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►<u>B</u>

COMMISSION REGULATION (EC) No 206/2009

of 5 March 2009

on the introduction into the Community of personal consignments of products of animal origin and amending Regulation (EC) No 136/2004

(Text with EEA relevance)

(OJ L 77, 24.3.2009, p. 1)

Amended by:

Official Journal

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► <u>M1</u>	Commission Implementing Regulation (EU) No 467/2013 of 16 May 2013	L 135	5	22.5.2013
► <u>M2</u>	Commission Regulation (EU) No 519/2013 of 21 February 2013	L 158	74	10.6.2013
► <u>M3</u>	Commission Implementing Regulation (EU) 2018/1729 of 15 November 2018	L 288	4	16.11.2018

COMMISSION REGULATION (EC) No 206/2009

of 5 March 2009

on the introduction into the Community of personal consignments of products of animal origin and amending Regulation (EC) No 136/2004

(Text with EEA relevance)

Article 1

Subject matter

1. This Regulation lays down rules concerning the introduction into the Community of personal consignments of products of animal origin of a non commercial character which form part of travellers' luggage, or are sent as small consignments to private persons, or are ordered remotely (for example, by mail, by telephone or via the Internet) and delivered to the consumer.

2. This Regulation shall not apply to personal consignments from Andorra, Liechtenstein, Norway, San Marino, and Switzerland. In addition, this Regulation shall not apply to personal consignments of fishery products from the Faeroe Islands and Iceland. To ensure that accurate information is conveyed to passengers, such third countries shall be indicated as exempted countries on all relevant publicity material.

3. This Regulation shall apply without prejudice to Community veterinary legislation having as its objective the control and eradication of animal diseases, or concerning certain protection measures.

4. This Regulation shall apply without prejudice to the relevant rules on certification contained within legislation implementing Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein.

Article 2

Rules concerning the introduction into the Community of personal consignments of products of animal origin

1. Personal consignments of products of animal origin, for personal human consumption, as referred to in Article 16(1)(a), (b), and (d), and in Article 16(4) of Directive 97/78/EC, shall not be subject to the rules set out in Chapter I of that Directive, provided that they belong to one or more of the following categories:

- (a) products listed in Part 1 of Annex I and not covered by Article 6(1) of Decision 2007/275/EC, and their combined quantity does not exceed the weight limit of 0 kg;
- (b) products listed in Part 1 of Annex II and their combined quantity does not exceed the weight limit of 2 kg;
- (c) eviscerated fresh or prepared fishery products, or processed fishery products, within the meaning of points 3.5, 3.6 or 7.4 of Annex I to Regulation (EC) No 853/2004, and their combined quantity does not exceed the weight limit of 20 kg or the weight of one fish, whichever weight is the highest;

(d) products other than those referred to in paragraphs (a), (b), (c) or in Article 6(1) of Decision 2007/275/EC and their combined quantity does not exceed the weight limit of 2 kg.

2. Personal consignments of animal products destined for the feeding of pets, shall not be subject to the rules set out in Chapter I of Directive 97/78/EC, provided that they belong to one or more of the following categories:

- (a) products listed in Part 2 of Annex I and their combined quantity does not exceed the weight limit of 0 kg;
- (b) products listed in Part 2 of Annex II and their combined quantity does not exceed the weight limit of 2 kg.

3. By way of derogation from paragraphs 1(a), 1(b), 1(d) and 2, personal consignments of animal products, coming from $\blacktriangleright M2$ — \blacksquare , the Faeroe Islands, Greenland or Iceland, shall not be subject to the rules set out in Chapter I of that Directive, provided that they belong to one or more of the following categories:

- (a) products listed in Annex I and not covered by Article 6(1) of Decision 2007/275/EC, and their combined quantity does not exceed the weight limit of 10 kg;
- (b) products listed in Annex II and their combined quantity does not exceed the weight limit of 10 kg;
- (c) products not referred to in paragraphs 1(c), 3(a), 3(b) of this Article or in Article 6(1) of Decision 2007/275/EC and their combined quantity does not exceed the weight limit of 10 kg.

Article 3

Information to be provided by Member States to travellers and to the general public

1. Member States shall ensure that at all points of entry into the Community, the veterinary conditions applicable to personal consignments introduced into the Community are brought to the attention of travellers arriving from third countries.

2. The information provided to travellers pursuant to paragraph 1 shall include at least the information in one of the posters set out in Annex III displayed by prominent notices placed in easily visible locations.

