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Better Training for Safer Food *Initiative*

Import Controls on Live Animals

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Overview of legislation concerning imports and transits of live animals

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BTSF Overview of legislation concerning imports and transits of live animals

General principle for imports/transits

- Live animals should only be authorised for entry into the Union if they comply with requirements established in EU legislation
- New OCR (R. 2017/625) refers to INTRODUCTION/ENTRY instead of import
- All controls at external border

Controls at BCPs

- Under responsibility of an official vet
- Close working with Customs
- CHEDs issued prior to release and free movement within EU
- Controls organised on a risk basis

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Import/transit control procedures

- Controls of consignments intended for import/transit to be carried out at designated BCPs
- To verify compliance of live animals with EU requirements for entry
- To take appropriate action and follow up of non-compliant consignments
- To be carried out in a harmonised way in MS and BCPs to avoid 'BCP shopping'
- Audited by Directorate F to ensure a level playing field

BTSF Imports - definition

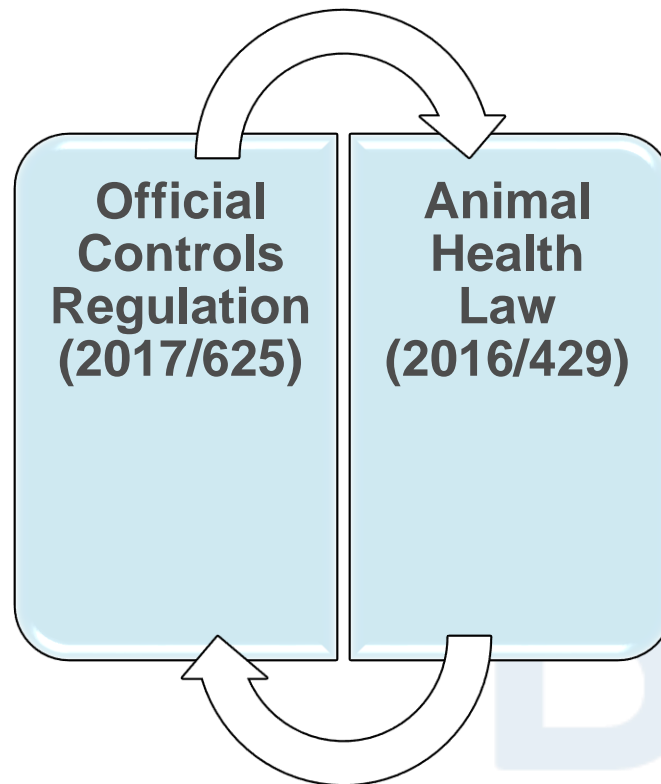
Treaty on the Functioning of the European Union:

Importation**, or "imports" refers solely to the introduction of animals into the Member States **from third countries**; new **OCR** refers to “**entry into the Union**” as the action of bringing animals into the EU territory **from outside this territory...

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Legislation and legal basis for BCPs and Checks



BTSF Legislation and legal basis for BCPs and Checks

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.

OCR REGULATION

Article 3 – Definitions

- **‘documentary check’** means the examination of the **official certificates**, official attestations and other documents including documents of a commercial nature, which are required to accompany the consignment
- **‘identity check’** means a visual inspection to verify that the content and the labelling of a consignment, including the **marks on animals**, seals and means of transport, correspond to the information provided in the official certificates, official attestations and other documents accompanying it;
- **‘physical check’** means a check on animals or goods and, as appropriate, checks on packaging, the means of transport, labelling and temperature, the sampling for analysis, **testing or diagnosis** and any other check necessary to verify compliance with the rules referred to in Article 1(2);

Article 47: Animals and goods subject to official controls at border control posts

Article 48: Animals and goods that can be exempted from official controls at border control posts

- (b) animals and goods intended for scientific purposes;
- (f) pet animals as defined in point (11) of Article 4 of Regulation (EU) 2016/429;
- (h) categories of animals or goods posing a low risk or no specific risk and for which controls at border control posts are therefore not necessary.

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OCR 2017/625

Article 49: Official controls at border control posts

Article 56 & 57: Use of the CHED

Articles 59-64: Designation/suspension of BCPs

Article 66: measures in case of non-compliance (rejection)



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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:

- **Delegated Reg. 2019/1012** – re-designation of BCPs, derogations from BCP requirements.
 - MS allowed to change BCP designations when withdrawing a category without visit from Commission officials in 2 years after the withdrawal
 - Designated a BCP away from the point of entry into the EU, for geographical reasons (ex: recurrent floods, border roads which cross a high pass...)

