

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 IX **U.K.**

**TRANSITIONAL AND FINAL PROVISIONS**

*Article 270* **U.K.**

**Repeals**

1 Decisions 78/642/EEC, 89/455/EEC and 90/678/EEC, and Directives 79/110/EEC, 81/6/EEC, 90/423/EEC, 92/36/EEC and 98/99/EC are repealed.

2 The following acts are repealed as from 21 April 2021:

- Directive 64/432/EEC,
- Directive 77/391/EEC,
- Directive 78/52/EEC,
- Directive 80/1095/EEC,
- Directive 82/894/EEC,
- Directive 88/407/EEC,
- Directive 89/556/EEC,
- Directive 90/429/EEC,
- Directive 91/68/EEC,
- Decision 91/666/EEC,
- Directive 92/35/EEC,
- Directive 92/65/EEC,
- Directive 92/66/EEC,
- Directive 92/118/EEC,
- Directive 92/119/EEC,
- Decision 95/410/EC,
- Directive 2000/75/EC,
- Decision 2000/258/EC,
- Directive 2001/89/EC,
- Directive 2002/60/EC,
- Directive 2002/99/EC,
- Directive 2003/85/EC,
- Regulation (EC) No 21/2004,
- Directive 2004/68/EC,
- Directive 2005/94/EC,
- Directive 2006/88/EC,
- Directive 2008/71/EC,
- Directive 2009/156/EC,
- Directive 2009/158/EC,

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— Regulation (EU) No 576/2013.

References to those repealed acts shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex V hereto.

Article 271 **U.K.**

**Transitional measures related to the amendment of Regulation (EC) No 1760/2000 and the repeal of Regulation (EC) No 21/2004 and Directive 2008/71/EC**

1 Notwithstanding Article 270(2) and Article 278 of this Regulation, Articles 1 to 10 of Regulation (EC) No 1760/2000, Regulation (EC) No 21/2004, and Directive 2008/71/EC, as well as the acts adopted on the basis thereof, shall continue to apply, instead of the corresponding Articles in this Regulation, until three years after the date of application of this Regulation or an earlier date to be determined in a delegated act adopted in accordance with paragraph 2 of this Article.

2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning the earlier date referred to in paragraph 1 of this Article.

That date shall be the date of application of the corresponding rules to be adopted pursuant to the delegated acts provided for in Article 109(2) and Article 119 <sup>[X1]</sup> and the implementing acts provided for in Article 120 of this Regulation.]

**Editorial Information**

**X1** Substituted by [Corrigendum to 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 \('Animal Health Law'\) \(Official Journal of the European Union L 84 of 31 March 2016\)](#).

Article 272 **U.K.**

**Transitional measures related to the repeals of Directives 92/66/EEC, 2000/75/EC, 2001/89/EC, 2002/60/EC, 2003/85/EC and 2005/94/EC**

1 Notwithstanding Article 270(2) of this Regulation, Directives 92/66/EEC, 2000/75/EC, 2001/89/EC, 2002/60/EC, 2003/85/EC and 2005/94/EC, as well as the acts adopted on the basis thereof, shall continue to apply, instead of the corresponding Articles in this Regulation, until three years after the date of application of this Regulation or an earlier date to be determined in a delegated act adopted in accordance with paragraph 2 of this Article.

2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning the earlier date referred to in paragraph 1 of this Article.

That date shall be the date of application of the corresponding rules to be adopted pursuant to the delegated acts provided for in Article 47, Articles 48(3), 53(2), 54(3), 55(2) and 58(2), Article 63, Article 64(4), Article 67, and Articles 68(2) and 70(3) of this Regulation.

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Article 273 **U.K.**

**Amendment of Regulation (EC) No 2160/2003**

In Article 9(3) of Regulation (EC) No 2160/2003 the following wording is added:

Those special measures shall include measures based on the provisions contained in Decision 95/410/EC in its last version prior to its repeal and Commission Decisions 2003/644/EC<sup>(1)</sup> and 2004/235/EC<sup>(2)</sup> in the versions thereof at the time of the repeal of Directive 90/539/EEC..

