

Fylgiskjal 2.

COMMISSION IMPLEMENTING REGULATION (EU) 2024/2020

of 26 July 2024

amending and correcting Annex III to Implementing Regulation (EU) 2020/2235 as regards model certificates for the entry into the Union of consignments of certain categories of animals and certain products of animal origin intended for human consumption, and correcting Implementing Regulation (EU) 2024/399

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 on laying specific hygiene rules for food of animal origin ⁽¹⁾, and in particular Article 7(2), point (a), thereof,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽²⁾, and in particular Articles 238(3) and 239(3) 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) ⁽³⁾, and in particular Article 90, first paragraph, and Article 126(3) thereof,

Having regard to Commission Delegated Regulation (EU) 2023/905 of 27 February 2023 supplementing Regulation (EU) 2019/6 of the European Parliament and of the Council as regards the application of the prohibition of use of certain antimicrobial medicinal products in animals or products of animal origin exported from third countries into the Union ⁽⁴⁾, and in particular Article 6 thereof,

⁽¹⁾ OJ L 139, 30.4.2004, p. 55, ELI: <http://data.europa.eu/eli/reg/2004/853/oj>.

⁽²⁾ OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

⁽³⁾ OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>.

⁽⁴⁾ OJ L 116, 4.5.2023, p. 1, ELI: http://data.europa.eu/eli/reg_del/2023/905/oj.

Whereas:

- (1) Commission Implementing Regulation (EU) 2020/2235⁽⁵⁾ lays down rules regarding animal health certificates provided for in Regulation (EU) 2016/429, official certificates provided for in Regulation (EU) 2017/625, and animal health/official certificates based on those Regulations, which are required for the entry into the Union of certain consignments of animals and goods. In particular, Annex III to Implementing Regulation (EU) 2020/2235 lays down, among others, model animal health/official certificates for the entry into the Union of consignments of certain categories of animals and certain products of animal origin intended for human consumption.
- (2) Commission Implementing Regulation (EU) 2024/399⁽⁶⁾ amended the public health attestations of certain model certificates set out in Annex III to Implementing Regulation (EU) 2020/2235 to reflect the provisions laid down in Delegated Regulation (EU) 2023/905, and in particular Article 6 thereof.
- (3) Regular scrutiny of the legal framework concerning certification has revealed a deficiency in the model certificates set out in Chapter 29 (model 'EU-FISH'), Chapter 30 (model 'FISH/MOL-CAP') and Chapter 31 (model 'MOL-HC') of Annex III to Implementing Regulation (EU) 2020/2235. In the interest of the effectiveness of the certification process, the public health attestation of those model certificates should be amended to reflect the provisions laid down in Delegated Regulation (EU) 2023/905 as regards the application of the prohibition of use of certain antimicrobial medicinal products in animals or products of animal origin exported from third countries to the Union.
- (4) Annex III to Implementing Regulation (EU) 2020/2235 should therefore be amended accordingly.
- (5) Chapter 12 (model 'NZ-TRANSIT-SG') of Annex III to Implementing Regulation (EU) 2020/2235 sets out the model certificate for the entry into the Union of fresh meat intended for human consumption originating from New Zealand transiting through Singapore with unloading, possible storage and reloading before entry into the Union. Implementing Regulation (EU) 2024/399 erroneously added an attestation as regards Delegated Regulation (EU) 2023/905 to that model certificate. That model certificate should be limited to the attestation that transit rules have been respected and should be corrected accordingly. As a consequence of that correction, the autonomous transitional provision in Article 3(1) of Implementing Regulation (EU) 2024/399 should also be corrected.
- (6) In order to avoid any disruption in trade as regards the entry into the Union of consignments concerned by the amendments made by this Regulation, the use of certificates issued in accordance with Implementing Regulation (EU) 2020/2235 as applicable prior to the amendments made by this Regulation, should continue to be authorised during a transitional period, subject to certain conditions.
- (7) In the interest of legal certainty and to facilitate trade, this Regulation should enter into force as a matter of urgency.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽⁵⁾ Commission Implementing Regulation (EU) 2020/2235 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates and repealing Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/EC (OJ L 442, 30.12.2020, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2020/2235/oj).

⁽⁶⁾ Commission Implementing Regulation (EU) 2024/399 of 29 January 2024 amending Annex III to Implementing Regulation (EU) 2020/2235 and Annex II to Implementing Regulation (EU) 2021/403 as regards model certificates for the entry into the Union of consignments of certain products of animal origin and certain categories of animals (OJ L, 2024/399, 12.2.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/399/oj).

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2020/2235

Annex III to Implementing Regulation (EU) 2020/2235 is amended in accordance with the Annex to this Regulation.

Article 2

Corrections to Implementing Regulation (EU) 2020/2235

Annex III to Implementing Regulation (EU) 2020/2235 is corrected as follows:

1. in Chapter 12 (model 'NZ-TRANSIT-SG'), Part II.3 is deleted;
2. in Chapter 12 (model 'NZ-TRANSIT-SG'), in the notes to Part II, notes (5) and (6) are deleted.

