

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)

TITLE II

^{F1}OFFICIAL CONTROLS AND OTHER OFFICIAL ACTIVITIES ...

CHAPTER II

Official controls

Section II

Additional requirements for official controls and other official activities in certain areas

Article 21

Specific rules on official controls and for action to be taken by the competent authorities in relation to the welfare requirements for animals

1 Official controls to verify compliance with the rules referred to in point (f) of Article 1(2) shall be performed at all relevant stages of production, processing and distribution along the agri-food chain.

2 Official controls to verify compliance with the rules laying down welfare requirements for animals in the event of their transport, in particular with Regulation (EC) No 1/2005, shall include:

- a in the case of long journeys [^{F1}from Great Britain to] third countries, official controls performed prior to the loading to check the fitness of the animals for transport;
- b in the case of long journeys [^{F2}from third countries into Great Britain, transiting through Great Britain or] [^{F3}from Great Britain to] third countries, of domestic equidae other than registered equidae and domestic animals of the bovine, ovine, caprine and porcine species, and prior to those journeys:
 - (i) official controls on journey logs to verify that the journey log is realistic and indicates compliance with Regulation (EC) No 1/2005; and

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- (ii) official controls to verify that the transporter indicated in the journey log has a valid transporter authorisation, certificate of approval for the means of transport for long journeys and certificates of competence for drivers and attendants;
- c at border control posts provided for in Article 59(1) and at exit points:
 - (i) official controls on the fitness of the animals being transported and on the means of transport to verify compliance with Chapter II of Annex I to Regulation (EC) No 1/2005 and where applicable Chapter VI thereof;
 - (ii) official controls to verify that transporters comply with applicable international agreements and have valid transporter authorisations and certificates of competence for drivers and attendants; and
 - (iii) official controls to verify whether domestic equidae and domestic animals of bovine, ovine, caprine and porcine species have been or are to be transported over long journeys.

3 During the performance of official controls and other official activities, the competent authorities shall take the necessary measures to prevent or reduce to a minimum any delay between the loading of the animals and their departure, or during the transport.

The competent authorities shall not detain animals during the transport unless it is strictly necessary for animal welfare or animal or human health reasons. If animals have to be detained during transport for more than two hours, the competent authorities shall ensure that appropriate arrangements are taken for their care and, where necessary, their feeding, watering, unloading and accommodation.

4 Where a non-compliance is established following the official controls referred to in point (b) of paragraph 2 and is not corrected by the organiser prior to the long journey, by making appropriate changes to the transport arrangements, the competent authorities shall prohibit that long journey.

5 Where, following the official controls referred to in point (c) of paragraph 2, the competent authorities establish that animals are not fit to complete the journey, they shall give the order that animals be unloaded, watered, fed and rested until fit to continue their journey.

6 A notification of non-compliance with the rules referred to in paragraph 1 of this Article for the purposes of Articles 105 and 106 shall be made:

- a to the [F⁴competent authority] that granted the authorisation to the transporter;
- b where non-compliance with any such rule applicable to the means of transport is identified, to the [F⁵competent authority] that granted the certificate of approval of the means of transport;
- c where non-compliance with any such rule applicable to drivers is identified, to the [F⁶competent authority] that issued the driver's certificate of competence.

7 For the purpose of Article 30, the delegation of certain official control tasks, referred to in this Article, to one or more natural persons shall be allowed.

8 The [F⁷appropriate authority may make regulations] to supplement this Regulation by laying down rules for the performance of official controls to verify compliance with [F⁸the] rules referred to in point (f) of Article 1(2). [F⁹Those regulations] shall take into account the animal welfare risk related to the farming activities and to the transport, slaughter and killing of animals, and shall lay down rules on:

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- a specific requirements for the performance of such official controls to respond to the risk associated with different animal species and means of transport, and the need to prevent non-compliant practices and to limit the suffering of animals;
- b the cases where the competent authorities in relation to specific non-compliances are to take one or more of the measures referred to in Articles 137(2) and 138(2);
- c the verification of animal welfare requirements at border control posts and at exit points and the minimum requirements applicable to those exit points;
- d specific criteria and conditions for the activation of the mechanisms of administrative assistance provided for in Articles 102 to ^{F10}107];
- e the cases and conditions where official controls to verify compliance with animal welfare requirements may include the use of specific animal welfare indicators based on measurable performance criteria, and the design of such indicators on the basis of scientific and technical evidence.

9 The ^{F11}appropriate authority may make regulations laying] down rules on uniform practical arrangements on official controls performed to verify compliance with the ^{F12}... rules referred to in point (f) of Article 1(2) laying down animal welfare requirements and on action taken by the competent authorities following such official controls, regarding:

- a uniform minimum frequency of such official controls, where a minimum level of official control is necessary to respond to the risk associated with different animal species and means of transport, and the need to prevent non-compliant practices and to limit the suffering of animals; and
- b the practical arrangements for keeping written records of official controls performed and their retention period.

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Textual Amendments

- F1** Words in Art. 21(2)(a) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(a)** (with reg. 46)
- F2** Words in Art. 21(2)(b) inserted (16.11.2022) by [The Animals, Food, Plant Health, Plant Propagating Material and Seeds \(Miscellaneous Amendments etc.\) Regulations 2022 \(S.I. 2022/1090\)](#), regs. 1(1), **13(2)**
- F3** Words in Art. 21(2)(b) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(a)** (with reg. 46)
- F4** Words in Art. 21(6)(a) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(b)(i)** (with reg. 46)
- F5** Words in Art. 21(6)(b) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(b)(ii)** (with reg. 46)
- F6** Words in Art. 21(6)(c) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(b)(ii)** (with reg. 46)
- F7** Words in Art. 21(8) substituted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1481\)](#), regs. 1, **6(5)(c)(i)(aa)** (with reg. 46)

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- F8** Word in Art. 21(8) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(c)(i)(bb)** (with reg. 46)
- F9** Words in Art. 21(8) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(c)(i)(cc)** (with reg. 46)
- F10** Word in Art. 21(8)(d) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(c)(ii)** (with reg. 46)
- F11** Words in Art. 21(9) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(d)(i)(aa)** (with reg. 46)
- F12** Word in Art. 21(9) omitted (31.12.2020) by virtue of The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(d)(i)(bb)** (with reg. 46)
- F13** Words in Art. 21(9) omitted (31.12.2020) by virtue of The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1481), regs. 1, **6(5)(d)(ii)** (with reg. 46)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2017/625 of the European Parliament and of the Council, Article 21.