

Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (Text with EEA relevance)

## CHAPTER VII

### PLACING ON THE MARKET

#### *Article 21*

#### **Processing and placing on the market of animal by-products and derived products for feeding to farmed animals, excluding fur animals**

1 Operators shall comply with the following requirements for the placing on the market, other than the import, of the animal by-products and derived products destined for feeding to farmed animals excluding fur animals, as provided for in Article 31(2) of Regulation (EC) No 1069/2009, set out in Annex X hereto:

- a the general requirements for the processing and the placing on the market set out in Chapter I;
- b the specific requirements for processed animal proteins and other derived products set out in Chapter II;
- c the requirements for certain fish feed and fishing baits set out in Chapter III.

2 The competent authority may authorise the placing on the market, other than the import, of milk, milk-based products and milk-derived products categorised as Category 3 material in accordance with Article 10(e), (f) and (h) of Regulation (EC) No 1069/2009 and which have not been processed in accordance with the general requirements set out in Part I of Section 4 of Chapter II of Annex X hereto, provided that those materials comply with the requirements for the derogation for the placing on the market of milk processed in accordance with national standards set out in Part II of that Section.

#### *Article 22*

#### **Placing on the market and use of organic fertilisers and soil improvers**

1 Operators shall comply with the requirements for the placing on the market, other than the import, of organic fertilisers and soil improvers, and the use of such products, in particular their application to land, as provided for in Articles 15(1)(i) and 32(1) of Regulation (EC) No 1069/2009, set out in Annex XI hereto.

[<sup>F12</sup>] The placing on the market of the following is not subject to any animal health conditions:

- a guano from wild sea birds, collected in the Union or imported from third countries;
- b ready-to-sell growing media, other than that imported, with a content of less than:

*Status: Point in time view as at 23/02/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 142/2011, CHAPTER VII. (See end of Document for details)*

- (i) 5 % in volume of derived products of Category 3 material or of Category 2 material other than processed manure;
- (ii) 50 % in volume of processed manure.]

3 The competent authority of the Member State where an organic fertiliser or a soil improver, which has been produced from meat-and-bone meal derived from Category 2 material or from processed animal protein, is to be applied to land, shall authorise one or more components which are to be mixed with those materials, in accordance with Article 32(1)(d) of Regulation (EC) No 1069/2009, according to the criteria set out in point 3 of Section 1 of Chapter II of Annex XI hereto.

4 By way of derogation from Article 48(1) of Regulation (EC) No 1069/2009, the competent authorities of a Member State of origin and of a Member State of destination, which share a common border may authorise the dispatch of manure between farms located in border regions of those two Member States subject to appropriate conditions for the control of any possible risks to public or animal health, such as obligations for the operators concerned to keep appropriate records, which are laid down in a bilateral agreement.

5 As provided for in Article 30(1) of Regulation (EC) No 1069/2009, the competent authorities of the Member States shall encourage, where necessary, the development, dissemination and use of national guides for good agricultural practice for the application of organic fertilisers and soil improvers to land.

#### **Textual Amendments**

- F1** Substituted by [Commission Regulation \(EU\) 2015/9 of 6 January 2015 amending Regulation \(EU\) No 142/2011 implementing Regulation \(EC\) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive \(Text with EEA relevance\).](#)

### *Article 23*

#### **Intermediate products**

1 Intermediate products, imported into or in transit through the Union shall comply with the conditions controlling potential risks to public and animal health referred to in Annex XII hereto.

2 Intermediate products which have been transported to an establishment or plant referred to in point 3 of Annex XII hereto, may be handled without further restrictions under Regulation (EC) No 1069/2009 and under this Regulation, provided that:

- a the establishment or plant has adequate facilities for the receipt of the intermediate products, which prevent the transmission of diseases communicable to humans or animals;
- b the intermediate products do not pose any risk of transmission of diseases communicable to humans or animals, due to their purification or to other treatments to which the animal by-products in the intermediate product have been submitted, due to the concentration of animal by-products in the intermediate product or due to adequate bio-security measures for the handling of the intermediate products;

*Status: Point in time view as at 23/02/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 142/2011, CHAPTER VII. (See end of Document for details)*

- c the establishment or plant keeps records on the amount of materials received, their category, if applicable, and the establishment, plant or operator to whom they have supplied their products; and
- d unused intermediate products or other surplus materials from the establishment or plant, such as expired products, are disposed of in accordance with Regulation (EC) No 1069/2009.

[<sup>F13</sup> The operator or owner of the establishment or plant of destination of intermediate products or his representative shall use and/or dispatch the intermediate products exclusively for use in manufacturing according to the definition of intermediate products under Point 35 of Annex I.]

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2015/9 of 6 January 2015 amending Regulation \(EU\) No 142/2011 implementing Regulation \(EC\) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive \(Text with EEA relevance\).](#)

### Article 24

#### Petfood and other derived products

1 The use of Category 1 material referred to in Article 8(a),(b), (d) and (e) of Regulation (EC) No 1069/2009 for the manufacture of derived products which are intended to be ingested by or applied to humans or animals, other than for derived products referred to in Articles 33 and 36 of that Regulation shall be prohibited.

2 Where an animal by-product or a derived product may be used for feeding to farmed animals or for other purposes referred to in Article 36(a) of Regulation (EC) No 1069/2009, they shall be placed on the market, other than imported, in accordance with the specific requirements for processed animal protein and other derived products set out in Chapter II of Annex X hereto, provided that Annex XIII hereto does not set out any specific requirements for such products.

3 Operators shall comply with the requirements for the placing on the market, other than the import, of petfood, as referred to in Article 40 of Regulation (EC) No 1069/2009, set out in Chapters I and II of Annex XIII hereto.

4 Operators shall comply with the requirements for the placing on the market, other than the import, of derived products, as referred to in Article 40 of Regulation (EC) No 1069/2009, set out in Chapter I and Chapters III to XII of Annex XIII hereto.

**Status:**

Point in time view as at 23/02/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EU) No 142/2011, CHAPTER VII.