Article 3

Correction of Implementing Regulation (EU) 2024/399

In Article 3 of Implementing Regulation (EU) 2024/399, paragraph 1 is replaced by the following:

- '1. For a transitional period until 3 December 2024, as regards consignments of certain products of animal origin intended for human consumption, the use of certificates issued in accordance with the models set out in Chapters 1, 2, 3, 4, 5, 7, 10, 11, 13, 15, 19, 20, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, 37, 38, 45 and 49 of Annex III to Implementing Regulation (EU) 2020/2235, as applicable before the amendments made to that Implementing Regulation by this Regulation, shall continue to be authorised for the entry into the Union provided that those certificates were issued no later than 3 September 2024.'

Article 4

Transitional period

For a transitional period until 30 April 2025, as regards consignments of certain categories of animals and certain products of animal origin intended for human consumption, the use of certificates issued in accordance with the models set out in Chapters 29, 30 and 31 of Annex III to Implementing Regulation (EU) 2020/2235, as applicable before the amendments made to that Implementing Regulation by this Regulation, shall continue to be authorised for the entry into the Union provided that those certificates were issued no later than 30 January 2025.

Article 5

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 26 July 2024.

For the Commission
The President
Ursula VON DER LEYEN

—

ANNEX

Annex III to Implementing Regulation (EU) 2020/2235 is amended as follows:

(1) in Chapter 29 (model 'EU-FISH'), Part II is amended as follows:

(a) the following Part II.1a is inserted:

^{(3) (4)} **[II.1a. Attestation as regards Commission Delegated Regulation (EU) 2023/905**

I, the undersigned, declare that, I am aware of the relevant requirements of Regulation (EU) 2019/6 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2023/905 and hereby certify that the fishery products of aquaculture origin described in Part I were produced in accordance with these requirements, and in particular, that the aquaculture animals from which the products have been derived have not been administered antimicrobial medicinal products for growth promotion or yield increase or antimicrobial medicinal products containing an antimicrobial that is included in the list of antimicrobials reserved for the treatment of certain infections in humans laid down in Commission Implementing Regulation (EU) 2022/1255 as set out in Article 3 of Delegated Regulation (EU) 2023/905 and originate from a third country or region thereof listed in accordance with Article 5(2) of Delegated Regulation (EU) 2023/905.];

(b) in the notes to Part II, the following note is added:

⁽⁴⁾ Applicable to consignments entering the Union as from 3 September 2026.;

(2) in Chapter 30 (model 'FISH/MOL-CAP'), Part II is amended as follows:

(a) the following Part II.1.a is inserted:

^{(1) (2)} **[II.1a. Attestation as regards Commission Delegated Regulation (EU) 2023/905**

I, the undersigned, declare that, I am aware of the relevant requirements of Regulation (EU) 2019/6 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2023/905 and hereby certify that the fishery products or the fishery products derived from live bivalve molluscs/live echinoderms/live tunicates/live marine gastropods, of aquaculture origin described in Part I, were produced in accordance with these requirements, and in particular, that the aquaculture animals from which the products have been derived have not been administered antimicrobial medicinal products for growth promotion or yield increase or antimicrobial medicinal products containing an antimicrobial that is included in the list of antimicrobials reserved for the treatment of certain infections in humans laid down in Commission Implementing Regulation (EU) 2022/1255 as set out in Article 3 of Delegated Regulation (EU) 2023/905 and originate from a third country or region thereof listed in accordance with Article 5(2) of Delegated Regulation (EU) 2023/905.];

(b) in the notes to Part II, the following note is added:

⁽²⁾ Applicable to consignments entering the Union as from 3 September 2026.;

(3) in Chapter 31 (model 'MOL-HC'), Part II is amended as follows:

(a) the following Part II.1a is inserted:

^{(4) (12)} **[II.1a. Attestation as regards Commission Delegated Regulation (EU) 2023/905 [Delete when the Union is not the final destination of the live bivalve molluscs, live echinoderms, live tunicates, live marine gastropods of on-land aquaculture origin and the products of animal origin derived therefrom]**

I, the undersigned, declare that, I am aware of the relevant requirements of Regulation (EU) 2019/6 of the European Parliament and of the Council and Commission Delegated Regulation (EU) 2023/905 and hereby certify that the [live bivalve molluscs] ⁽⁴⁾ [live echinoderms] ⁽⁴⁾ [live tunicates] ⁽⁴⁾ [live marine gastropods] ⁽⁴⁾ of on-land aquaculture origin and the products of animal origin derived therefrom described in Part I were produced in accordance with these requirements, and in particular, that the aquaculture animals from which the products have been derived have not been administered antimicrobial medicinal products for growth promotion or yield increase or antimicrobial medicinal products containing an antimicrobial that is included in the list of antimicrobials reserved for the treatment of certain infections in humans laid down in Commission Implementing Regulation (EU) 2022/1255 as set out in Article 3 of Delegated Regulation (EU) 2023/905 and originate from a third country or region thereof listed in accordance with Article 5(2) of Delegated Regulation (EU) 2023/905.];

(b) in the notes to Part II, the following note is added:

⁽¹²⁾ Applicable to consignments entering the Union as from 3 September 2026.

C-deild – Útgáfudagur: 29. ágúst 2024