

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2128**of 12 November 2019****establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States' military base****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

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) ⁽¹⁾, and in particular Articles 77(3)(a), 90(a) and (f) thereof,

Whereas:

- (1) Regulation (EU) 2017/625 establishes the rules with which the competent authorities of the Member States must comply when performing official controls on animals and goods entering the Union in order to verify compliance with Union agri-food chain legislation.
- (2) Commission Delegated Regulation (EU) 2019/2124 ⁽²⁾ lays down rules for the official controls of consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products from third countries, that are stored in warehouses located in the Union territory, and that are to be delivered either to a NATO or United States' military base located in the Union territory or in a third country, or to a vessel leaving the Union and intended for ship supply or consumption by the crew and passengers.
- (3) Delegated Regulation (EU) 2019/2124 in particular provides that those consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products must be accompanied by an official certificate when leaving the warehouse.
- (4) Delegated Regulation (EU) 2019/2124 also provides that consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products from third countries that are destined for a vessel leaving the Union must be accompanied by an official certificate when transported from the border control post to the vessel.
- (5) For reasons of clarity and consistency, it is appropriate to establish a single model official certificate for consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products from third countries destined for delivery to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or United States' military bases located in the Union territory or in a third country.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation, amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (see page 73 of this Official Journal).

- (6) Frequently, the content of consignments is formed at warehouses. Such consignments may consist of goods that are derived from several consignments of different origins or product categories. In order to reduce administrative burdens, a single official certificate should be used for the goods in the newly formed consignments. The traceability of goods should be assured by indicating in the official certificate the number of the Common Health Entry Document (CHED) accompanying the original consignments from which the goods are derived.
- (7) The official certificate may be issued by the competent authorities either in paper or in electronic format. Therefore, it is appropriate to establish requirements as regards the issuance of the official certificate in both cases.
- (8) For the purpose of consistency, the rules applying to the issuance of electronic certificates and to the use of an electronic signature for official certificates laid down in Commission Implementing Regulation (EU) 2019/1715 ⁽³⁾ should also apply to the model official certificate established in this Regulation.
- (9) Model certificates are included in the electronic system TRACES, set up by Commission Decision 2003/623/EC ⁽⁴⁾ and Commission Decision 2004/292/EC ⁽⁵⁾ to facilitate and accelerate administrative procedures at Union borders and at customs warehouses and to enable electronic communication between the parties involved. Accordingly, the format of the model official certificate laid down in this Regulation and the notes on its completion should be adapted to the TRACES system.
- (10) In accordance with Article 133(4) of Regulation (EU) 2017/625, the TRACES system is to be integrated into the Information Management System for Official Controls (IMSOC). The model official certificate laid down in this Regulation should therefore be adapted to IMSOC.
- (11) Regulation (EU) 2017/625 applies from 14 December 2019. Accordingly, the rules laid down in this Regulation should also apply from that date.
- (12) 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:

Article 1

Definition

For the purposes of this Regulation, the definition of ‘warehouse’ set out in Article 2(3) of Delegated Regulation (EU) 2019/2124 shall apply.

Article 2

Model official certificate

1. For the purposes of Article 21(1) and Article 29(c) of Delegated Regulation (EU) 2019/2124, the model official certificate set out in Part I of the Annex to this Regulation shall be used for the official certification of consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products which are delivered:

- (a) to vessels leaving the Union territory and intended for ship supply or consumption by the crew and passengers; or

⁽³⁾ Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (‘the IMSOC Regulation’) (OJ L 261, 14.10.2019, p. 37).

⁽⁴⁾ Commission Decision 2003/623/EC of 19 August 2003 concerning the development of an integrated computerised veterinary system known as Traces (OJ L 216, 28.8.2003, p. 58).

⁽⁵⁾ Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC (OJ L 94, 31.3.2004, p. 63).

- (b) from a warehouse located in the Union territory to NATO or United States' military bases located in the Union territory or in a third country.

The official certificate may be issued in paper format or electronically through IMSOC.

2. Where the content of consignments is formed at a warehouse and composed of products of different origins or product categories, one single official certificate may be issued to accompany such consignment.