Article 274 **U.K.**

**Transitional measures related to the date of adoption of certain delegated and implementing acts**

Without prejudice to the date of application provided for in Article 283, [<sup>X1</sup>the Commission shall adopt the delegated acts referred to in the first subparagraph of Article 31(5), Articles 32(2), 39, 41(3), 54(3), 55(2), 58(2), 64(4), 67, 68(2), 74(4), 77(2) and 97(2), Article 122(1), and Articles 131(1), 132(2), 135, 137(2), 146(1), 149(4), 154(1), 162(3), 163(5), 166(3), 169(5), 181(2), 185(5), 213(1), 216(4), 221(1), 222(3), 224(3), 234(2), 239(2), and] the implementing acts referred to in Articles 8 and 9, at the latest on 20 April 2019. In accordance with Article 283, those delegated and implementing acts shall apply from the date of application set out in that Article.

**Editorial Information**

**X1** Substituted by [Corrigendum to 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 \('Animal Health Law'\) \(Official Journal of the European Union L 84 of 31 March 2016\)](#).

Article 275 **U.K.**

**Prior review and amendments of Annex II**

The Commission shall, at the latest by 20 April 2019, review the list of diseases contained in Annex II. Should it be apparent from that review that an application of the rules set out in this Regulation requires amendments to be made to Annex II, by adding to or deleting from the list contained therein, such amendments shall be adopted by the Commission at the latest by the deadline referred to in the first sentence of this Article.

Article 276 **U.K.**

**Review**

The Commission shall, by 20 April 2019 at the latest, review the existing legislation on the identification and registration of kept animals of the equine species.

The Commission shall take the results of that review into account in the framework of the application of Articles 118, 119 and 120.

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Article 277 **U.K.**

**Transitional measures related to the repeal of Regulation (EU) No 576/2013 on the non-commercial movement of pet animals**

Notwithstanding Article 270(2) of this Regulation, Regulation (EU) No 576/2013 shall continue to apply until 21 April 2026 in respect of non-commercial movements of pet animals, in place of Part VI of this Regulation.

Article 278 **U.K.**

**Amendments to Regulation (EC) No 1760/2000**

Regulation (EC) No 1760/2000 is amended as follows:

(1) Articles 1 to 10 are deleted;

(2) Article 22 is replaced by the following:

*Article 22*

1 Member States shall take all the necessary measures to ensure compliance with the provisions of this Regulation.

The controls provided for shall be without prejudice to any controls which the Commission may carry out pursuant to Article 9 of Regulation (EC, Euratom) No 2988/95.

Any penalties imposed by the Member State on an operator or organisation marketing beef shall be effective, dissuasive and proportionate.

2 Notwithstanding paragraph 1, where operators and organisations marketing beef have labelled beef without complying with their obligations laid down in Title II, Member States shall, as appropriate, and in accordance with the principle of proportionality, require the removal of the beef from the market. In addition to the penalties referred to in paragraph 1, Member States may:

a if the meat concerned conforms with relevant veterinary and hygiene rules, authorise that such beef:

(i) be placed on the market after being properly labelled in accordance with Union requirements; or

(ii) be sent directly for processing into products other than those indicated in point 1 of Article 12;

b order the suspension or withdrawal of the approval of the operators and organisations concerned.

3 Experts from the Commission, in conjunction with the competent authorities, shall:

a verify that Member States comply with the requirements of this Regulation;

b make on-the-spot checks to ensure that the checks are carried out in accordance with this Regulation.

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4 A Member State in whose territory an on-the-spot check is carried out shall provide the experts from the Commission with any assistance they may require in the performance of their tasks. The outcome of the checks made shall be discussed with the competent authority of the Member State concerned before a final report is drawn up and circulated. That report shall, where appropriate, contain recommendations for Member States on the improvement of compliance with this Regulation.;

(3) Article 22b is replaced by the following:

#### *Article 22b*

#### **Exercise of the delegation**

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions under this Article.

