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## COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending Implementing Regulation (EU) 2021/403 as regards model animal health certificates and model animal health/official certificates for the entry into the Union of consignments of certain categories of terrestrial animals and germinal products thereof

(Text with EEA relevance)

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# COMMISSION IMPLEMENTING REGULATION (EU) .../...

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**amending Implementing Regulation (EU) 2021/403 as regards model animal health certificates and model animal health/official certificates for the entry into the Union of consignments of certain categories of terrestrial animals and germinal products thereof**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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')<sup>1</sup>, 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)<sup>2</sup>, 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<sup>3</sup>, and in particular Article 6 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2021/403<sup>4</sup> establishes, among others, model certificates in the form of animal health certificates or animal health/official certificates for the entry into the Union of consignments of certain categories of terrestrial animals and germinal products thereof.

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

<sup>2</sup> OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>.

<sup>3</sup> OJ L 116, 4.5.2023, p. 1, ELI: [http://data.europa.eu/eli/reg\\_del/2023/905/oj](http://data.europa.eu/eli/reg_del/2023/905/oj).

<sup>4</sup> Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 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 and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1, ELI: [http://data.europa.eu/eli/reg\\_impl/2021/403/oj](http://data.europa.eu/eli/reg_impl/2021/403/oj)).

(2) Article 14, point (e) of Implementing Regulation (EU) 2021/403 provides that the animal health/official certificate to be used for the entry into Northern Ireland of ovine and caprine animals from Great Britain is to correspond to the model ‘OV/CAP-X-NI’ set out in Chapter 4a of Annex II to that Implementing Regulation. That model was applicable until 31 December 2024 and therefore that Article and that model should be deleted.

(3) Annex II to Implementing Regulation (EU) 2021/403 sets out respectively model animal health certificates or animal health/official certificates for the entry into the Union of consignments of certain categories of terrestrial animals and germinal products thereof. According to the Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023<sup>5</sup>, the Protocol on Ireland/Northern Ireland (‘the Protocol’) should be known as the ‘Windsor Framework’. Therefore, the reference to the Protocol in the Notes to those models should be amended accordingly.

(4) Chapters 1 (model ‘BOV-X’), 2 (model ‘BOV-Y’), 4 (model ‘OV/CAP-X’), 5 (model ‘OV/CAP-Y’), 7 (model ‘SUI-X’), 8 (model ‘SUI-Y’), 12 (model ‘CAM-CER’), 13 (model ‘EQUI-X’), 14 (model ‘EQUI-Y’), 22 (model ‘BPP’), 23 (model ‘BPR’), 29 (model ‘SP’), 30 (model ‘SR’) and 31 (model ‘POU-LT20’) of Annex II to Implementing Regulation (EU) 2021/403 set out model animal health certificates or animal health/official certificates for the entry into the Union of consignments of certain categories of food-producing terrestrial animals.

(5) Commission Implementing Regulation (EU) 2024/... [PLAN/2023/589]<sup>6</sup> lays down the list of third countries authorised for the entry into the Union of consignments of food-producing animals and certain products of animal origin intended for human consumption concerning the application of the prohibition of use of certain antimicrobial medicinal products. The attestation as regards Commission Delegated Regulation (EU) 2023/905 of those models should therefore be amended to reflect the reference to that list. It is therefore necessary to amend those models accordingly.

(6) Chapters 1 (model ‘BOV-X’), 2 (model ‘BOV-Y’), 3 (model ‘BOV-X-TRANSIT-RU’), 4 (model ‘OV/CAP-X’), 5 (model ‘OV/CAP-Y’), 6 (model ‘ENTRY-EVENTS’), 7 (model ‘SUI-X’), 8 (model ‘SUI-Y’), 9 (model ‘RUM’), 10 (model ‘RHINO’), 11 (model ‘HIPPO’), 12 (model ‘CAM-CER’), 18 (model ‘CONFINED-RUM’), 19 (model ‘CONFINED-SUI’), 20 (model ‘CONFINED-TRE’) and 21 (model ‘CONFINED-HIPPO’), of Annex II to Implementing Regulation (EU) 2021/403 set out model animal health certificates or animal health/official certificates for the entry into the Union of consignments of certain categories of terrestrial animals. For the sake of clarity, in the Notes to Part 1 of those models, the superfluous reference to Annex III to Delegated Regulation (EU) 2019/2035 should be deleted from the description of box reference I.27. It is therefore necessary to amend those models accordingly.

(7) Chapter 4 (model ‘OV/CAP-X’) of Annex II to Implementing Regulation (EU) 2021/403 sets out model animal health/official certificate for the entry into the Union

<sup>5</sup> OJ L 102, 17.4.2023, p. 87.

<sup>6</sup> Commission Delegated Regulation (EU) 2024/... [PLAN/2023/589] as regards the list of third countries authorised for the entry into the Union of consignments of food-producing animals and certain products of animal origin intended for human consumption concerning the application of the prohibition of use of certain antimicrobial medicinal products (OJ L 304, 24.11.2022, p. 1, ELI: [http://data.europa.eu/eli/reg\\_del/2024/xxx/oj](http://data.europa.eu/eli/reg_del/2024/xxx/oj)).

of ovine and caprine animals. The amendment to points 5(b) and 6(b) of Chapter E of Annex IX to Regulation (EC) 999/2001 of the European Parliament and of the Council<sup>7</sup> by Commission Regulation (EU) 2024/887<sup>8</sup> concerning caprine animals genetically resistant to classical scrapie strains should be reflected in point II.2.12 of that model.

