

Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (Text with EEA relevance)

## PART I

### GENERAL RULES

#### TITLE 2

#### **GENERAL ANIMAL HEALTH REQUIREMENTS FOR ENTRY INTO THE UNION, AND MOVEMENT AND HANDLING AFTER THE ENTRY OF CONSIGNMENTS OF ANIMALS, GERMINAL PRODUCTS AND PRODUCTS OF ANIMAL ORIGIN**

##### *Article 3*

##### **Obligations of the competent authorities of Member States**

The competent authority shall permit the entry into the Union of consignments of animals, germinal products and products of animal origin of species and categories covered by Parts II to VI, which are presented for the purpose of official controls as provided for in Article 47(1) of Regulation (EU) 2017/625, provided that:

- (a) the consignments come from:
  - (i) in the case of terrestrial animals, a listed third country or territory or zone thereof for the particular species and category of animals, germinal products and products of animal origin;
  - (ii) in the case of aquatic animals, a listed third country or territory or zone thereof for the particular species and category of animals and products of animal origin, and in the case of aquaculture animals, a listed third country or territory or zone or compartment thereof listed for that purpose;
- (b) the competent authority of the third country or territory of origin has certified that the consignments comply with:
  - (i) the general animal health requirements for entry into the Union of animals, germinal products and products of animal origin laid down in this Article, Article 4 and Articles 6 to 10;
  - (ii) the animal health requirements applicable to the particular species and category of animals, germinal products and products of animal origin and intended use, as laid down in Parts II to VI;
- (c) the consignments are accompanied by the following documents whereby the competent authority of the third country or territory of origin has provided the necessary guarantees as regards compliance with the animal health requirements referred to in point (b):

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- (i) an animal health certificate issued by an official veterinarian of the third country or territory of origin, specific for the particular species and category of animals, germinal products and products of animal origin and their intended use;
- (ii) a declaration and other documents, where required in this Regulation.

In the case of consignments of animals and hatching eggs, the animal health certificate, referred to in point (c)(i) must have been issued within the period of 10 days prior to the date of arrival of the consignment at the border control post; however, in the case of transport by sea that period may be extended by an additional period corresponding to the duration of the journey by sea.

#### *Article 4*

### **The date of certification of consignments**

1 Consignments of animals, germinal products and products of animal origin of species and categories falling within the scope of this Regulation shall only be permitted to enter the Union provided that such consignments were certified for dispatch to the Union not earlier than the date on which the third country or territory of origin or zone thereof, or compartment thereof in the case of aquaculture animals, was listed for entry into the Union of the particular species and category of animals, germinal products and products of animal origin.

2 Consignments of animals, hatching eggs and products of animal origin originating from a third country or territory or zone thereof, or compartment thereof in the case of aquaculture animals, shall not be permitted to enter the Union from the date on which it no longer complies with the animal health requirements for entry into the Union of the particular species and category of animals, hatching eggs or products of animal origin, unless specific conditions have been assigned by the Union in the list to the listed third country, territory or zone thereof and to the particular species and categories of animals, hatching eggs or products of animal origin.

#### *Article 5*

### **Obligations of operators**

1 Operators responsible for entry into the Union of consignments of animals, germinal products and products of animal origin of the species and categories falling within the scope of this Regulation, shall present those consignments to the competent authority in the Union for the purpose of official controls, as provided for in Article 47(1) of Regulation (EU) 2017/625, and shall ensure that such consignments comply with the following requirements:

- a the general animal health requirements for entry into the Union of the animals, germinal products and products of animal origin laid down in Articles 3 and 4 and Articles 6 to 10;
- b the animal health requirements applicable to the particular species and category of the animals, germinal products and products of animal origin of the consignment and its intended use, as laid down in Parts II to VI.