3. Member States may complement that information with additional information, including:

- (a) the information set out in Annex IV;
- (b) information appropriate to the local conditions, and with their national provisions adopted pursuant to Directive 97/78/EC.

4. The information provided for in paragraphs 2 and 3 shall be drawn up in:

(a) at least one of the official languages of the Member State of introduction into the Community;

(b) a second language considered appropriate by the competent authority; that second language may be the language used in the neighbouring country or, in the case of airports and ports, the language which is the most likely used by passengers arriving thereto.

Member States shall ensure that the general public is made aware of the requirements concerning the introduction into the Community of products of animal origin which are sent as small consignments to private persons or are ordered remotely by final consumers.

Article 4

Information to be provided by international passenger transport operators and postal services to their clients

International passenger transport operators, including airport and port operators and travel agencies, as well as postal services shall draw the attention of their customers to the rules laid down in this Regulation, in particular by providing the information set out in Annexes III and IV, as foreseen in Article 3.

Article 5

Controls

1. The competent authority or authorities, and those which carry out official controls, in cooperation with port and airport operators and with operators responsible for other points of entry for personal consignments of products of animal origin, shall organise effective controls at points of entry into the Community.

2. The controls provided for in paragraph 1 shall aim at detecting the presence of personal consignments of products of animal origin and at verifying that the conditions laid down in Article 2 are met.

3. The controls provided for in paragraph 1 may be organised using a risk based approach, including, if judged necessary by the competent authority of the Member State, the use of effective detection aids, such as scanning equipment and detector dogs, to screen large volumes of personal baggage for the presence of personal consignments of products of animal origin.

Article 6

Penalties

1. The competent authority or authorities, which carry out official controls shall:

- (a) identify the personal consignments which are in breach of the rules laid down in this Regulation;
- (b) seize and destroy such consignments in accordance with national legislation.

2. The competent authority or authorities, which carry out official controls, may impose costs or penalties for the person responsible for any personal consignment that is found to be in breach of the rules laid down in this Regulation.

3. Member States shall ensure that the national legislation applicable for the seizure and destruction of personal consignments identifies the natural or legal person liable for the costs of destruction of all such personal consignments that are seized.

Article 7

Reporting obligations

1. Member States shall submit to the Commission, every year, a report summarising the relevant information on the measures taken to advertise and enforce the rules laid down in this Regulation, and on the results thereof.

2. The report shall be in the form of a completed table as set out in Annex V, and shall be submitted by the first day of May in the year immediately following the end of each annual reporting period. The reporting period shall run from 1 January to 31 December.

Article 8

Amendment

Article 8 of Regulation (EC) No 136/2004 is replaced by the following:

'Article 8

Specific rules for products which form part of travellers' luggage or are sent as consignments to private persons

Products of animal origin which form part of travellers' luggage or are sent as small consignments to private persons shall comply with the requirements laid down in Commission Regulation (EC) No 206/2009 (*).

(*) OJ L 77, 24.3.2009, p. 1.'

Article 9

Repeal

Regulation (EC) No 745/2004 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be correlated in accordance with the table set out in Annex VII.

Article 10

Transitional provisions

Member States may submit to the Commission, a completed table as laid down in Annex VI instead of Annex V as required in Article 7, for the reporting periods prior to 1 January 2011, by the first day of March in the year immediately following the end of each annual reporting period. The reporting period shall run from 1 January to 31 December.

Article 11

Entry into force and application

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall apply from 1 May 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX I

PART 1

List of products of animal origin as referred to in Article 2(1)(a)

CN code	Description	Qualification and explanation		
ex Chapter 2 (0201-0210)	Meat and edible offal	Excludes frogs' legs (CN code 0208 90 70)		
0401-0406	Dairy produce	All		
0504 00 00	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked	All, excluding casings		
1501 00	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503	All		
1502 00	Fats of bovine animals, sheep or goats, other than those of heading 1503	All		
1503 00	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	All		
1506 00 00	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified	All		
1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	All		
1602	Other prepared or preserved meat, meat offal or blood	All		
1702 11 00 1702 19 00	Lactose and lactose syrup	All		
ex 1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included	Only those preparations containing meat and or milk		
ex 1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared	Only those preparations containing meat and or milk		
ex 1905 90	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers and similar products	containing meat and or		