- (8) Point II.4.6 of Chapters 13 (model ‘EQUI-X’) and 14 (model ‘EQUI-Y’) requires third country or territory, or zone thereof assigned to Sanitary Group E, Bolivia, Brazil, Malaysia (Peninsula), Uruguay, and a third country or territory in which surra was reported during the last 24 months prior to the date of dispatch of an equine animal to the Union, to subject that equine animal to a card agglutination test for trypanosomosis (CATT) prior to the date of its dispatch to the Union. Argentina is assigned to Sanitary Group D and should be included in point II.4.6 of those models as surra is present and endemic in that third country. Furthermore, as Malaysia is assigned to Sanitary Group E that third country should be deleted from point II.4.6 of model ‘EQUI-X’.
- (9) Points II.1.11.5 of Chapters 18 (model ‘CONFINED-RUM’) and 21 (model ‘CONFINED-HIPPO’) should be aligned to reflect the diseases referred to in Article 33, point (b), of Commission Delegated Regulation (EU) 2020/692<sup>9</sup>. The references to infection with *Brucella abortus*, *B. melitensis* and *B. suis* and infection with *Mycobacterium tuberculosis complex* (*M. bovis*, *M. caprae*, *M. tuberculosis*) should be therefore deleted from that point of those models.
- (10) Chapters 22 (model ‘BPP’), 23 (model ‘BPR’), 24 (model ‘DOC’), 25 (model ‘DOR’), 26 (model ‘HEP’), 27 (model ‘HER’), 29, (model ‘SP’), 30 (model ‘SR’), 31 (model ‘POU-LT20’) and 32 (model ‘HE-LT20’) of Annex II to Implementing Regulation (EU) 2021/403 set out model certificates for entry into the Union of certain categories of poultry and ratites and germinal products thereof. In the relevant points of those models, the certification option on infection with Newcastle disease virus, established as a specific condition ‘N’ in Part 3 of Annex V to Commission Implementing Regulation (EU) 2021/404<sup>10</sup>, should be reflected.
- (11) Chapters 48 (model ‘OV/CAP-SEM-A-ENTRY’) and 50 (model ‘OV/CAP-OOCYTES-EMB-A-ENTRY’) of Annex II to Implementing Regulation (EU) 2021/403 set out model animal health certificates for the entry into the Union of certain semen, oocytes and embryos of ovine and caprine species. The amendment to points 2(a) and 2(b) of Chapter H of Annex IX to Regulation (EC) 999/2001 by Regulation (EU) 2024/887 concerning donor caprine animals genetically resistant to classical scrapie strains should be reflected in points II.4.13 and II.4.9 of those respective models.
- (12) Implementing Regulation 2021/403 should therefore be amended accordingly.

<sup>7</sup> Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147 31.5.2001, p. 1, ELI: <http://data.europa.eu/eli/reg/2001/999/oj>).

<sup>8</sup> Commission Regulation (EU) 2024/887 of 22 March 2024 amending Annexes IV, VIII, and IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards animal feeding, placing on the market and importation into the Union (OJ L 2024/887, 25.3.2024, ELI: <http://data.europa.eu/eli/reg/2024/887/oj>).

<sup>9</sup> 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 (OJ L 174, 3.6.2020, p. 379, ELI: [http://data.europa.eu/eli/reg\\_dcl/2020/692/oj](http://data.europa.eu/eli/reg_dcl/2020/692/oj)).

<sup>10</sup> Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1, ELI: [http://data.europa.eu/eli/reg\\_impl/2021/404/oj](http://data.europa.eu/eli/reg_impl/2021/404/oj)).

- (13) In order to avoid any disruption to trade as regards the entry into the Union of consignments of certain categories of terrestrial animals and germinal products thereof by the amendments made by this Regulation, the use of animal health certificates or animal health/official certificates issued in accordance with Implementing Regulation (EU) 2021/403 as applicable prior to the amendments made by this Regulation, should continue to be authorised during a transitional period, subject to certain conditions.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

### *Article 1*

Implementing Regulation (EU) 2021/403 is amended as follows:

1. Article 14, point (e) is deleted;
2. Annex II to Implementing Regulation (EU) 2021/403 is amended in accordance with the Annex to this Regulation.

### *Article 2*

For a transitional period until ... *[nine months from the date of entry into force of this Regulation - Date to be inserted by the Service responsible for publication]*, as regards consignments of certain categories of terrestrial animals and germinal products thereof, the use of animal health certificates or animal health/official certificates issued in accordance with the models set out in Annex II to Implementing Regulation (EU) 2021/403, 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 ... *[six months from the date of entry into force of this Regulation - Date to be inserted by the Service responsible for the publication]*.

### *Article 3*

This Regulation shall enter into force on the twentieth 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,

*For the Commission  
The President  
Ursula VON DER LEYEN*