2 Operators responsible for the movement of consignments of animals, germinal products and products of animal origin of the species and categories falling within the scope of this Regulation from the point of entry in the Union to their place of destination, and those

responsible for the handling of such consignments after their entry into the Union shall ensure that the consignments:

- a are permitted to enter the Union by the competent authority in accordance with Article 3;
- b comply with the animal health requirements for the movement and handling of such consignments after the entry into the Union for the specific species and categories of animals, germinal products and products of animal origin laid down in Parts II to VI;
- c are not diverted for uses other than those for which they were certified by the competent authority of the third country or territory of origin for entry into the Union.

#### *Article 6*

### **National legislation and animal health systems of the third country or territory of origin**

1 Consignments of animals, germinal products and products of animal origin shall only be permitted to enter the Union from a third country or territory where:

- a any suspicion and confirmed case of a listed disease referred to in Annex I, relevant for the listed species of animals in the consignment or for the listed species of animals of origin of the germinal products or products of animal origin in the consignment authorised to enter the Union, are required by law to be notified and reported to the competent authority;
- b there are systems in place to detect emerging diseases;
- c there are systems in place to ensure that swill feeding is not a source of the listed diseases referred to in Annex I for:
  - (i) the animals intended for entry into the Union;
  - or
  - (ii) the animals from which the germinal products intended for entry into the Union are obtained;
  - or
  - (iii) the animals from which the products of animal origin intended for entry into the Union are obtained.

2 Consignments of animals, germinal products and products of animal origin intended for entry into the Union shall only be permitted to enter the Union from a third country or territory or zone thereof where such consignments may be lawfully placed on the market and traded in that third country or territory of origin or zone thereof.

#### *Article 7*

### **General requirements as regards the health status of the animals, germinal products and products of animal origin**

1 Consignments of animals shall only be permitted to enter the Union if the animals of the consignment:

- a are not animals to be killed under a national programme carried out in the third country or territory of origin for the eradication of diseases, including the relevant listed diseases referred to in Annex I and emerging diseases;

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- b did not show symptoms of transmissible diseases at the time of loading for the dispatch to the Union;
  - c originate from an establishment which, at the time of their dispatch from that establishment to the Union, was not subject to national restriction measures:
    - (i) for animal health reasons;
    - (ii) in the case of aquaculture animals, for animal health reasons or due to the occurrence of abnormal mortalities with an undetermined cause.
- 2 Consignments of germinal products shall only be permitted to enter the Union if they were obtained from animals which at the time of collection:
- a did not show symptoms of transmissible diseases;
  - b were kept on an establishment which was not subject to national restriction measures for animal health reasons, including restrictions related to the relevant listed diseases referred to in Annex I and emerging diseases.
- 3 Consignments of products of animal origin shall only be permitted to enter the Union if they were obtained from animals which:
- a in the case of terrestrial animals, did not show symptoms of transmissible diseases at the time of:
    - (i) killing or slaughter, for the production of fresh meat and meat products;
    - or
    - (ii) the collection of milk or eggs;
  - b in the case of aquatic animals, did not show symptoms of transmissible diseases at the time of slaughter or collection for the production of products of animal origin.
  - c were not killed, slaughtered or, in the case of molluscs and live crustaceans removed from the water, under a national programme for the eradication of diseases;
  - d were kept on an establishment which was not subject to national restriction measures for animal health reasons, including where relevant, listed diseases referred to in Annex I and emerging diseases, at the time of:
    - (i) the killing or slaughter of those animals for the production of fresh meat and meat products or products of animal origin from aquatic animals; or
    - (ii) the collection of milk and eggs.

#### *Article 8*

##### **General requirements as regards the establishment of origin of the animals**

In addition to the specific requirements laid down in Parts II to V, consignments of animals, germinal products and products of animal origin shall only be permitted to enter the Union if the establishment of origin of the kept animals, or the establishment of origin of the kept animals from which the germinal products or products of animal origin were obtained, complies with the following requirements:

- (a) it must be registered by the competent authority of the third country or territory of origin and assigned a unique registration number;

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- (b) it must be approved by the competent authority of the third country or territory of origin, where required by and under the conditions provided for in this Regulation, and assigned a unique approval number;
- (c) it must be under the control of the competent authority of the third country or territory of origin;
- (d) it must have a system in place to maintain and to keep, for a minimum period of 3 years, up-to-date records containing at least the following information:
  - (i) the species, categories, number and where relevant, identification of animals on the establishment;
  - (ii) movements of animals into and out of the establishment;
  - (iii) mortality in the establishment.
- (e) it must receive regular animal health visits from a veterinarian for the purpose of the detection of, and information on, signs indicative of the occurrence of diseases, including those listed diseases referred to in Annex I relevant for the particular species and category of animal, germinal product or product of animal origin and emerging diseases.