2 The power to adopt delegated acts referred to in Articles 13(6), 14(4) and 15a shall be conferred on the Commission for a period of five years from 20 April 2016. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Articles 13(6), 14(4) and 15a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Articles 13(6), 14(4) and 15a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.;

(4) Article 23 is replaced by the following:

#### *Article 23*

#### **Committee procedure**

1 The Commission shall be assisted for the implementing acts adopted pursuant to Article 13(6) of this Regulation by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council<sup>(3)</sup>.

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That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>(4)</sup>.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the Committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the Committee so decides or a simple majority of committee members so requests..

#### Article 279 **U.K.**

### Existing operators and establishments

1 Establishments and operators registered or approved in accordance with Directive 64/432/EEC, Directive 88/407/EEC, Directive 89/556/EEC, Directive 90/429/EEC, Directive 91/68/EEC, Directive 92/65/EEC, Regulation (EC) No 1760/2000, Regulation (EC) No 21/2004, Directive 2006/88/EC, Directive 2008/71/EC, Directive 2009/156/EC or Directive 2009/158/EC before the date of application of this Regulation shall be deemed to be registered or approved, as required, in accordance with this Regulation and shall, as such, be subject to the relevant obligations provided for under this Regulation.

2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules necessary to ensure a smooth transition from the rules existing prior to this Regulation referred to in paragraph 1 of this Article, in order in particular to protect acquired rights and legitimate expectations of natural and legal persons concerned.

#### Article 280 **U.K.**

### Existing disease-free Member States, zones and compartments and existing Member State eradication and surveillance programmes

1 Member States and zones with an approved disease-free status for one or more of the listed diseases referred to in points (b) and (c) of Article 9(1), for one or more of the relevant animal species, in accordance with Directive 64/432/EEC, Directive 91/68/EEC, Directive 92/65/EEC, Directive 2006/88/EC, Directive 2009/156/EC or Directive 2009/158/EC, shall be deemed to have an approved disease-free status in accordance with this Regulation and shall, as such, be subject to the relevant obligations provided for under this Regulation.

2 Member States and zones with an approved eradication programme or surveillance programme for one or more of the listed diseases referred to in points (b) and (c) of Article 9(1), for one or more of the relevant animal species, in accordance with Directive 64/432/EEC, Directive 91/68/EEC, Directive 92/65/EEC, Directive 2006/88/EC, Directive 2009/156/EC or Directive 2009/158/EC, shall be deemed to have an approved eradication programme in accordance with this Regulation and shall, as such, be subject to the relevant obligations provided for under this Regulation.

3 Approved compartments with an approved disease-free status for one or more of the listed diseases referred to in points (a), (b) or (c) of Article 9(1), in accordance with Directives 2005/94/EC and 2006/88/EC, shall be deemed to have a recognised disease-free status under Article 37 of this Regulation and shall, as such, be subject to the relevant obligations provided for under this Regulation.

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4 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules necessary in order to ensure a smooth transition from the rules existing prior to this Regulation referred to in paragraphs 1, 2 and 3.

<sup>F1</sup>Article 281 **U.K.**

**[<sup>F1</sup>Relation with acts concerning official controls]**

**Textual Amendments**

- F1** Deleted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

Article 282 **U.K.**

**Evaluation**

The Commission shall evaluate this Regulation together with the delegated acts referred to in Article 264 and submit the results of the evaluation in a report to the European Parliament and to the Council no later than 22 April 2026.

Article 283 **U.K.**

**Entry into force and application**

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

It shall apply from 21 April 2021, except for Articles 270(1) and 274, which shall apply from the date of its entry into force.

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- (1) Commission Decision 2003/644/EC of 8 September 2003 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry ([OJ L 228, 12.9.2003, p. 29](#)).
- (2) Commission Decision 2004/235/EC of 1 March 2004 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of laying hens ([OJ L 72, 11.3.2004, p. 86](#)).
- (3) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([OJ L 31, 1.2.2002, p. 1](#)).
- (4) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).



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