

Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union (Text with EEA relevance)

*Article 4*

**Frequency rates for identity checks and physical checks**

1 The competent authorities shall perform identity checks and physical checks on consignments of animals, products of animal origin, germinal products, animal by-products, derived products, hay and straw and composite products at the frequency rates determined in accordance with Article 5 <sup>[F1]</sup>, except where paragraphs 3 to 8 apply].

<sup>[F2]</sup> In a case where an agreement of equivalence between Great Britain and a third country or between the United Kingdom and a third country has been or is concluded, physical checks must be carried out in accordance with any provisions governing frequency rates under that agreement.]

<sup>[F3]</sup> Where the appropriate authority has conducted an assessment in relation to—

- a the risks attached to the importation of—
  - i a species or category of animal, or
  - ii a category of goods mentioned in paragraph 1, and
- b the risks posed by the importation of that category of animals or goods from (as the case may be) a particular region, third country, or part of a country,

the appropriate authority may determine the frequency rate which is to apply to that category of animals or goods.

4 In determining the frequency rate to apply in accordance with paragraph 3, the appropriate authority must take into account the factors specified in Article 44(2) of the Official Controls Regulation.

5 Where, in accordance with paragraph 3, the appropriate authority has determined the frequency rate to apply to a species of animal or category of goods or products, the authority must publish the frequency rate online.

6 Where—

- a the appropriate authority has concluded an agreement as referred to in paragraph 2, or
- b direct assimilated legislation or other national rules require an increase in the frequency rates published online,

the frequency rates determined in accordance with paragraph 3 must be increased, or as the case may be, decreased, in accordance with the requirements of that agreement, legislation or rule.

7 The frequency rates determined by the appropriate authority under or in accordance with this Regulation, in relation to—

- a meat and edible offal of sheep, fresh, chilled or frozen, originating in New Zealand,
- b poultry meat products originating in China or Thailand, and
- c pet food and dogchews originating in any third country,

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**Changes to legislation:** This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on [legislation.gov.uk](https://legislation.gov.uk). (See end of Document for details)

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must be no lower than the frequency rates applying in relation to corresponding goods being imported into Northern Ireland.

8 In this Article, a reference to the determination of the frequency rate by the appropriate authority includes the redetermination of the rate from time to time.]

#### Textual Amendments

- F1** Words in Art. 4(1) inserted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **12(3)(a)** (with reg. 5)
- F2** Art. 4(2) 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, **36(4)** (with reg. 46)
- F3** Art. 4(3)-(8) inserted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **12(3)(b)** (with reg. 5)

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