

Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (repealed)

## CHAPTER III

### **APPROVAL OF INTERMEDIATE, STORAGE, INCINERATION AND CO-INCINERATION, CATEGORY 1 AND 2 PROCESSING, CATEGORY 2 AND CATEGORY 3 OLEOCHEMICAL, BIOGAS AND COMPOSTING PLANTS**

#### *Article 10*

#### **Approval of intermediate plants**

- 1 Category 1, 2 and 3 intermediate plants shall be subject to approval by the competent authority.
- 2 To be approved, Category 1 or Category 2 intermediate plants must:
  - a meet the requirements of Annex III, Chapter I;
  - b handle and store Category 1 or Category 2 material in accordance with Annex III, Chapter II, Part B;
  - c undergo the plant's own checks provided for in Article 25; and
  - d be checked by the competent authority in accordance with Article 26.
- 3 To be approved, Category 3 intermediate plants must:
  - a meet the requirements of Annex III, Chapter I;
  - b handle and store Category 3 material in accordance with Annex III, Chapter II, Part A;
  - c undergo the plant's own checks provided for in Article 25; and
  - d be checked by the competent authority in accordance with Article 26.

#### *Article 11*

#### **Approval of storage plants**

- 1 Storage plants shall be subject to approval by the competent authority.
- 2 To be approved, storage plants must:
  - a meet the requirements of Annex III, Chapter III; and
  - b be checked by the competent authority in accordance with Article 26.

#### *Article 12*

#### **Approval of incineration and co-incineration plants**

- 1 The incineration and co-incineration of processed products shall take place in accordance with the provisions of Directive 2000/76/EC. The incineration and co-incineration of animal by-products shall take place either in accordance with the provisions of Directive 2000/76/EC or, when that Directive does not apply, in accordance with the provisions of this

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Regulation. Incineration and co-incineration plants shall be approved under that Directive or in accordance with paragraph 2 or 3.

2 To be approved by the competent authority for the purpose of disposing of animal by-products, a high-capacity incineration or co-incineration plant to which Directive 2000/76/EC does not apply must fulfil:

- a the general conditions laid down in Annex IV, Chapter I;
- b the operating conditions laid down in Annex IV, Chapter II;
- c the requirements laid down in Annex IV, Chapter III, concerning water discharges;
- d the requirements laid down in Annex IV, Chapter IV, concerning residues;
- e the temperature measurement requirements laid down in Annex IV, Chapter V; and
- f the conditions concerning abnormal operating laid down in Annex IV, Chapter VI.

3 To be approved by the competent authority for the purpose of disposing of animal by-products, a low-capacity incineration or co-incineration plant to which Directive 2000/76/EC does not apply must:

- [<sup>F1</sup>a be used only for the disposal of dead pet animals, animal by-products as referred to in Articles 4(1) (b), 5(1) and 6(1) to which Directive 2000/76/EC does not apply;]
- b when located on a holding, be used only for the disposal of material from that particular holding;
- c fulfil the general conditions laid down in Annex IV, Chapter I;
- d fulfil the applicable operating conditions laid down in Annex IV, Chapter II;
- e fulfil the requirements laid down in Annex IV, Chapter IV, concerning residues;
- f fulfil the applicable temperature measurement requirements laid down in Annex IV, Chapter V[<sup>F1</sup>;]
- g fulfil the conditions concerning abnormal operating laid down in Annex IV, Chapter VI[<sup>F1</sup>; and]
- [<sup>F2</sup>h fulfil the conditions in Annex IV, Chapter VII when used for the disposal of animal by-products referred to in Article 4(1)(b).]

4 Approval shall be suspended immediately if the conditions under which it was granted are no longer fulfilled.

5 The requirements of paragraphs 2 and 3 may be modified in the light of developments in scientific knowledge in accordance with the procedure referred to in Article 33(2), after consultation of the appropriate scientific committee.

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 808/2003 of 12 May 2003 amending Regulation \(EC\) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption \(Text with EEA relevance\).](#)
- F2** Inserted by [Commission Regulation \(EC\) No 808/2003 of 12 May 2003 amending Regulation \(EC\) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption \(Text with EEA relevance\).](#)

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### Article 13

#### **Approval of Category 1 and Category 2 processing plants**

- 1 Category 1 and Category 2 processing plants shall be subject to approval by the competent authority.
- 2 To be approved, Category 1 and Category 2 processing plants must:
  - a meet the requirements of Annex V, Chapter I;
  - b handle, process and store Category 1 or Category 2 material in accordance with Annex V, Chapter II and Annex VI, Chapter I;
  - c be validated by the competent authority in accordance with Annex V, Chapter V;
  - d undergo the plant's own checks provided for in Article 25;
  - e be checked by the competent authority in accordance with Article 26; and
  - f ensure that, after processing, the products satisfy the requirements of Annex VI, Chapter I.
- 3 Approval shall be suspended immediately if the conditions under which it was granted are no longer fulfilled.

### Article 14

#### **Approval of Category 2 and Category 3 oleochemical plants**

- 1 Oleochemical plants shall be subject to approval by the competent authority.
- 2 To be approved, Category 2 oleochemical plants must:
  - a process rendered fats derived from Category 2 material in accordance with the standards laid down in Annex VI, Chapter III;
  - b establish and implement methods of monitoring and checking the critical control points on the basis of the process used;
  - c keep a record of the information obtained pursuant to point (b) for presentation to the competent authority; and
  - d be checked by the competent authority in accordance with Article 26.
- 3 To be approved, Category 3 oleochemical plants must process rendered fats derived only from Category 3 material and meet the relevant requirements referred to in paragraph 2.
- 4 Approval shall be suspended immediately if the conditions under which it was granted are no longer fulfilled.

### Article 15

#### **Approval of biogas plants and composting plants**

- 1 Biogas plants and composting plants shall be subject to approval by the competent authority.
- 2 To be approved, biogas plants and composting plants must:
  - a meet the requirements of Annex VI, Chapter II, Part A;

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- b handle and transform animal by-products in accordance with Annex VI, Chapter II, Parts B and C;
  - c be checked by the competent authority in accordance with Article 26;
  - d establish and implement methods of monitoring and checking the critical control points; and
  - e ensure that digestion residues and compost, as appropriate, comply with the microbiological standards laid down in Annex VI, Chapter II, Part D.
- 3 Approval shall be suspended immediately if the conditions under which it was granted are no longer fulfilled.

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