Article 3

Requirements for official certificates which are not submitted in IMSOC

Official certificates which are not submitted in IMSOC shall meet the following requirements:

1. in addition to the signature of the certifying officer, the official certificate shall bear an official stamp. The colour of the signature and stamp shall be different to the colour of the printing.
2. where the official certificate contains statements, statements which are not relevant shall be crossed out, initialled and stamped by the certifying officer, or completely removed from the certificate.
3. the official certificate shall consist of:
 - (a) a single sheet of paper; or
 - (b) several sheets of paper where all sheets are indivisible and constitute an integral whole; or
 - (c) a sequence of pages numbered so as to indicate that it is a particular page in a finite sequence.
4. Where the official certificate consists of a sequence of pages, each page must indicate the unique code as referred to in Article 89(1)(a) of Regulation (EU) 2017/625 and bear the signature of the certifying officer and the official stamp.
5. The official certificate shall be issued before the consignments to which it relates leave the control of the competent authorities at the border control post or at the warehouse.

Article 4

Requirements for official certificates submitted in IMSOC and for the use of electronic signature

1. Official certificates submitted in IMSOC shall be based on the model official certificate laid down in Part 1 of the Annex to this Regulation.
2. The official certificate shall be submitted in IMSOC before the consignments to which it relates leave the control of the competent authorities at the border control post or at the warehouse.
3. Official certificates submitted in IMSOC shall meet the requirements for the issuance of electronic official certificate and for the use of electronic signature laid down in Article 39 of Implementing Regulation (EU) 2019/1715.

Article 5

Notes on the completion of the official certificate

The official certificate shall be completed by reference to the notes set out in Part 2 of the Annex to this Regulation.

*Article 6***Entry into force and date of 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 14 December 2019.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 November 2019.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

PART 1

Model of official certificate accompanying consignments of products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products from third countries which are delivered to vessels leaving the Union or to NATO or United States' military bases

**Official Certificate for goods delivered to vessels leaving the Union
or to NATO or United States' military bases**

EUROPEAN UNION						
I.1	Border control post/Competent authority	I.2		Certificate reference number		
	TRACES reference number	I.2.a		IMSOC reference number		
I.3	Consignor	I.4		Operator responsible for the consignment		
	Name			Name		
	Address			Address		
	Registration/Approval No					
	Country ISO country code			Country ISO country code		
I.5	Place of destination (vessel)	I.6		Place of destination (NATO/United States' military base)		
	Vessel name			Name of NATO/United States' military base		
	Vessel IMO number			NATO/United States' military base TRACES reference number		
	Port			Address		
	Country ISO country code			Country ISO country code		
				BCP of exit		
I.7	Means of transport	Identification number(s)	Container No	Seal No		
I.8	Description of goods					
	CN code	Product type	Country of origin	Number of packages	Net weight(kg)	Reference of CHED of origin
<input type="checkbox"/> Supporting document: _____						

I.9	Total number of packages		I.10	Total net weight (kg)
I.11	Date of departure			
II.1	Declaration:			
	<input type="checkbox"/> I, the undersigned certifying officer confirm that the products described above are authorised to be dispatched to the vessel leaving the Union			
	<input type="checkbox"/> I, the undersigned certifying officer confirm that the products described above are authorised to be dispatched to a NATO/United States' military base			
II.2	Name (in capital letters)	Qualification and title		
	Competent authority/BCP	Competent authority/BCP TRACES registration No		
	Date	Stamp	Signature	
III.1	Confirmation of the arrival and compliance of the consignment			
	I confirm delivery of the consignment:		<input type="checkbox"/> on board the vessel specified in Box I.5	
			<input type="checkbox"/> to a NATO/United States' military base specified in Box I.6	
			<input type="checkbox"/> BCP of exit	
	Compliance of consignment		<input type="checkbox"/> Yes <input type="checkbox"/> No	
III.2	<input type="checkbox"/> Competent authority	<input type="checkbox"/> Official representative of the master of vessel	<input type="checkbox"/> Competent authority responsible for controls at the NATO/United States' military base	
	Name (in capital letters)	Position		
	Competent authority	Competent authority TRACES registration No		
	Place			
	Date	Stamp	Signature	
⁽¹⁾ Keep as appropriate				

PART 2

Notes for the completion of the model official certificate**General**

To positively indicate any option, please tick or mark the relevant box with a cross (X).

