

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

PART IV

REGISTRATION, APPROVAL, TRACEABILITY AND MOVEMENTS

TITLE I

**TERRESTRIAL ANIMALS, GERMINAL PRODUCTS AND
PRODUCTS OF ANIMAL ORIGIN FROM TERRESTRIAL ANIMALS**

CHAPTER 3

Movements within the Union of kept terrestrial animals

Section 7

Animal health certification

Article 143

**Obligation of operators to ensure that animals
are accompanied by an animal health certificate**

1 Operators shall only move the following species and categories of kept terrestrial animals to another Member State if the animals in question are accompanied by an animal health certificate issued by the competent authority of the Member State of origin in accordance with Article 149(1):

- a ungulates;
- b poultry;
- c kept terrestrial animals other than ungulates and poultry, intended for a confined establishment;
- d kept terrestrial animals other than those referred to in points (a), (b) and (c) of this paragraph, when required in accordance with delegated acts adopted pursuant to point (c) of Article 144(1).

2 In cases where kept terrestrial animals are allowed to leave a restricted zone as provided for in point (f)(ii) of Article 55(1), Article 56 and Article 64(1) and are subject to disease control measures as provided for in Articles 55(1), 65(1), 74(1), Article 79 or Article 80 or rules adopted pursuant to Article 55(2), Article 67, Articles 71(3) and 74(4), Article 83(3) or Article 259, and the animals in question are of species subject to those disease control measures, operators shall only move such kept terrestrial animals within a Member State or from one Member State to another Member State when the animals to be moved are accompanied by an

animal health certificate issued by the competent authority of the Member State of origin in accordance with Article 149(1).

The competent authority may decide that such a certificate does not have to be issued for movements of kept terrestrial animals within the Member State in question when that authority considers that an alternative system is in place ensuring that the consignment of such animals is traceable and that those animals fulfil the animal health requirements for such movement.

3 Operators shall take all necessary measures to ensure that the animal health certificate referred to in paragraph 1 of this Article accompanies the kept terrestrial animals from their place of origin to their final place of destination, unless specific measures are provided for in rules adopted pursuant to Article 147.

Article 144

Delegation of powers concerning the obligation of operators to ensure that animals are accompanied by an animal health certificate

1 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- a derogations from the animal health certification requirements provided for in Article 143(1), for movements of kept terrestrial animals which do not pose a significant risk for the spread of a disease on account of:
 - (i) the species or categories of the kept terrestrial animals that are being moved and the listed diseases referred to in point (d) of Article 9(1) for which they are listed species;
 - (ii) the methods of keeping and the type of production of those species and categories of kept terrestrial animals;
 - (iii) the intended use of the kept terrestrial animals; or
 - (iv) the place of destination of the kept terrestrial animals; including those cases where their place of destination is in the same Member State as their place of origin but they pass through another Member State in order to reach their place of destination;
- b special rules for animal health certification as provided for in Article 143(1) where specific risk-mitigation measures concerning surveillance or biosecurity are taken, taking into account the matters provided for in paragraph 2 of this Article, which ensure:
 - (i) the traceability of the kept terrestrial animals being moved;
 - (ii) that the kept terrestrial animals being moved fulfil the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142);
- c the requirement for animal health certification for movements of species and categories of kept terrestrial animals other than those referred to in points (a), (b) and (c) of Article 143(1) in cases where animal health certification is imperative in order to ensure that the movement in question complies with the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142).

2 When establishing the special rules provided for in point (b) of paragraph 1, the Commission shall take the following matters into account:

Status: This is the original version (as it was originally adopted).

- a the assessment by the competent authority of the biosecurity put in place by operators as provided for in point (b) of Article 10(1) and any rules adopted pursuant Article 10(6);
 - b the ability of the competent authority, in so far as may be necessary and appropriate, to take measures and to engage in activities required by this Regulation as provided for in Article 13(1);
 - c the level of knowledge of animal health as provided for in Article 11 and the encouragement thereof provided for in Article 13(2);
 - d the carrying-out of the animal health visits provided for in Article 25 or other relevant surveillance or official controls in place;
 - e the performance by the competent authority of its obligations under the Union notification and reporting system provided for in Articles 19 to 22 and in the rules adopted pursuant to Article 20(3) and Article 23;
 - f the application of surveillance as provided for in Article 26 and surveillance programmes as provided for in Article 28 and in any rules adopted pursuant to Articles 29 and 30.
- 3 The Commission shall take the matters referred to in point (a)(i) to (iv) of paragraph 1 into account when establishing the requirements for animal health certification provided for in point (c) of paragraph (1).

Article 145

Contents of animal health certificates

- 1 The animal health certificate referred to in Article 143 shall contain the following information:
- a the establishment or place of origin, the establishment or place of destination and, where relevant, establishments for assembly operations or for rests, of the kept terrestrial animals concerned;
 - b the means of transport and the transporter;
 - c a description of the kept terrestrial animals;
 - d the number of kept terrestrial animals;
 - e the identification and registration of kept terrestrial animals, where required by Articles 112, 113, 114, 115 and 117 and by any rules adopted pursuant to Articles 118 and 120, unless derogations are provided for in accordance with Article 119; and
 - f the information needed to demonstrate that the kept terrestrial animals fulfil the relevant animal health requirements in respect of movements provided for in Sections 1 to 6 (Articles 124 to 142).
- 2 The animal health certificate may include other information required under other Union legislation.

