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Better Training for Safer Food *Initiative*

Entry Controls on Live Animals

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Zoo and circus animals Entry and transit rules

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BTSF Definitions



- **'Travelling Circus'** means an exhibition or fair that includes animals or animal acts which is intended to move between member states (Commission Delegated Regulation (EU) 2019/2035 of 21 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs)
- **'Animal act'** means any act featuring animals kept for the purpose of an exhibition or fair, and which may form part of a circus (Commission Delegated Regulation (EU) 2019/2035)

BTSF Definitions

- **‘Zoos’** means all permanent establishments where animals of wild species are kept for exhibition to the public for 7 or more days a year, with the exception of circuses, pet shops and establishments which Member States exempt from the requirements of this Directive on the grounds that they do not exhibit a significant number of animals or species to the public and that the exemption will not jeopardise the objectives of this Directive. (Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos)

BTSF Definitions



Confined establishment - Article 4 (48) of Regulation (EU) 2016/429:

Any permanent, geographically-limited establishment, created on a voluntary basis and approved for the purpose of movements, where the animals are :

- Kept or bred for the purpose of exhibitions, education, the conservation of species or research;*
- confined and separated from the surrounding environment;*
- subject to animal health surveillance and biosecurity measures*

NOT ALL ZOOS ARE Confined establishments

Directorate F: Overview report on Animal Health Controls in Zoos and Laboratories
http://ec.europa.eu/food/audits-analysis/overview_reports/details.cfm?rep_id=106

BTSF Categories of animals

Zoos and circuses may have all kind of animals

- E – Equidae
- U – Ungulates
- O – Other



- Harmonised and not harmonised

BTSF Conditions for entry

Key points:

- ✓ Harmonization - the same import principles apply across the EU, preventing the entry of animals with infectious diseases
- ✓ Animal health requirements to be met before entry
- ✓ Organization and competence of veterinary services
- ✓ Health certificates that all animals must have
- ✓ Conditions for certain infectious diseases

BTSF Conditions for entry

Article 229 of AHL: Requirements for the entry into the Union of animals

- ✓ Third country or territory listed
- ✓ Establishment approved
- ✓ Animal health requirements fulfilled
- ✓ Accompanied by a health certificate

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BTSF Conditions for entry (applied since 21/04/2021)

COM IR(EU) 2021/404: List of third countries and territories

COM IR(EU) 2021/403: Model health certificates for

- ✓ Ungulates
- ✓ Dogs, cats & ferrets
- ✓ Bees
- ✓ Equine
- ✓ Birds (poultry, captive)
- ✓ Ungulates intended for a confined establishment



BTSF Conditions for entry



Animal health requirements laid down in COM IR(EU) 2021/403 and list of third countries in COM IR(EU) 2021/404

Consignments of animals from third countries, territories or zones thereof authorized for the entry into the Union.... and accompanied by the appropriate certificate shall be permitted entry into the Union until the 20th of October 2021 provided that the certificate was signed by the person authorized to sign the certificate **BEFORE 21/08/2021**

BTSF Transitional measures (new derogation)



Animal health requirements in place for specific category of animals valid until 15/03/2022 provided that certificate has been signed BEFORE 15/01/2022 (CIR 2021/1329):

Regulation (EU) 2018/659 – **equidae**

Regulation (EU) 206/2010:

- **ungulates** referred to in Directives 64/432/EEC, 90/426/EEC and 91/68/EEC plus Council Directive 2004/68/EC
- **honey bees (*Apis mellifera* and subspecies)**

Regulation (EU) 798/2008: **poultry**

Regulation (EC) 1251/2008 : **aquaculture**

CID 2019/294/EU : **cats, dogs, ferrets**

Regulation 139/2013: **captive birds**

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BTSF Transitional measures (new derogation)

INFO NOTE (21/12/2021)



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From:	Bernard Van Goethem Director	Telephone:	+32-2-29 53143
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Number of pages:	2		
Subject:	Use of health certificates for the entry into the Union of certain categories of animals and goods, aquatic animals and of certain products of animal origin from aquatic animals, of terrestrial animals and germinal products thereof		

Message:

Commission Implementing Regulation (EU) 2021/1239¹ extended till 15 March 2022 the transitional period for the acceptance of animal health certificates, animal health/official certificates and official certificates for the entry into the Union of consignments of certain categories of animals and goods, aquatic animals and of certain products of animal origin from aquatic animals, of terrestrial animals and germinal products thereof, conforming to the models laid down in the relevant acts in force before the entry into force of Regulation (EU) 2016/429 (the Animal Health Law) provided they were signed before 15 January 2022

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BTSF Transitional measures (new derogation)



We would kindly ask you to be flexible until end of April 2022, where it concerns the use of “old” certificates for the entry into the Union of the above-mentioned consignments.

In addition, some third countries are working towards paperless certification and huge work has been ongoing between these third countries and the TRACES team to ensure transmission of data to TRACES. We were informed that there seems to be a delay in the ongoing work on the transmission of data. This would mean that full paperless certification would not be possible by 15 January 2022.

In view of the huge efforts done at both ends, flexibility is asked from the Member States to accept English only certificates (paper or electronic) until end of April 2022. This would give more time to our trading partners to complete the afore-mentioned work.