“ISO code” refers to the international standard two-letter code used to refer to a country, in accordance with the international standard ISO 3166 alpha-2 ⁽¹⁾.

Whenever a box allows for the choice of one or more options, only those options will be displayed in the electronic version of the official certificate.

Part I: Details of the dispatched consignment

Box I.1.	Border control post/Competent authority: indicate the name of the border control post (BCP) or of the competent authority issuing the official certificate, as appropriate, and their TRACES reference number.
Box I.2.	Certificate reference number: the unique mandatory code assigned by the competent authority issuing the official certificate in accordance with its own classification. This box is compulsory for all certificates not submitted in IMSOC.
Box I.2.a	IMSOC reference number: the unique reference code automatically assigned by IMSOC if the certificate is registered in IMSOC. Do not complete this box if the certificate is not submitted in IMSOC.
Box I.3.	Consignor: in the case of dispatch from a warehouse, indicate the name and address (street, city and region, province or state, registration/approval No, as appropriate) of the warehouse from which the consignment is dispatched. Do not complete this box if the consignment is dispatched directly from a border control post.
Box I.4.	Operator responsible for the consignment: the name and address (street, city and region, province or state, registration/approval No, as appropriate) of the natural or legal person who is responsible in the Union for the delivery of the consignment to the place of destination.
Box I.5.	Place of destination (vessel): indicate the name of the vessel for which the consignment is intended, vessel International Maritime Organisation (IMO) number, name of port, name and ISO code of the Member State of destination of goods. Do not complete this box if the official certificate is issued for delivery of the consignment to the NATO or United States' military base located in the Union territory or in a third country.
Box I.6.	Place of destination (NATO/United States' military base): indicate the name of the NATO/United States' military base of destination situated in the Union territory, the name and ISO code of the Member State where the NATO or United States' military base of destination is located. If the destination is a NATO/United States' military base located in a third country, only the border control post of exit from the Union must be indicated in this box. Do not complete this box if the official certificate is issued for delivery to vessels leaving the Union.
Box I.7.	Means of transport: Identification number(s): for aeroplanes; indicate the flight number, for vessels; the ship name(s), for railways; the train identity and wagon number, for road transports; the registration number plate with the trailer number plate if appropriate. For containerized consignments, the trailer number plate is not obligatory if the container number has been indicated. In the case of transport by ferry, indicate the identification of the road vehicle, the registration number plate with trailer number plate if appropriate, and the name of the scheduled ferry.
Container No:	if applicable, corresponding numbers. The container number must be indicated if the goods are transported in closed containers.

⁽¹⁾ List of country names and code elements under: http://www.iso.org/iso/country_codes/iso-3166-1_decoding_table.htm

Seal No:	Only the official seal number must be stated. An official seal applies if a seal is affixed to the container, truck or rail wagon under the supervision of the competent authority issuing the certificate.
Box I.8.	Description of goods: Description of goods and product type: indicate the relevant Combined Nomenclature (CN) code, and the title as referred to in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾ . Country of origin: indicate the country of origin of the goods. Reference of CHED of origin: indicate the reference of the CHED for the consignment from which the relevant number of boxes of the product are derived. The information under this box may also be provided in a supporting document to be attached to the official certificate. In such a case, the box 'Supporting document' must be filled in, including the reference number of the supporting document(s).
Box I.9.	Total number of packages: indicate the number of boxes or of packages of goods. In the case of bulk consignments, this box is optional.
Box I.10.	Total net weight in kilogrammes: this is defined as the mass of the goods themselves without immediate containers or any packaging.
Box I.11.	Date and time of departure: indicate the date and time of the intended departure of the means of transport from the border control post or warehouse.

⁽¹⁾ 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).

Part II: Declaration

This part must be completed by an official veterinarian or an official inspector of the competent authority at the border control post or at the warehouse.

Part III: Confirmation of arrival of consignment

This part must be completed by:

- in case the destination is a vessel leaving the Union; the competent authority at the port of destination or by the official representative of the master of the vessel;
- in case the destination is a NATO/United States' military base situated in the Union territory; the competent authority responsible for controls at the NATO/United States' military base;
- in case the destination is a NATO/United States' military base located in a third country; the competent authority at the border control post of exit.