

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 6

##### *Production, processing and distribution within the Union of products of animal origin*

##### *Article 166*

##### **General animal health obligations for operators and delegated acts**

- 1 Operators shall take appropriate preventive measures to ensure that, during all stages of the production, processing and distribution of products of animal origin in the Union, such products do not cause the spread of:
  - a listed diseases as referred to in point (d) of Article 9(1), taking into account the health status of the place of production, processing or destination;
  - b emerging diseases.
- 2 Operators shall ensure that products of animal origin do not come from establishments or food businesses, or are not obtained from animals which come from establishments, that are subject to:
  - a emergency measures as provided for in Articles 257 and 258 or any rules adopted pursuant to Article 259, unless derogations from the requirement provided for in paragraph 1 of this Article are provided for in rules adopted pursuant to Article 259;
  - b movement restrictions applicable to kept terrestrial animals and products of animal origin, as provided for in point (c) of Article 32(1), point (e) of Article 55(1), Article 56, point (a) of Article 61(1), Article 62(1), point (c) of Article 65(1), point (b) of Article 70(1), point (a) of Article 74(1), point (b) of Article 76(2), Article 76(3), Article 79, Article 81 and Article 82(2) and (3) and in the rules adopted pursuant to Article 55(2), Articles 63 and 67, Article 70(3), Article 71(3), Article 74(4), Article 76(5) and Article 83(2), unless derogations from those movement restrictions have been provided for in those rules.
- 3 The Commission shall adopt delegated acts in accordance with Article 264 concerning detailed requirements supplementing those referred to:
  - a in paragraph 1 of this Article on preventive measures, including risk-mitigation measures, and

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- b in paragraph 2 of this Article in relation to restrictions on movements of products of animal origin.

4 When adopting the delegated acts referred to in paragraph 3, the Commission shall base those acts on:

- a the listed disease in question, as referred to in point (d) of Article 9(1), and species concerned by it and
- b the risks involved.

### Article 167

#### **Operators' obligations with regard to animal health certificates and delegated acts**

1 Operators shall only move the following products of animal origin within a Member State or to another Member State where the products in question are accompanied by an animal health certificate issued by the competent authority of the Member State of origin in accordance with paragraph 3:

- a products of animal origin that:
  - (i) are allowed to be moved from a restricted zone subject to emergency measures as provided for in rules adopted pursuant to Article 259;
  - (ii) originate from animals of species subject to those emergency measures;
- b products of animal origin that:
  - (i) are allowed to be moved from a restricted zone subject to disease control measures in accordance with Article 32(1), point (f)(ii) of Article 55(1), Article 56, point (a) of Article 61(1), Article 62(1), Article 64, point (c) of Article 65(1), point (b) of Article 70(1), point (a) of Article 74(1) and Articles 79 and 80 and any rules adopted pursuant to Article 55(2), Articles 63 and 67 and Articles 71(3), 74(4) and 83(2),
  - (ii) originate from animals of species subject to those disease control measures.

The competent authority may decide that such a certificate does not have to be issued for movements of products of animal origin within the Member State concerned when that authority considers that an alternative system is in place ensuring that consignments of such products are traceable and that those products fulfil the animal health requirements for such movements.

2 Operators shall take all necessary measures to ensure that the animal health certificate referred to in paragraph 1 accompanies the products of animal origin from their place of origin to their place of destination.

3 The competent authority shall, upon request by the operator concerned, issue an animal health certificate for movements of products of animal origin as referred to in paragraph 1, provided that the relevant requirements referred to in this Article have been complied with.

4 Articles 148, 149 and 150 and the rules adopted pursuant to Articles 146 and 147 and Article 149(4) shall apply to the animal health certification of movements of products of animal origin as referred to in paragraph 1 of this Article.

5 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning derogations from the animal health certificate requirements provided for

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in paragraph 1 of this Article and the conditions for such derogations, in respect of movements of products of animal origin which do not pose a significant risk for the spread of diseases due to:

- a the types of products of animal origin concerned;
- b the risk-mitigation measures applied to the products of animal origin, thereby reducing the risks of the spread of diseases;
- c the intended use of the products of animal origin;
- d the place of destination of the products of animal origin.

#### *Article 168*

### **Content of animal health certificates and delegated and implementing acts**

1 The animal health certificate for products of animal origin provided for in Article 167(1) shall contain at least the following information:

- a the establishment or place of origin and the establishment or place of destination;
- b a description of the products of animal origin concerned;
- c the quantity of the products of animal origin;
- d the identification of the products of animal origin, when required by point (h) of Article 65(1) or by any rules adopted pursuant to point (a) of the second paragraph of Article 67;
- e the information needed to demonstrate that the products of animal origin fulfil the movement restriction requirements provided for in Article 166(2) and in any rules adopted pursuant to Article 166(3).

2 The animal health certificate referred to in paragraph 1 may include other information required under other Union legislation.

3 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning the information to be contained in the animal health certificate provided for in paragraph 1 of this Article.

4 The Commission may, by means of implementing acts, lay down rules concerning model forms of animal health certificates for products of animal origin referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

#### *Article 169*

### **Notification of movements of products of animal origin to other Member States**

1 Operators shall:

- a inform the competent authority in their Member State of origin in advance of intended movements of products of animal origin when the consignments in question are required to be accompanied by an animal health certificate in accordance with Article 167(1);
- b provide all necessary information to enable the competent authority of the Member State of origin to notify the movement in question to the competent authority of the Member State of destination in accordance with paragraph 2.

2 The competent authority of the Member State of origin shall, prior to the movement and whenever possible through Traces, notify the competent authority of the Member State of destination of movements of products of animal origin in accordance with the rules adopted pursuant to paragraphs 5 and 6.

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3 Member States shall use, for the management of notifications, regions designated in accordance with Article 153(3).

4 Article 153(4) shall apply to the notification of movements of products of animal origin by operators.

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

- a the information needed for the notification of movements of products of animal origin as provided for in paragraph 1 of this Article;
- b the emergency procedures for the notification of movements of products of animal origin in the event of power cuts and other disturbances of Traces.

6 The Commission may, by means of implementing acts, lay down rules concerning:

- a the information to be provided by operators to the competent authority of their Member State of origin concerning movements of products of animal origin in accordance with paragraph 1;
- b notification of movements of products of animal origin to be given by the competent authority of the Member State of origin to the Member State of destination in accordance with paragraph 2;
- c the deadlines for:
  - (i) provision of the information referred to in paragraph 1 by the operator concerned to the competent authority of the Member State of origin;
  - (ii) notification of movements of products of animal origin to be given by the competent authority of the Member State of origin as referred to in paragraph 2.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)