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Implementing Reg. 2019/1013** – Minimum time requirements for prior notification before the physical arrival of consignments to the BCP

Para 1. One working day → general rule

Para 2. By way of derogation from para 1 if logistical constraints prevent compliance with para 1, the CA of the BCP may apply a prior notification of 4 hours.



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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Imp. Reg. 2019/1014** – BCP facilities + listing requirements
 - Must be covered by a roof
 - Hot and cold running water. Changing rooms with showers.
 - Housing areas or rooms to separately detain (categories U,E,O) animals with walls and floors (easy to clean and disinfectant). Adequate drainage and lighting.
 - Suitable relevant equipment. Unloading. Feeding and watering. Storage of food/litter/manure.
 - Inspection room/area with restraining equipment
 - Dedicated access lane
 - The facilities above shall NOT be used for the official activities on consignments of animals for intra-Union trade
 - But they may be used for exports – with a time separation

BTSF Legislation and legal basis for BCPs and Checks

Listing of BCPs, example of Spain:

| PUESTO DE CONTROL FRONTERIZO/ PUNTO DE ENTRADA (Border Control Post) | DATOS DE CONTACTO (Contact details) | CÓDIGO TRACES (TRACES code) | TIPO DE TRANSPORTE (Type of transport) AEROPUERTO (airport) PUERTO (port) | CENTROS DE INSPECCIÓN (Inspection Centres) | CATEGORÍAS DE ANIMALES Y MERCANCÍAS Y ESPECIFICACIONES (Categories of animals and goods and specifications) ¹ | ESPECIFICACIONES ADICIONALES RELATIVAS AL ALCANCE DE LA DESIGNACIÓN (Additional specifications regarding the scope of the designation) |
|--|---|-----------------------------|---|--|--|--|
| A Coruña | Muelle del Este, s/n. 15071-A CORUÑA (Puerto) Tlfno.-ÁREA.- 981 98 97 18,-38, -24, -19 Fax-ÁREA.- 981 98 97 37 E_mail: sanimal.acoruna@correo.gob.es Horario: 8-15 horas | ES LCG 1 | PUERTO | | PCF/BCP: - POA-NHC (2) - PNAO-NHC-FEED (2) PE | |
| | Muelle de Langosteira s/n Puerto Exterior de A Coruña 15142 Arteixo (A Coruña) Tlfno.-ÁREA.- 981 98 97 18,-38, -24, -19 Fax-ÁREA.- 981 98 97 37 E_mail: sanimal.acoruna@correo.gob.es Horario: 8-15 horas | | | LANGOSTEIRA | PE (4) | |
| Algeciras | Punto de Inspección Fronterizo—Oficina de Sanidad Vegetal y Animal-Jefe de Servicio Muelle Juan Carlos I, s/n. 11201-ALGECIRAS (CÁDIZ) (Puerto) Tlfno.-Puerto.- 956 98 90 88, -97, -98, -96 Fax-Puerto.- 956 98 90 58, 956 58 54 65 E_mail: sanimal.algeciras.cadiz@correo.gob.es Horario: 8-22 horas (presencial). 24 horas (telefónico) | ES ALG 1 | PUERTO | | PCF/BCP: - POA-NHC (2) - LA-U, E, O - PNAO-NHC-FEED (2) PE PEV | |
| Alicante | Avda. del Faro, s/n. Muelle de Poniente 03071-ALICANTE (Puerto) Tlfno.-Puerto.- 965 01 92 83, -81, -82 Fax-Puerto.- 96 501 92 89 E_mail: sanimal.alicante@correo.gob.es Horario: Horario ordinario de atención al público: 9-14 horas; Horario de actuaciones | ES ALC 1 | PUERTO | | PCF/BCP: - POA-NHC-NT (2) - PNAO-NHC-FEED-NT (2) PE | |

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Delegated Reg. 2019/1081** – Establishes training courses requirements for BCP staff assisting official veterinarians. (Article 49 Reg 2017/625)
 - Article 1.a) assisting OV performing physical checks on animals except aquatics
 - Article 1.b) performing physical checks on aquatic animals.
 - (Does not apply to OV's or Plant Health Officers)
 - Article 3 gives the requirements on subject matters for the training