BTSF Transitional measures



Specific derogation for certain ungulates coming from an approved body, institute or center in a third country and destined to an approved body, institute or center in the EU

Regulation (EU) 206/2010

Ungulates from countries included on the lists set out in:

- (i) Part 1 of Annex I or in Part 1 of Annex II of the Regulation,
- (ii) Regulation (EU) 2018/659 , Decision 2007/777/EC, Regulation (EC) 798/2008, Regulation (EC) No 119/2009, Regulation (EU) No 605/2010

But on some strict conditions

BTSF Delegated Regulation (EU 2020/692)

- Specific rules for entry of ungulates intended for confined establishments
- Listing of confined establishments in third countries or territories
- Movement and handling of ungulates intended to confined establishments after the entry



BTSF Conditions for entry



Annex II to CIR 2021/403 trade animal health conditions for:

- **Ungulates** other than bovine, swine etc (chapter 8-11 to CIR 2021/403)
- **Ungulates intended to a confined establishment** (chapter 19-22 to CIR 2021/403)
- **Captive Birds** other than poultry (chapter 34-35 to CIR 2021/403)
- **Other animals** (covered by art 124,126,136,143-146 of AHL)

BTSF Conditions for entry

Part V, Section 3 of AHL , Article 234



The animal health requirements for the entry into the Union of species and categories of animals, germinal products and products of animal origin from third countries or territories shall:

- (a) be as stringent as the animal health requirements laid down in this Regulation and in the rules adopted pursuant thereto applicable to movements of the species and categories of animals, germinal products or products of animal origin in question within the Union; or
- (b) offer equivalent guarantees to the animal health requirements applicable to the species and categories of animals, germinal products or products of animal origin provided for in Part IV (Articles 84 to 228) of this Regulation

BTSF Conditions for entry



Pending the adoption of delegated acts laying down animal health requirements as regards a particular species and category of animal, Members State may, following an evaluation of the risks involved, apply **national rules**.

Common term: "Non-harmonised"

Useful where published and available in English:

Hungary

https://www.nebih.gov.hu/en/specialities/ah_awf_dir/public_data/other/non_harmonised.html

Slovakia

http://www.svps.sk/english/Non_harmonized.asp

Poland

<https://www.wetgiw.gov.pl/handel-eksport-import/pozostale-zwierzeta>

BTSF Conditions for entry New legal framework



Part V, article 239 to Regulation (EU) 2016/429:

The Commission shall adopt *delegated acts* in accordance with Article 264 concerning the special rules referred to in paragraph 1 of this Article regarding derogations from the requirements provided for in Article 229(1) and Articles 233 and 237 and imposing additional requirements for the entry into the Union of the following (a) animals:

(i) intended for **circuses, events, exhibitions**, display, shows and confined establishments;

BTSF Animals for zoos and circuses



Harmonised

All AH conditions set by specific EU legislation:

- third country list,
- health certificate model



Non-harmonised

Animals not mentioned in specific EU legislation

Entry requirements based on principles set in CIR (EU) 2021/403

National implementation

BTSF Transit requirements

CDR 2020/692, Part VI

- **Entry requirements:** *general rules*
- **Specific transit requirements**
- **Requirements for re-entry of registered horses:** *90 days*
- **Requirements for re-entry of rejected live animals:**
 - ✓ *Ungulates, poultry, aquatic: authorized country & additional conditions*
 - ✓ *Other animals: any third country but additional conditions*

BTSF Conditions for transit New legal framework



Commission Delegated Regulation (EU) 2019/2124 (transit, transshipment and onward transportation)

- **Transit (external):** animals passing from one third country to another third country, passing through the Union territory. DIP checks need to be done at the 1st BCP
- **Transit (internal):** EU animals passing from one MS to another MS, through the territory of a third country. At BCP of reintroduction, DOC check and if necessary, check status of the 3rd country and check seals on vehicles. At exit point, docs stamped “only for transit between different parts of the EU via (name of the 3rd country)”

BTSF Derogation from checks at BCPs



Commission Delegated Regulation (EU) 2019/2122

Categories of animals (and goods) which are exempted from checks at BCPs

Examples:

- Pet animals (article 11)
- Invertebrates intended for scientific purposes (not applied to honey bees (*Apis mellifera*), bumble bees (*Bombus* spp.), molluscs belonging to the phylum Mollusca and crustaceans belonging to the subphylum Crustacea (article 3))



BTSF Conditions for return to the Union in case of refusal of entry by a third country



Commission Delegated Regulation (EU) 2020/692: specific official controls for animals from and returning to the Union after refusal of entry by a third country

- **Article 178:** ungulates, poultry, aquatic animals



- **Article 179:** Animals other than ungulates, poultry and aquatic

BTSF Conditions for return to the Union in case of refusal of entry by a third country



Commission Delegated Regulation (EU) 2019/2074: specific official controls for animals (and goods) returning to the Union after refusal of entry by a third country

Article 2(1): CA at the BCP of arrival into the EU shall perform DOC and ID checks on animals (as defined in 2017/625)

Article 2(2): CA at BCP of arrival into the EU shall perform physical checks on consignments of animals

BTSF Veterinary checks – Regulation (EU) 2017/625 - D.R. (EU) 2019-2074

- Controls carried out by BCP approved for live animals category (see also numbers in brackets with explanatory notes on BCP list)
- List of approved third countries applies where stated in EU legislation. In case of circuses also in case of “return” to EU
- In case of animals in transit, full check in BIP of entry, information passed to BIP of exit. After exit check, feedback to BIP of entry.
- List of ABICs published by Member States linked in DG SANTE website https://ec.europa.eu/food/animals/live_animals/approved-establishments_en
- Controls reduced to necessary steps for some types of animals (dangerous, insects, laboratory animals)
- In case of non-harmonised animals requirements of destination country must be fulfilled (effective verification)
- Welfare conditions – no delays in transport
- Invasive species
- Co-operation with customs

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[EUTube](https://www.youtube.com/EUTube)



[EU Spotify](https://open.spotify.com/playlist/37i9ZQZPXYMg4g2Rq9oQ0t)

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Thank you

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