Article 146

Delegation of powers and implementing acts concerning the content of animal health certificates

- 1 The Commission shall adopt delegated acts in accordance with Article 264 concerning:

- a detailed rules on the content of animal health certificates as provided for in Article 145(1) for different species and categories of kept terrestrial animals and for specific types of movements as provided for in the rules adopted pursuant to Article 147;
- b additional information to be contained in the animal health certificate provided for in Article 145(1).

2 The Commission may, by means of implementing acts, lay down rules for model forms of animal health certificates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

Article 147

Delegation of powers concerning specific types of movements of kept terrestrial animals

The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning specific measures derogating from, or supplementing, the obligation of operators to ensure that animals are accompanied by an animal health certificate as provided for in Article 143 and in the rules adopted pursuant to Article 144, for the following types of movements of kept terrestrial animals:

- (a) movements of kept ungulates and poultry passing through the assembly operations provided for in Article 133 prior to reaching their final place of destination;
- (b) movements of kept terrestrial animals which are required to return to their place of origin or to be moved to a different destination, for one or more of the following reasons:
 - (i) their intended journey was unexpectedly interrupted for animal welfare reasons;
 - (ii) unforeseen accidents or events during the journey;
 - (iii) they were rejected at the place of destination in a Member State or at the external border of the Union;
 - (iv) they were rejected at a place of assembly or resting;
 - (v) they were rejected in a third country or territory;
- (c) movements of kept terrestrial animals intended for exhibitions, and sporting, cultural and similar events, and their subsequent return to their place of origin.

Article 148

Operators' obligations to cooperate with the competent authority for the purposes of animal health certification

Operators shall:

- (a) provide the competent authority with all the information necessary to complete the animal health certificate provided for in Article 143(1) and (2) and in any rules adopted pursuant to Article 146(1) or Article 147, in advance of the intended movement;
- (b) where necessary, ensure that the kept terrestrial animals in question are subjected to documentary, identity and physical checks as provided for in Article 149(3).

Article 149

Responsibility of the competent authority for animal health certification

1 The competent authority shall, upon request by an operator, issue an animal health certificate for the movement of kept terrestrial animals, where required by Article 143 or by delegated acts adopted pursuant to Article 144(1), provided that the following movement requirements have been complied with:

- a those provided for in Article 124, Article 125(1), Articles 126, 128, 129, 130, 133 and 134, Articles 136(1) and 137(1), Article 138 and Article 139;
- b those provided for in delegated acts adopted pursuant to Articles 125(2) and 131(1), Article 135, Articles 136(2), 137(2), 138(4) and 139(4) and Article 140;
- c those provided for in implementing acts adopted pursuant to Article 141.

2 Animal health certificates shall:

- a be verified, stamped and signed by an official veterinarian;
- b remain valid for the period of time provided for in the rules adopted pursuant to point (c) of paragraph 4, during which the kept terrestrial animals covered by it continue to fulfil the animal health guarantees contained in it.

3 Before signing an animal health certificate, the official veterinarian concerned shall verify, by means of documentary, identity and physical checks as provided for by delegated acts adopted pursuant to paragraph 4, that the kept terrestrial animals covered by it fulfil the requirements of this Chapter.

4 The Commission shall adopt delegated acts in accordance with Article 264 laying down rules concerning:

- a the types of documentary, identity and physical checks and examinations in relation to different species and categories of kept terrestrial animals that must be carried out by the official veterinarian in accordance with paragraph 3 in order to verify compliance with the requirements of this Chapter;
- b the timeframes for the carrying-out of such documentary, identity and physical checks and examinations and the issuing of animal health certificates by the official veterinarian prior to the movement of consignments of kept terrestrial animals;
- c the duration of the validity of animal health certificates.

Article 150

Electronic animal health certificates

Electronic animal health certificates, produced, handled and transmitted by means of Traces, may replace accompanying animal health certificates as provided for in Article 149(1) where:

- (a) such electronic animal health certificates contain all the information that the model form of animal health certificate is required to contain in accordance with Article 145 and any rules adopted pursuant to Article 146;
- (b) the traceability of the kept terrestrial animals in question and the link between those animals and the electronic animal health certificate is ensured;

- (c) the competent authorities of the Member States of origin, passage and destination are able to have access to the electronic documents at all times during the transport.

Article 151

Self-declaration by operators for movements to other Member States

1 Operators at the place of origin shall issue a self-declaration document for movements of kept terrestrial animals from their place of origin in one Member State to their place of destination in another Member State, and shall ensure that it accompanies such animals, where they are not required to be accompanied by an animal health certificate as provided for in Article 143(1) and (2).

2 The self-declaration document provided for in paragraph 1 shall contain the following information concerning the kept terrestrial animals in question:

- a their place of origin, their place of destination and, when relevant, any places of assembly or rest;
- b the means of transport and the transporter;
- c a description of the kept terrestrial animals, their species, category and quantity;
- d identification and registration where required in accordance with Articles 112, 113, 114 and 115, point (a) of Article 117 and any rules adopted pursuant to Articles 118 and 120;
- e the information needed to demonstrate that the kept terrestrial animals fulfil the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142).

3 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- a detailed rules on the content of the self-declaration document provided for in paragraph 2 of this Article for different species and categories of animals;
- b information to be contained in the self-declaration document in addition to that provided for in paragraph 2 of this Article.

4 The Commission may, by means of implementing acts, lay down rules for the model forms of the self-declaration document provided for in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).