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Del. R. 2019/1602** – CHED accompanying consignments to their place of destination (including consignments split at the border)
- **Imp. R. 2019/1715** – IMSOC, including the exchange of information between authorities and the format of the CHED: Traces NT, i-RASFF, Europhyt, ADIS
- **Del. R. 2021/632** – Identify animals and goods subject to systematic border controls at the BCP with CN codes

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Del. R. 2019/2074** – specific official controls for animals (and good) returning to the Union after refusal of entry by a third country
 - Article 2(1) CA at the BCP of arrival into EU shall perform doc and ID checks on animals (as defined in 2017/625)
 - Article 2(2) CA at BCP of arrival into EU shall perform physical checks on consignments of animals
- **Del. R. 2019/2122** – categories of animals which are exempted from BCP controls – Art 11 Pet Animals (developed article 48 of OCR which establishes the categories of animals that could be exempted from BCP controls)
- **Del. R. 2019/2126** – Specific controls for categories of animals (and goods) which are exempted from BCP controls (French territories)

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Del. R. 2019/2124** – Transit, transshipment and onward transportation through the Union
 - Transshipment – entering EU by ship or air from a third country and are transported under customs supervision from one vessel or aircraft to another within the same port/airport for onward travel: comply with EU requirements for entry
 - Onward travel – animals staying in the same means of transport for onward travel: documentary check at the first BCP of arrival if they are destined to be introduced into EU territory (import/transit)

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Del. R. 2019/2124** – Transit, transshipment and onward transportation through the Union
 - Transit (external) – animals passing from one third country to another third country (train/road), passing through the EU. *DIP checks at BCP of first entry*
 - Transit (internal) – animals passing from one part of EU to another part of EU and passing through the territory of a third country. *At BCP of re-introduction; Doc check and, if necessary, check status of third country and check seals on vehicles/containers. At exit point docs stamped 'only for transit between different parts of the EU via (third country name)'*

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Implementing Regulation 2019/2129** – Rules for the uniform application of the appropriate frequency rate of identity and physical checks on consignments of animals and goods intended for release for free circulation
 - Annex I to Regulation. Animals
 - Article 54 OCR → 100% DC

**100% DIP
CHECKS**

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Imp. R. 2019/2130** – Detailed rules on the operations to be carried out during and after BCP checks
 - Article 2 detailed rules for documentary checks
 - Article 3 detailed rules for identity checks
 - Number, species, breed, sex, age, category
 - Article 3(4) identity check:
 - Individually marked, check 10% minimum of 10, where less than 10, all checked.
 - Where animals not individually marked, the marking shall be checked of a representative number of packages or containers (ex: 10% boxes)
 - Article 3 (5). Consignments will be partially or fully unloaded where necessary to carry out the above.

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Legislation and legal basis for BCPs and Checks



Continued:-

- **Imp. R. 2019/2130** – Detailed rules on the operations to be carried out during and after BCP checks

- Article 4 (2) – Detailed rules for physical checks

- Consignments shall be partially or fully unloaded where necessary

- Article 4 (3) Physical checks on animals shall be carried out with the requirements in Annex I

- Annex I - Inspection regarding fitness to travel

- Means of transport and journey log checked for compliance with Reg 1/2005

Animals not subject to individual clinical examination: poultry, birds, aquatics, rodents, lagomorphs, insects/invertebrates, reptiles, amphibians, certain zoo and circus animals considered to be dangerous, fur animals.

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Legislation and legal basis for BCPs and Checks

Delegated/Implementing Acts under OCR 2017/625:-

- **Delegated Regulation 2019/625** – Requirements for the entry into the Union of certain animals (and goods) intended for human consumption

- ☐ Live bivalve molluscs, echinoderms, tunicates and marine gastropods
- ☐ From authorised production areas in the third country



BTSF Taxa-specific Legislation

- Aquatic animals
- Bees
- Birds including poultry, hatching eggs, captive and pet birds
- Bovine, Ovine, Caprine, Porcine, Other ungulates
- Equines
- Dogs, cats and ferrets
- Other animals

Other Relevant Legislation

- Other Safeguard Measures
- Welfare During Transport
- CITES
- Invasive Alien Species

BTSF Species with harmonised legislation

- The Animal health conditions governing the movement and entry from third countries are specific.
- The objective: Same principles for the entry into the Union are applied in all the Member States to prevent animals entering EU territory carrying infectious diseases that are dangerous for animals or for humans.
- There are still national rules for the entry of animals which are not in the scope of CDR (EU) 2020/692 (ex: captive birds for conservative programmes, monkeys).