CN code	Description	Qualification and explanation	
ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006	Only those preparations containing meat and or milk	
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006	Only those preparations containing meat and or milk	
ex 2103	Sauces and preparations thereof; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard	Only those preparations containing meat and or milk	
ex 2104	Soups and broths and preparations therefore; homogenised composite food preparations	Only those preparations containing meat and or milk	
ex 2105 00	Ice cream and other edible ice, whether or not containing cocoa	Only those preparations containing milk	
ex 2106	Food preparations not elsewhere specified or included	Only those preparation containing meat and of milk	

PART 2

List of products of animal origin as referred to in Article 2(2)(a)

CN code	Description	Qualification and expla- nation
0511	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption	
ex 2309	Preparations of a kind used in animal feeding	Only petfood, dog chews and mixtures of meals containing meat or milk

Notes:

- 1. Column 1: Where only certain products under any code are required to be examined under veterinary checks and no specific subdivision under this code exists in the goods nomenclature, the code is marked 'ex' (e.g. ex 1901: only those preparations containing meat and or milk should be included).
- 2. Column 2: The description of the goods is as laid down in the description column of Annex I to Regulation (EEC) No 2658/87. For further explanation of the exact coverage of the Common Customs Tariff please refer to the latest amendment to that Annex.
- 3. Column 3: This column gives details of the products covered.

ANNEX II

PART 1

Personal consignments of products of animal origin as referred to in Article 2(1)(b)

Powdered infant milk, infant food and special foods required for medical reasons, under the conditions that these products:

- (i) do not require refrigeration before opening;
- (ii) are packaged proprietary brand products for direct sale to the final consumer; and
- (iii) that the packaging is unbroken unless in current use.

PART 2

Personal consignments of products of animal origin as referred to in Article 2(2)(b)

Special pet feed required for medical reasons, under the conditions that these products:

- (i) do not require refrigeration before opening;
- (ii) are packaged proprietary brand products for direct sale to the final consumer; and
- (iii) that the packaging is unbroken unless in current use.

ANNEX III

(The notices can be found at: http://ec.europa.eu/food/fs/ah_pcad/ah_pcad_ importposters_en.html)



▼<u>M1</u>



▼<u>M1</u>





There are strict procedures and veterinary controls on the introduction of products of animal origin into the European Union.

*Other than those arriving with small quantities for personal consumption from: Andorra, the Faroe Islands, Greenland, Iceland, Liechtenstein, Norway, San Marino and Switzerland

ANNEX IV

Information referred to in Articles 3 and 4

Part 1 — Leaflet



Keep infectious animal diseases out of the EU!

Animal products may carry pathogens causing infectious disease

Due to the risk of introducing diseases into the European Union (EU), there are strict procedures for the introduction of certain animal products into the EU. These procedures do not apply to the movements of animal products between the 27 Member States of the EU, or for animal products coming from Andorra, Liechtenstein, Norway, San Marino, and Switzerland.

All animal products not conforming to these rules must be surrendered on arrival in the EU for official disposal. Failure to declare such items may result in a fine or criminal prosecution.

1. Small quantities of meat and milk and their products (other than powdered infant milk, infant food, and special foods or special pet feed required for medical reasons)

You may only bring in or send to the EU personal consignments of meat and milk and their products (other than powdered infant milk, infant food, and special foods or special pet feed required for medical reasons) provided that they come from $\blacktriangleright \underline{M2}$ — \blacktriangleleft , the Faeroe Islands, Greenland, or Iceland, and their weight does not exceed 10 kg per person.

2. Powdered infant milk, infant food, and special foods required for medical reasons

You may only bring in or send to the EU personal consignments of powdered infant milk, infant food, and special foods required for medical reasons provided that:

- they come from ▶<u>M2</u> _____ ◄, the Faeroe Islands, Greenland, or Iceland, and their combined quantity does not exceed the weight limit of 10 kg per person, and that:
 - the product does not require refrigeration before consumption,
 - it is a packaged proprietary brand product, and
 - the packaging is unbroken unless in current use
- they come from other countries (other than ►<u>M2</u> ◀, the Faeroe Islands, Greenland, or Iceland), and their combined quantity does not exceed the weight limit of 2 kg per person, and that:
 - the product does not require refrigeration before consumption,
 - it is a packaged proprietary brand product, and
 - the packaging is unbroken unless in current use.

