ANNEX XIV

IMPORTATION, EXPORT AND TRANSIT

CHAPTER I

SPECIFIC REQUIREMENTS FOR THE IMPORTATION INTO AND TRANSIT THROUGH THE UNION OF CATEGORY 3 MATERIAL AND DERIVED PRODUCTS FOR USES IN THE FEED CHAIN OTHER THAN FOR PETFOOD OR FOR FEED TO FUR ANIMALS

Section 1

As referred to in Article 41(1)(a) and Article 41(3) of Regulation (EC) No 1069/2009, the following requirements shall apply to imported consignments of Category 3 material and derived products therefrom for uses in the feed chain other than for petfood or for feed to fur animals and consignments of such materials and products in transit:

(a) they must consist of or have been produced from, as applicable, Category 3 material referred to in the column ‘raw materials’ of Table 1;

(b) they must comply with the import and transit conditions set out in the column ‘import and transit conditions’ of Table 1;

(c) they must come from a third country or part of a third country listed in the column ‘third countries’ list’ of Table 1; and

(d) they shall be accompanied during transportation to the point of entry into the Union where the veterinary checks take place by the health certificate referred to in the column ‘certificates/model documents’ of Table 1; or

(e) they shall be presented at the point of entry into the Union where the veterinary checks take place accompanied by a document corresponding to the model referred to in the column ‘certificates/model documents’ of Table 1.

TABLE 1

No	Product	Raw materials (reference to provisions of Regulation (EC) No 1069/2009)	Import and transit conditions	Third countries’ lists	Certificates/ model documents
1	Processed animal protein	Category 3 materials referred to in Article 10(a), (b), (d), (e), (f), (h), (i),	(a) The processed animal protein must have	(a) In the case of processed animal	Annex XV, Chapter 1.

		(j), (k), (l) and (m).		been produced in accordance with Section 1 of Chapter II of Annex X; and		proteins excluding fishmeal:
				(b) The processed animal protein shall comply with the additional requirements set out in Section 2 of this Chapter.	Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010.	
					(b) Third countries listed in Annex II to Decision 2006/766/EC.	In the case of fishmeal:
2	Blood products for feed material	Category 3 materials referred to in Article 10 (a) and (b)(i).	The blood products must have been produced in accordance with Section 2 of Chapter II of Annex X.		(a) Third countries or parts of third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010, from which imports of all categories of fresh meat of the respective	In the case of blood products from ungulates: Annex XV, Chapter 4(B).

						species are authorised.					
						(b)	In the case of blood products from other species: Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010.				
3	Rendered fats and fish oil	(a)	In the case of rendered fats excluding fish oil: Category 3 materials referred to in Article 10(a), (b), (d), (e), (f), (g), (h), (i), (j) and (k).	(a)	The rendered fat and the fish oil must have been produced in accordance with Section 3 of Chapter II of Annex X; and	(a)	In the case of rendered fats excluding fish oil: Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010.	(a)	In the case of rendered fats excluding fish oil: Annex XV, Chapter 10 (A).		
		(b)	In the case of fish oil:	(b)	The rendered fat shall comply with the additional requirements set out	(b)	In the case of fish oil: Third countries listed in Annex II to Decision 2006/766/EC.	(b)	In the case of fish oil: Annex XV, Chapter 9.		

		Category 3 materials referred to in Article 10(e), (f), (i) and (j).	in Section 3 of this Chapter.		
4	Milk, milk-based products and milk-derived products, colostrum, colostrum products	(a) Milk, milk-based products: Category 3 materials referred to in Article 10(e), (f) and (h). (b) Colostrum, colostrum products Category 3 materials from live animals that did not show any signs of disease transmissible through the colostrums to humans or animals.	The milk, milk-based products, colostrum and colostrum products shall comply with the requirements set out in Section 4 of this Chapter.	(a) In the case of milk and milk-based products: Authorised third countries listed in Annex I to Regulation (EU) No 605/2010. (b) In the case of colostrum and colostrum products: Third countries listed as authorised in column ‘A’ of Annex I to Regulation (EU) No 605/2010.	(a) In the case of milk, milk-based products and milk-derived products: Annex XV, Chapter 2(A). (b) In the case of colostrum and colostrums products: Annex XV, Chapter 2(B).
5	Gelatine and hydrolysed protein	Category 3 materials referred to in Article 10(a), (b), (e), (f),	The gelatine and the hydrolysed protein must have been	(a) Third countries listed in Part	(a) In the case of gelatine:

		(g), (i) and (j), and, in the case of hydrolysed protein: Category 3 materials referred to in Article 10(d), (h) and (k).	produced in accordance with Section 5 of Chapter II of Annex X.	1 of Annex II to Regulation (EU) No 206/2010, and the following countries: (KR) South Korea (MY) Malaysia (PK) Pakistan (TW) Taiwan. (b) In the case of gelatine and hydrolysed proteins from fish: Third countries listed in Annex II to Decision 2006/766/EC.	Annex XV, Chapter 11. (b) In the case of hydrolysed protein: Annex XV, Chapter 12.
6	Dicalcium phosphate	Category 3 materials referred to in Article 10(a), (b), (d),(e), (f), (g), (h), (i), (j) and (k).	The dicalcium phosphate must have been produced in accordance with Section 6 of Chapter II of Annex X.	Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010, and the following countries: (KR) South Korea (MY) Malaysia	Annex XV, Chapter 12.

				(PK) Pakistan (TW) Taiwan.	
7	Tricalcium phosphate	Category 3 materials referred to in Article 10(a), (b), (d),(e), (f), (g), (h), (i) and (k).	The tricalcium phosphate must have been produced in accordance with Section 7 of Chapter II of Annex X.	Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010, and the following countries: (KR) South Korea (MY) Malaysia (PK) Pakistan (TW) Taiwan.	Annex XV, Chapter 12.
8	Collagen	Category 3 materials referred to in Article 10(a), (b), (e), (f), (g), (i) and (j).	The collagen must have been produced in accordance with Section 8 of Chapter II of Annex X.	Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010, and the following countries: (KR) South Korea (MY) Malaysia (PK) Pakistan (TW) Taiwan.	Annex XV, Chapter 11.
9	Egg products	Category 3 materials referred to in Article 10(e), (f) and (k)(ii).	The egg products must have been produced in accordance with Section 9 of Chapter II of Annex X.	Third countries listed in Part 1 of Annex II to Regulation (EU) No 206/2010, and third countries or	Annex XV, Chapter 15.

				parts of third countries from which Member States authorise imports of fresh poultrymeat, eggs and egg products, which are listed in Part 1 of Annex I to Regulation (EC) No 798/2008.	

Section 2

Imports of processed animal protein

The following requirements shall apply to the importation of processed animal protein:

1. Before consignments are released for free circulation within the Union, the competent authority must sample processed animal protein from imported consignments at the border inspection post to ensure compliance with the general requirements of Chapter I of Annex X.

   The competent authority must:

   (a) sample each consignment of products carried in bulk;

   (b) carry out random sampling of consignments of products packaged in the manufacturing plant of origin.

2. By way of derogation from point 1, when six consecutive tests on bulk consignments originating in a given third country prove negative, the competent authority of the border inspection post may carry out random sampling of subsequent bulk consignments from that third country.

   If one of those random samples proves positive, the competent authority carrying out the sampling must inform the competent authority of the third country of origin so that it can take appropriate measures to remedy the situation.

   The competent authority of the third country of origin must bring these measures to the attention of the competent authority carrying out the sampling.

   In the event of a further positive result from the same source, the competent authority of the border inspection post must sample each consignment from the same source until six consecutive tests again prove negative.

3. Competent authorities must keep a record for at least three years of the results of sampling carried out on all consignments that have undergone sampling.

4. Where a consignment imported into the Union proves to be positive for salmonella or where it does not meet the microbiological standards for enterobacteriaceae set out in Chapter I of Annex X, it must either:

   (a) be dealt with in accordance with the procedure laid down by Article 17(2)(a) of Directive 97/78/EC; or

   (b) reprocessed in a processing plant or decontaminated by a treatment authorised by the competent authority. The consignment must not be released until it has been treated, tested for salmonella or enterobacteriaceae, as necessary, by the competent authority in accordance with Chapter I of Annex X, and a negative result obtained.