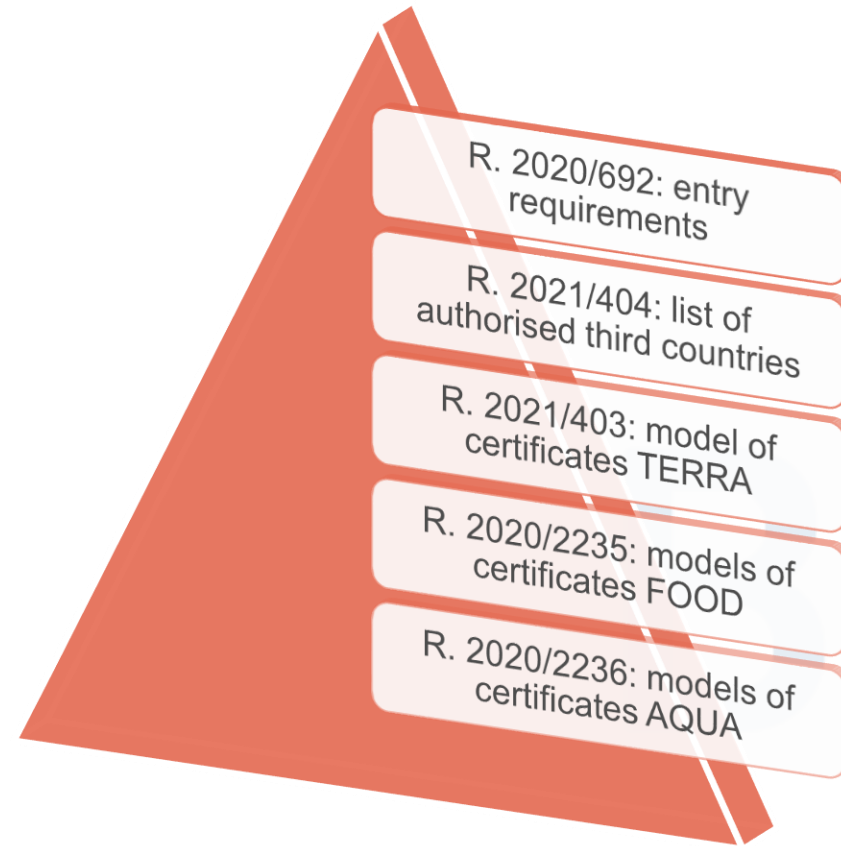
BTSF Animal Health Law

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')*

AHL BTSF

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Animal Health Law: R. 2016/429



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Animal Health Law

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

- ✓ *Third country or territory listed*
- ✓ *Establishment approved (when required for live animals)*
- ✓ *Fulfil animal health requirements*
- ✓ *Accompanied by an animal health certificate*

Articles 230 to 232:

- ✓ *Legal basis to draw up the list of authorized third countries*

Article 233:

- ✓ *Listing of establishments (when required for live animals, ex: captive birds)*

Articles 237 to 238:

- ✓ *Legal basis to draw up the model of animal health certificates*

BTSF AHL & Delegated/Implementing Acts

Delegated Regulation (EU) 2020/692 (Terrestrial) Part II:

Inspection prior to dispatch to the Union

Clinical inspection, carried out by an official veterinarian in the third country or territory of origin or zone thereof within the period of 24/48 hours prior to the time of loading for dispatch to the Union (article 13)

Requirements for transport, transhipment

Requirements after the entry into the Union

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BTSF AHL & Delegated/Implementing Acts

Delegated Regulation (EU) 2020/692 (Aquatic) Part V:

Inspection prior to dispatch to the Union

Clinical inspection, carried out by an official veterinarian in the third country or territory of origin or zone thereof within the period of 72 hours prior to the time of loading for dispatch to the Union (article 166)

Requirements for transport, labelling

Requirements after the entry into the Union

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BTSF AHL & Delegated/Implementing Acts: Specific requirements for:

Ungulates

Birds (poultry
& captive)

Queen
honeybees &
Bumble bees

Dogs, cats
and ferrets

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AHL & Delegated/Implementing Acts

Delegated Regulation (EU) 2020/692 Part VI:

Transit requirements

- Entry requirements → general rule
- Specific transit requirements (bovines for Kaliningrad, equines)

Requirements for re-entry of registered horses → 90 days

Requirements for re-entry of rejected live animals:

- Ungulates, poultry and aquatic live animals → authorized country
- Other animals → any third country

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AHL & Delegated/Implementing Acts

| Implementing Regulation (EU) 2021/404 (Authorised third countries): | |
|---|---------------------------------------|
| Annex II | Ungulates other than equines |
| Annex III | Ungulates for confined establishments |
| Annex IV | Equines |
| Annex V | Poultry |
| Annex VI | Captive birds |
| Annex VII | Queen honeybees and bumblebees |
| Annex VIII | Dogs, cats and ferrets |
| Annex XXI | Aquatic animals |

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Other list of third countries

- **Imp. Regulation (UE) 2021/405:** List of third countries authorised for the entry into the Union of consignments of live poultry and of hatching eggs of the species *Gallus gallus*, of live turkeys and of hatching eggs of turkeys
- Consignments of live poultry and of hatching eggs of the species *Gallus gallus*, of live turkeys and of hatching eggs of turkeys shall only be authorised for the entry into the Union if they come from the third countries that are listed in Annex XVI (not apply to single consignments of less than 20 units of live poultry other than ratites, hatching eggs and day-old chicks thereof, when destined for primary production of live poultry for private domestic use or when leading to the direct supply, by the producer, of small quantities of primary products)
- Animals intended for slaughter → third country included in **Decision 2011/163/EU** (residues monitoring plan)

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Implementing Regulation (EU) 2021/403

Article 4: Requirements of certificates

- the **signature of the official veterinarian + official stamp**; the colour must be different to the colour of the printing;
- **multiple or alternative statements**: the statements which are not relevant must be crossed out, initialed and stamped by the official veterinarian, or completely removed from the certificate;
- the certificate must consist of one of the following:
 - (i) a single sheet of paper;
 - (ii) several sheets of paper where all sheets are indivisible and constitute an integrated whole;
 - (iii) a sequence of pages with each page numbered so as to indicate that it is a particular page in a finite sequence; each page → unique code + signature of the official veterinarian + the official stamp;
- **issued before the consignment leaves** the control of the competent authority issuing the certificate;
- drawn up in the **official language**, or in one of the official languages, of the Member State of the border control post of entry into the Union.

Derogations for → electronic certificates, **certificates electronically issued in TRACES NT**

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Implementing Regulation (EU) 2021/403

Article 5: Replacement of certificates

- Only in case of administrative errors
- Not modifying information on the identification of the consignment, its traceability and the guarantees

Replacement certificate:

- (a) make clear reference to the unique code and the date of issue of the initial certificate, and clearly state that it replaces the initial certificate;
 - (b) indicate a new certificate number
 - (c) indicate the date when it was issued, as opposed to the date of issue of the initial certificate;
 - (d) produce an original document issued in paper, except in the case of electronic replacement certificates submitted in TRACES.
-
- Not necessary for changes in → consignee, BCP of entry, importer, responsible for the consignment, means of transport (provided by the responsible for the consignment)

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Implementing Regulation (EU) 2021/403

- Annex II: models of certificates



BTSF Implementing Regulation (EU) 2020/2236

- Article 4: Requirements for certificates (similar to terrestrial)
- Article 5: Replacement of certificates (= terrestrial)
- Annex II: Model of certificate for the entry of aquatic live animals (not for human consumption)

Imp. Regulation (EU) 2020/2235

Model of certificate for the entry of aquatic live animals for HC



BTSF Non-Commercial movement of dogs, cats and ferrets

Reg. (EU) 576/2013 - on the animal health requirements applicable to the non-commercial movement of pet animals.

Species listed in Annex I:



A - Dogs, cats and ferrets /B – invertebrates, fishes, birds other than poultry...

- If animal cannot meet all the definitions of a pet, it must follow the 'import' rules.
- The health requirements for 'pets' and 'imports' are essentially the same
- Additional measures in **CDR (EU) 2018/772** with regards to *Echinococcus multilocularis* for Finland, Ireland, N. Ireland, Malta and Norway.
- Pets animals can be checked at a Traveller's Point of Entry.

BTSF Pet Birds

- Does not include poultry
- Decision 2007/25/EC as amended...
- Provisions for Influenza Aviar
- Model of Health Certificate & Declaration
- Pets birds can be checked at a Traveller's Point of Entry.