3. Pet feed required for medical reasons

You may only bring in or send to the EU personal consignments of pet feed required for medical reasons provided that:

- they come from $\blacktriangleright \underline{M2}$ \blacktriangleleft , the Faeroe Islands, Greenland, or Iceland, and their combined quantity does not exceed the weight limit of **10 kg** per person, and that:
 - the product does not require refrigeration before consumption,
 - it is a packaged proprietary brand product, and
 - the packaging is unbroken unless in current use
- they come from other countries (other than ►<u>M2</u> ◀, the Faeroe Islands, Greenland, or Iceland), and their combined quantity does not exceed the weight limit of 2 kg per person, and that:
 - the product does not require refrigeration before consumption,
 - it is a packaged proprietary brand product, and
 - the packaging is unbroken unless in current use

4. Small quantities of fishery products for personal human consumption

You may only bring in or send to the EU personal consignments of fishery products (including fresh, dried, cooked, cured or smoked fish, and certain shellfish, such as prawns, lobsters, dead mussels and dead oysters) provided that:

- fresh fish are eviscerated,
- the weight of the fishery products does not exceed, per person, 20 kg or the weight of one fish, whichever weight is the highest.

These restrictions do not apply to fishery products coming from the Faeroe Islands or Iceland.

5. Small quantities of other animal products for personal human consumption

You may only bring in or send to the EU other animal products, such as honey, live oysters, live mussels and snails for example, provided that:

- they come from other countries (other than ►<u>M2</u> ◀, the Faeroe Islands, Greenland, or Iceland) and their combined weight does not exceed 2 kg per person.

Please note that you may bring in small quantities of animal products from several of the above five categories (paragraphs 1-5) provided that they comply with the rules explained in each of the relevant paragraphs.

6. Larger quantities of animal products

You may only bring in or send to the EU larger quantities of animal products if they meet the requirements for commercial consignments, which include:

- certification requirements, as laid down in the appropriate official EC veterinary certificate,
- the presentation of the goods, with the correct documentation, to an authorised EU border inspection post for veterinary control, on arrival in the EU.

7. Exempted animal products

The following products are exempted from the rules explained previously:

- bread, cakes, biscuits, chocolate and confectionery (including sweets) not mixed or filled with meat product,
- food supplements packaged for the final consumer,
- meat extracts and meat concentrates,
- olives stuffed with fish,
- pasta and noodles not mixed or filled with meat product,
- soup stocks and flavourings packaged for the final consumer,
- any other food product not containing any fresh or processed meat or dairy and with less than 50 % of processed egg or fishery products.

8. Animal products from protected species

For certain protected species there may be additional restrictions in place. For example for caviar of sturgeon species, the weight limit is a maximum of 125 g per person.

Part 2 — Video

The information laid down in Part 1 can be conveyed by means of a video, such as that published by the European Commission on the following webpage:

http://ec.europa.eu/food/animal/animalproducts/personal_imports/index_en.htm

ANNEX V

Figures on the results of enforcement of the rules on the introduction of personal consignments of products of animal origin

1. General information				
Name of Member State				
Reporting year				
Number of European Community entry points				
		wareness of animal health of animal origin during the		regarding the introduction of personal ear
	YES	If yes, specify frequency	NO	Comments
Posters				
Public announcements				
Internet advertising				
Additional advertising				
Other (specify)				
3. Enforcement	of these rules	at points of entry into the	Community	
3.1 Name of enforce authority/ies	cement			
3.2 Mechanisms us	ed to identify	illegal meat and milk in perso	onal consignn	nents during the reporting year
	YES	If yes, specify frequency	NO	Comments
Randomised searches				
Targeted searches				
ʻsniffer' dogs				
Scanning equipment				
Other (specify)				

		Quant	ity and type of illegal	
Third Country	Number of searches carried out		nsignments found	Comments
meat and milk	total number of illegal consignments of found in personal luggage at Community uring the reporting year		Comments:	
confiscated an result of che	amount (in kg) of meat and meat products d/or destroyed from personal baggage as a cks implemented at Community entry che reporting period		Comments:	
confiscated an result of che	amount (in kg) of milk and milk products d/or destroyed from personal baggage as a cks implemented at Community entry the reporting period		Comments:	
	five third countries from which passengers v ucts and milk and milk products consignmen			rrying illegal m
Country 1				
Country 2				
Country 3				
Country 4				
Country 5				
Comments				
animal origin milk and milk from person	amount (in kg) of other products of (other than meat and meat products and products) confiscated and/or destroyed al baggage as a result of checks at Community entry points during the		Comments:	