Such animal health visits shall take place at frequencies that are proportionate to the risks posed by the establishment concerned.

#### *Article 9*

### **Sampling, laboratory tests and other tests**

Consignments of animals, germinal products and products of animal origin shall only be permitted to enter the Union if sampling, laboratory tests and other tests required by this Regulation have been carried out:

- (a) on samples taken by or under the control of the competent authority of:
  - (i) the third country or territory of origin when sampling and testing are required prior to entry into the Union;
  - or
  - (ii) the Member State of destination when sampling and testing are required after the entry into the Union;
- (b) in accordance with:
  - (i) the relevant procedures and methods set out in Delegated Regulation (EU) 2020/689 and Delegated Regulation (EU) 2020/688<sup>(1)</sup>;
  - or
  - (ii) for the purpose of entry into the Union of germinal products of bovine, porcine, ovine, caprine and equine animals, the procedures and methods set out in Annex II to Commission Delegated Regulation (EU) 2020/686<sup>(2)</sup>;
  - or
  - (iii) the procedures described in this Regulation, where specifically required;

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- (c) in an official laboratory, designated in accordance with Article 37 of Regulation (EU) 2017/625.

### Article 10

#### Disease freedom of the place of origin and specific conditions

1 Consignments of animals, germinal products and products of animal origin shall only be permitted to enter the Union if the freedom from particular diseases of the third country or territory of origin or zone thereof or of the establishment of origin of the animals, germinal products or products of animal origin, required by this Regulation has been demonstrated by the competent authority of the third country or territory of origin:

- a in accordance with Delegated Regulation (EU) 2020/689;
- or
- b for diseases not falling within the scope of Delegated Regulation (EU) 2020/689, in accordance with specific rules, where such rules are laid down in this Regulation, and the disease surveillance programme implemented by the third country or territory of origin, which must have been:
  - (i) submitted to the Commission for assessment and contain at least the information referred to in Annex II;
  - (ii) assessed by the Commission as providing the necessary guarantees as regards disease freedom based on:
    - the rules on disease surveillance laid down in Articles 24, 25, 26 and 27 of Regulation (EU) 2016/429,
    - the supplementing rules on surveillance design and the rules for disease confirmation and case definition laid down in Sections 1 and 2 and Article 10 of Chapter 1 of Part II of Delegated Regulation (EU) 2020/689;
  - (iii) in place for a sufficient period of time for it to be fully implemented and properly supervised.

2 In the case of aquaculture animals and products of animal origin from aquaculture animals, where disease freedom from particular diseases is required for the compartment of origin, consignments of those commodities shall only be permitted to enter the Union if the competent authority of the third country of origin has demonstrated disease freedom in accordance with paragraph 1(a) and (b).

3 Where specific conditions related to the disease freedom from particular diseases of the third country or territory of origin, or zone thereof, are required in this Regulation:

- a the competent authority of the third country or territory of origin must have previously guaranteed its compliance;
- b those specific conditions shall have been specifically assigned by the Union in the list to the listed third country or territory, zone or compartment thereof and to the particular species and category of animals, germinal products and products of animal origin.

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- (1) Commission Delegated Regulation (EU) 2020/688 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs (see page 140 of this Official Journal).
- (2) Commission Delegated Regulation (EU) 2020/686 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of germinal product establishments and the traceability and animal health requirements for movements within the Union of germinal products of certain kept terrestrial animals (see page 1 of this Official Journal).

**Changes to legislation:**

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