

Commission Regulation (EC) No 1576/2007 of 21 December 2007
amending Regulation (EC) No 92/2005 implementing Regulation (EC)
No 1774/2002 of the European Parliament and the Council as regards
means of disposal or uses of animal by-products (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1576/2007

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amending Regulation (EC) No 92/2005 implementing Regulation
(EC) No 1774/2002 of the European Parliament and the Council
as regards means of disposal or uses of animal by-products

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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⁽¹⁾, and in particular Article 4(2)(e), Article 5(2)(g) and Article 6(2)(i) thereof,

Whereas:

- (1) Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats⁽²⁾ lays down implementing rules for certain alternative methods of disposal or use of animal by-products (alternative methods).
- (2) In particular, Article 4 of Regulation (EC) No 92/2005 requires the marking of certain material arising from the use of alternative methods and determines the permitted end uses of such material. Regulation (EC) No 1774/2002, as amended by Commission Regulation (EC) No 1432/2007⁽³⁾, lays down harmonised rules for the marking of animal by-products which contribute to their proper identification and improve their traceability of animal by-products. The reference to Annex VI of Regulation (EC) No 1774/2002 in Article 4(1) of Regulation (EC) No 92/2005 should be amended accordingly.
- (3) On the basis of the opinion of the Scientific Panel on biological hazards of the European Food Safety Authority on the 'Biodiesel Process as a method for safe disposal of Category 1 animal by-products (ABP)' adopted on 2 June 2004⁽⁴⁾, it is appropriate to permit additional end uses of Category 1, Category 2 and Category 3 materials, in accordance with the general principles laid down in Regulation (EC) No 1774/2002. The combustion of biodiesel produced in accordance with Annex IV of Regulation (EC) No 92/2005 in stationary or mobile engines should also be permitted.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1576/2007, Introductory Text. (See end of Document for details)

- (4) In particular, the landfill of material arising from the processing of Category 1 material on sites for which a permit has been issued in accordance with Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste⁽⁵⁾ should now be permitted.
- (5) Article 5 of Regulation (EC) No 92/2005 lays down certain special surveillance measures to be carried out in the first two years of implementation of certain alternative methods within a particular Member State. The requirements related to these surveillance measures should take into account experience with the practical application of a process developed in another Member State and should be adjusted to the objective to ensure a high level of protection of public and animal health. The designation and supervision of a pilot plant for the first use of an alternative method in each Member State concerned should therefore be subject to simplified conditions.
- (6) The tests which have to be carried out during the initial stage of implementation of an alternative method should be based on the tests which were carried out for the assessment of the particular alternative method by the appropriate scientific body.
- (7) The results of the additional surveillance in a particular Member State should be made available to other Member States for the evaluation of new applications for the use of one of the alternative methods concerned on their respective territories. Information should be provided to the contact points for alternative methods which are indicated on the list which is published electronically by the Commission.
- (8) Regulation (EC) No 92/2005 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1576/2007, Introductory Text. (See end of Document for details)

- (1) [OJ L 273, 10.10.2002, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 829/2007 ([OJ L 191, 21.7.2007, p. 1](#)).
- (2) [OJ L 19, 21.1.2005, p. 27](#). Regulation as last amended by Regulation (EC) No 1678/2006 ([OJ L 314, 15.11.2006, p. 4](#)).
- (3) [OJ L 320, 6.12.2007, p. 13](#).
- (4) Question No EFSA-Q-2004-028.
- (5) [OJ L 182, 16.7.1999, p. 1](#). Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council ([OJ L 284, 31.10.2003, p. 1](#)).

Changes to legislation:

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