BTSF Safeguard Measures

Decision 2006/146/EC*

- Hendra virus - Cats and Fruit Bats (Pteropus) from Australia
- Nipah virus - Dogs, cats and Fruit Bats (Pteropus) from Peninsula Malaysia

Decision 2003/459/EC

Protection measures with regard to monkey pox virus.

- Import ban for non-domestic species of rodents and squirrels from sub-Saharan Africa
- Import ban of Prairie Dogs from USA

Imp. Decision 2021/361/EU

Protection measures with regard to *Batrachochytrium salamandrivorans*

- Specific Animal Health Certificate and quarantine requirements for salamanders

BTSF Other Legislation

Reg. (EU) 1143/2014 and Reg. (EU) 2017/1263

- Invasive Alien Species (IAS)
- To be considered → national rules for IAS



BTSF Animal Welfare during Transport

Reg (EC) 1/2005 - Protection of animals during transport

Scope:

- Article 1(1). This Regulation shall apply to the transport of **live vertebrate animals** carried out within the Community, including the specific checks to be carried out by officials on consignments entering or leaving the customs territory of the Community
- Article 21(1): Checks at exit points and border inspection posts.
Without prejudice to the checks provided for in Article 2 of Regulation (EC) 639/2003, where animals are presented at exit points or border inspection posts, official veterinarians of the Member States shall check that the animals are transported in compliance with this Regulation → to be replaced by OCR (14.12.2022)

BTSF Animal Welfare During Transport

Reg. (EC) 1/2005 - Protection of animals during transport

- Air transport linked with International Air Transport Association (IATA) - Live Animals Regulations (LAR). *Reg. (EC) 1/2005 Annex I Ch. II(4)*
- Binding for airlines and for EU air transport
- LAR provides:
 - Construction
 - Preparation
 - Feeding/watering
 - General care and loading, labelling etc.
- IATA LAR updated and issued annually, however, Reg. (EC) 1/2005 specifically relates to 2004 edition of LAR due to a legal obligation

Convention on International Trade in Endangered Species of Fauna and Flora Regulation (EC) 338/97

EU Commission general guidance document on CITES entry points:

- http://ec.europa.eu/environment/cites/pdf/entry_points_guidance.pdf

Be aware of conflict between CITES detention/seizure and veterinary health requirements for isolation/quarantine for some species or groups of animals (ex: captive birds)

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In conclusion:

- Importers, or their agents, should present entry documentation before the official controls at the border begin (pre-notification)
- All physical and ID checks must take place at the inspection facility (100% DC, IC & PC in the case of live animals)
- Certificates accompanying the consignment must be the originals, and must be dated, stamped and signed by an official veterinarian.
- Where an original certificate has been lost, destroyed or administrative errors, the competent authority of the exporting country may provide a replacement certificate.
- There is a long list of legislation covering controls and requirements to bear in mind
- Transits and Transhipments must be treated in same way as imports to the EU

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Legislation

There is a comprehensive body of Union legislation in place, which deals with veterinary border control.

Please find below the most important pieces of legislation:

Secondary Legislation

- [Regulation \(EU\) 2017/625](#) ^{EN} 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 ('Official Controls Regulation')
- [Council Regulation \(EC\) No 1/2005](#) ^{EN} of 22 December 2004 on the protection of animals during transport and related operations
- [Regulation \(EC\) No 1069/2009](#) ^{EN} of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 ('Animal By-Products Regulation')
- [Regulation \(EU\) No 576/2013](#) ^{EN} of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals

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Designated Border Control Posts (BCPs)

The lists of designated veterinary BCPs are available in:

- For the BCPs of EU countries: see [contact details of BCPs](#)
- For the BCPs of Iceland and Norway: see [contact details](#)
- For the BCPs of Switzerland: [Decision No 1/2008](#) (EN) committee set up by the agreement between the Europe Swiss Confederation on trade in agricultural products of regarding the amendment of appendices 2, 3, 4, 5, 6 and agreement.

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|  Portugal (PT) |  Romania (RO) |  Slovakia (SK) |
|  Slovenia (SI) |  Spain (ES) Human consumption Non-human consumption <small>(ES)</small> |  Sweden (SE) Swedish Board of Agriculture Swedish Food Agency |

Other EEA Countries

[Iceland \(IS\)](#) (EN)[Norway \(NO\)](#)

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Thank you

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