Section 3

Imports of rendered fats

The following requirements shall apply to the importation of rendered fats:

Rendered fat shall:

(a) be entirely or partly derived from porcine raw material and come from a third country or a part of the territory of a third country free from foot-and-mouth disease for the previous 24 months and free from classical swine fever and African swine fever for the previous 12 months;

(b) be entirely or partly derived from poultry raw material and come from a third country or a part of the territory of a third country free from Newcastle disease and avian influenza for the previous six months;

(c) be entirely or partly derived from ruminant raw material and come from a third country or a part of the territory of a third country free from foot-and-mouth disease for the previous 24 months and free from rinderpest for the previous 12 months; or

(d) where there has been an outbreak of one of the diseases referred to in points (a), (b) and (c) during the relevant period referred to in those points, have been subjected to one of the following heat treatments:

   (i) at least 70 °C for at least 30 minutes; or

   (ii) at least 90 °C for at least 15 minutes.

   Details of the critical control points shall be recorded by operators and maintained so that the owner, operator or their representative and, as necessary, the competent authority can monitor the operation of the plant; and the recorded information shall include the particle size, critical temperature and, as appropriate, the absolute time, pressure profile, raw material feed rate and fat recycling rate.

Section 4

Imports of milk, milk-based products, milk-derived products, colostrum and colostrum products

A. The following requirements shall apply to the importation of milk, milk-based products, milk-derived products, colostrum and colostrum products:

1. Milk, milk-based products and milk-derived products shall:

   (a) have undergone at least one of the treatments provided for in points 1.1, 1.2, 1.3 and point (a) of point B.1.4 of Part I of Section 4 of Chapter II of Annex X;

   (b) comply with points B.2 and B.4, and, in the case of whey, point B.3 of Part I of Section 4 of Chapter II of Annex X.

2. By way of derogation from point B.1.4 of Part I of Section 4 of Chapter II of Annex X, milk, milk-based products and milk-derived products may be imported from third countries so authorised in column 'A' of Annex I to Regulation (EU) No 605/2010, provided that the milk, milk-based products or milk-derived products have undergone a single HTST treatment and:

   (a) have not been shipped before a period of at least 21 days has elapsed after production and during that period no case of foot-and-mouth disease has been detected in the exporting third country; or

   (b) have been presented at a border inspection post of entry into the Union at least 21 days after production and during that period no case of foot-and-mouth disease has been detected in the exporting third country.

B. The following requirements shall apply to the importation of colostrum and colostrum products:

1. The materials shall have undergone a single HTST treatment and:

   (a) have not been shipped before a period of at least 21 days has elapsed after production and during that period no case of foot-and-mouth disease has been detected in the exporting third country; or

   (b) have been presented at a border inspection post of entry into the Union at least 21 days after production and during that period no case of foot-and-mouth disease has been detected in the exporting third country.

2. The materials shall have been obtained from bovine animals subject to regular veterinary inspections to ensure that they come from holdings on which all bovine herds are:

   (a) either recognised as officially tuberculosis-free and officially brucellosis-free as defined in Article 2(2)(d) and (f) of Directive 64/432/EEC or not restricted under the national legislation of the third country of origin of the colostrum regarding eradication of tuberculosis and brucellosis; and

   (b) either recognised as official enzootic-bovine-leukosis-free as defined in Article 2(2)(j) of Directive 64/432/EEC or included in an official system for the control of enzootic bovine leukosis and there has been no evidence as a result of clinical and laboratory testing of this disease in the herd during the past two years.

3. After completion of the processing, every precaution shall have been taken to prevent contamination of the colostrum or colostrum products.

4. The final product must bear a label so as to indicate that it contains Category 3 material and is not intended for human consumption, and it must have been:

   (a) packed in new containers; or

(b) transported in bulk in containers or other means of transport that before use were thoroughly cleaned and disinfected.

Status:
Point in time view as at 25/02/2011.

Changes to legislation:
There are currently no known outstanding effects for the Commission Regulation (EU) No 142/2011, CHAPTER I.