			small consignments sent r via the Internet) and del		or ordered remotely (for ner
4.1 Name author		forcement			
4.2 Mechan	nisms us	ed to identify illegal :	meat and milk in such perso	onal consignments duri	ing the reporting year
		YES	If yes, specify frequency	NO	Comments
Randomised sea	rches				
Targeted searche	es				
'sniffer' dogs					
Scanning equipt	ment				
Other (specify)					
subject	to targe	ted searches and giv			s have most regularly been d out and the quantity and
Third Country		Number of searches carried out			
11			gal consignments of meat ignments during the repo		Comments:
confisc consign	ated and	l/or destroyed after as a result of che	of meat and meat proc being found in such pers ecks implemented during	onal	Comments:
and/or destroyed after b		d after being found	c and milk products confisc in such personal consignm uring the reporting period		Comments:

4.7		ive third countries from where such personal consig al meat and meat products and milk and milk products	
Count	ry 1		
Count	ry 2		
Count	ry 3		
Count	ry 4		
Count	ry 5		
Comm	ients		
4.8	(other than me confiscated and	mount (in kg) of other products of animal origin at and meat products and milk and milk products) d/or destroyed after being found in such personal as a result of checks implemented during the d	Comments:
5.	General comm	ients	

To be submitted to the European Commission not later than the first day of May in the year immediately following the end of each annual reporting period.

The reporting period shall run from 1 January to 31 December.

The collated and summarised information can be found at the European Commission's website at:

http://ec.europa.eu/food/animal/animalproducts/personal_imports/index_en.htm.

ANNEX VI

Figures on results of enforcement of rules on personal imports of meat and milk

	SIC INFORMATION
(a)	Member State (please specify)
(b)	Approximate number of European Community entry points (please specify)
(c)	Reporting period (please specify year)
Plea per	RSONAL IMPORTS use specify mechanisms used by the competent authority to raise awareness of animal health conditions regarding sonal imports. This should include both the mechanisms and the frequency with which they have been used . posters, public announcements, additional advertising etc.).
 EN	
(a)	FORCEMENT
	Mechanisms used to identify illegal meat and milk consignments during the reporting period (delete as appropriate):
	Mechanisms used to identify illegal meat and milk consignments during the reporting period (delete as appropriate):
(b)	Mechanisms used to identify illegal meat and milk consignments during the reporting period (delete as appropriate): Randomised customs searches/targeted customs searches/'sniffer' dogs/scanning equipment/other
(b) (c)	Mechanisms used to identify illegal meat and milk consignments during the reporting period (delete as appropriate): Randomised customs searches/targeted customs searches/'sniffer' dogs/scanning equipment/other Please give details of enforcement regimes employed during the reporting period: Approximate total number of illegal consignments of meat and milk in personal luggage at Community entry points
	Mechanisms used to identify illegal meat and milk consignments during the reporting period (delete as appropriate): Randomised customs searches/targeted customs searches/'sniffer' dogs/scanning equipment/other Please give details of enforcement regimes employed during the reporting period:

(d)	Please list the five third countries from which passengers were most regularly found to be carrying illegal meat and milk consignments during the reporting period:
(e)	If applicable, please list the third countries from which passengers have most regularly been subject to targeted customs searches and give details including the number of searches carried out and the quantity and type of illegal consignments found:

To be submitted to the European Commission not later than the first day of March in the year immediately following the end of each annual reporting period.

The reporting period shall run from 1 January to 31 December.

ANNEX VII

Table of Correspondence

Regulation (EC) No 745/2004	This Regulation
Article 1(1)	_
Article 1(2)	_
Article 1(3)	Article 2(1)(a)
Article 1(4)	Article 1(2)
Article 2	Article 2(1)(b) Article 2(3)(a)
Article 3(1)	Article 3(1) and 3(2)
Article 3(2)	Article 4
Article 4(1)	Article 5
Article 4(2)	Article 6(1)
Article 4(3)	Article 6(2) and 6(3)
Article 5(1)	Article 7
Article 5(2)	Annexes V and VI
Article 6	_
Article 7(1)	Article 11
Article 7(2)	Article 11
Article 7(3)	_
Annex I	Annex II
Annex II	Annex III
Annex III	Annex IV
Annex IV	Annexes V and VI
Annex V	Annex I