The conditions set out in points (c) and (d) of point 5 shall not apply to organic fertilisers or soil improvers which are in ready-to-sell packages of not more than 50 kg in weight for use by the final consumer.**]]**

Textual Amendments

F26 Words in Annex 4 Ch. 5 s. E point 5(d) substituted (31.12.2020) by The Animal Health and Genetically Modified Organisms (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1229), regs. 1(3), **2(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F25 Inserted by Commission Regulation (EU) 2019/1091 of 26 June 2019 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the requirements for export of products containing processed animal protein derived from ruminants and non-ruminants (Text with EEA relevance).

SECTION F

Official controls

1. Official controls carried out by the competent authority in order to verify compliance with the rules laid down set out in this Annex shall include inspections and sampling for analysis on processed animal protein and feed in compliance with the methods of analysis for the determination of constituents of animal origin for the control of feed set out in Annex VI to Regulation (EC) No 152/2009.

2. The competent authority shall verify on a regular basis the competence of laboratories carrying out analyses for such official controls, in particular by evaluating the results of inter-proficiency tests.

If the competence is considered unsatisfactory, a retraining of the laboratory staff shall be undertaken by the laboratory as the minimal corrective measure, prior to carrying out further analyses.**]**

(1) **[**[F1]OJ L 54, 26.2.2009, p. 1.**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 56/2013 of 16 January 2013 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

Status:
Point in time view as at 31/12/2020.

Changes to legislation:
There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, ANNEX IV.