

Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2007

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>(1)</sup>, and in particular Article 3(5) thereof,

Having regard to 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)<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 47(2) thereof,

Whereas:

- (1) Regulation (EU) 2017/625 establishes rules on the performance of official controls by the competent authorities of the Member States on animals and goods entering the Union in order to verify the compliance with Union agri-food chain legislation.
- (2) Commission Delegated Regulation (EU) 2019/478<sup>(3)</sup> amended Regulation (EU) 2017/625 by adding hay and straw and foodstuffs containing both products of plant

origin and processed products of animal origin ('composite products') to the categories of goods in point (b) of Article 47(1) of that Regulation.

- (3) In accordance with Regulation (EU) 2017/625, certain categories of animals and goods from third countries should always be presented at a border control post for official controls to be performed prior to their entry into the Union. In addition to animals, products of animal origin, germinal products, animal by-products, hay and straw and composite products are among the categories that should always be presented for official controls at border control posts.
- (4) Regulation (EU) 2017/625 requires the Commission to establish lists of the different animals and products of animal origin, germinal products, animal by-products, hay and straw and composite products to be presented for official controls at border control posts with the indication of their respective Combined Nomenclature (CN) code provided for in Council Regulation (EEC) No 2658/87<sup>(4)</sup>.
- (5) As derived products are a sub-category of animal by-products, they should be included in the lists and their CN codes should be indicated accordingly.
- (6) Commission Decision 2007/275/EC<sup>(5)</sup> lays down provisions concerning animals and products, including composite products, subject to veterinary checks at border inspection posts in accordance with Council Directives 91/496/EEC<sup>(6)</sup> and 97/78/EC. New conditions for the entry into the Union of composite products will apply from 21 April 2021 in accordance with Commission Delegated Regulation (EU) 2019/625<sup>(7)</sup>. It is therefore appropriate that until then the current rules laid down in Decision 2007/275/EC concerning composite products subject to official controls at border control posts continue to apply and that this Regulation does not apply to composite products. In order to avoid overlapping of legal provisions, this Regulation should amend Decision 2007/275/EC by limiting its scope of application to composite products.
- (7) In order to facilitate official controls by the competent authorities at border control posts in accordance with Regulation (EU) 2017/625, the list established in this Regulation should describe, in detail, the animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to such official controls.
- (8) In addition, for certain CN codes, this Regulation lists only part of the animals and products that fall under the relevant heading or subheading. In such cases, this Regulation should give additional details about the relevant animals and products which are subject to official controls at border control posts.
- (9) As the provisions of Regulation (EU) 2017/625 governing the matters covered by this Regulation apply from 14 December 2019, this Regulation should apply from the same date.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/2007, Introductory Text. (See end of Document for details)

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- (1) [OJ L 24, 30.1.1998, p. 9.](#)
- (2) [OJ L 95, 7.4.2017, p. 1.](#)
- (3) Commission Delegated Regulation (EU) 2019/478 of 14 January 2019 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the categories of consignments to be subjected to official controls at border control posts ([OJ L 82, 25.3.2019, p. 4.](#))
- (4) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ([OJ L 256, 7.9.1987, p. 1.](#))
- (5) Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC ([OJ L 116, 4.5.2007, p. 9.](#))
- (6) Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ([OJ L 268, 24.9.1991, p. 56.](#))
- (7) Commission Delegated Regulation (EU) 2019/625 of 4 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption ([OJ L 131, 17.5.2019, p. 18.](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/2007, Introductory Text.