

Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)

## TITLE II

### OBLIGATIONS OF OPERATORS

#### CHAPTER I

##### General obligations

###### Section 1

##### Collection, transport and traceability

###### *Article 21*

##### **Collection and identification as regards category and transport**

1 Operators shall collect, identify and transport animal by-products without undue delay under conditions which prevent risks arising to public and animal health.

2 Operators shall ensure that animal by-products and derived products are accompanied during transport by a commercial document or, when required by this Regulation or by a measure adopted in accordance with paragraph 6, by a health certificate.

By way of derogation from the first subparagraph, the competent authority may authorise the transport of manure between two points located on the same farm or between farms and users of manure within [<sup>F1</sup>Great Britain] without a commercial document or health certificate.

3 Commercial documents and health certificates accompanying animal by-products or derived products during transport shall at least include information on the origin, the destination and the quantity of such products, and a description of the animal by-products or derived products and their marking, when such marking is required by this Regulation.

However, for animal by-products and derived products transported within the territory of a [<sup>F2</sup>constituent nation], the competent authority of the [<sup>F2</sup>constituent nation] concerned may authorise transmission of the information referred to in the first subparagraph by way of an alternative system.

[<sup>F3</sup>4 Operators must collect, transport and dispose of Category 3 catering waste so as to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:

- a without risk to water, air, soil, plants or animals;
- b without causing a nuisance through noise or odours; and
- c without adversely affecting the countryside or places of special interest.]

*Changes to legislation:* This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](http://legislation.gov.uk). (See end of Document for details)

5 <sup>[F4]</sup>The appropriate authority may make available or publish, in such manner as appears to the appropriate authority to be appropriate, from time to time]:

- a models for commercial documents which are required to accompany animal by-products during transport; and
- b models for health certificates <sup>[F5]</sup>which are required to] accompany animal by-products and derived products during transport.

<sup>[F6]</sup>5A The appropriate authority may, by regulations, lay down conditions governing the way in which model health certificates must accompany animal by-products and derived products during transport.]

6 <sup>[F7]</sup>The appropriate authority may, by regulations, lay down measures for the implementation of this Article relating to the following matters]:

- a cases where a health certificate is required, having regard to the level of risk to public and animal health arising from certain derived products;
- b cases where, by way of derogation from the first subparagraph of paragraph 2 and having regard to the low level of risk to public and animal health arising from certain animal by-products or derived products, transport of derived products may take place without the documents or certificates referred to in that paragraph;
- c requirements for the identification, including labelling, and for the separation of different categories of animal by-products during transport; and
- d conditions to prevent risks to public and animal health arising during the collection and transport of animal by-products, including conditions for the safe transport of those products with respect to containers, vehicles and packaging material.

F8 ...

#### Textual Amendments

- F1 Words in Art. 21(2) substituted (E.W.S.) (31.12.2020) 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)(c), **12(13)(a)**
- F2 Words in Art. 21(3) substituted (E.W.S.) (31.12.2020) 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)(c), **12(13)(b)**
- F3 Art. 21(4) substituted (E.W.S.) (31.12.2020) 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)(c), **12(13)(c)**
- F4 Words in Art. 21(5) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(13)(a)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5 Words in Art. 21(5)(b) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(13)(a)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6 Art. 21(5A) inserted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(13)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7 Words in Art. 21(6) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(13)(c)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F8 Words in Art. 21(6) omitted (31.12.2020) by virtue of [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(13)(c)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

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## Article 22

### Traceability

1 Operators consigning, transporting or receiving animal by-products or derived products shall keep a record of consignments and related commercial documents or health certificates.

However, the first subparagraph shall not apply when an authorisation to transport animal by-products or derived products without commercial documents or health certificates has been granted in accordance with the second subparagraph of Article 21(2) or in accordance with implementing [<sup>F9</sup>regulations made] under Article 21(6)(b).

2 The operators referred to in paragraph 1 shall have in place systems and procedures to identify:

- a the other operators to which their animal by-products or derived products have been supplied; and
- b the operators from whom they have been supplied.

This information shall be made available to the competent authorities on request.

3 [<sup>F10</sup>The appropriate authority may, by regulations, make such provision for the implementation of this Article as the appropriate authority considers to be necessary or expedient, including provisions relating to]:

- a the information to be made available to the competent authorities;
- b the period of time during which this information must be kept.

#### Textual Amendments

- F9** Words in Art. 22(1) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(14)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 22(3) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(14)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

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