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[...] (2026) XXX draft

COMMISSION REGULATION (EU) .../...

of XXX

**amending Regulation (EU) No 142/2011 as regards authorisations of new processing
methods for certain animal by-products and specific requirements thereof**

(Text with EEA relevance)

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amending Regulation (EU) No 142/2011 as regards authorisations of new processing methods for certain animal by-products and specific requirements thereof

(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 1069/2009 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)¹, and in particular Article 15(1), point (b) and point (c), Article 20(11), point (a), Article 27, point (g), Article 31(2) and Article 32(3), point (a) thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011² lays down implementing measures for the public and animal health rules for animal by-products and derived products laid down in Regulation (EC) No 1069/2009 as regards specific rules for their collection, transport, processing, storage and placing on the market, including authorisations of new processing methods.
- (2) On 11 October, the Netherlands submitted an application in accordance with Article 20 of Regulation (EC) No 1069/2009 for the authorisation of an alternative processing method for the production of renewable fuels. The European Food Safety Authority ('the Authority') issued a scientific opinion on the "Evaluation of a multi-step catalytic co-processing hydro-treatment for the production of renewable fuels using Category 3 animal fat and used cooking oils"³. In its opinion the Authority concluded that the evidence submitted with the application demonstrates that the processing parameters used in the proposed alternative processing method ensure adequate reduction of biological risks and, therefore, that the method can be considered at least equivalent to the processing methods currently approved in Commission Regulation (EU) No 142/2011. Accordingly, a new alternative processing method should be added to the list of alternative processing methods. Annex IV to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.
- (3) On 7 May 2024 the Netherlands submitted another application in accordance with Article 20 of Regulation (EC) No 1069/2009 for the authorisation of an alternative

¹ OJ L 300, 14.11.2009, p. 1– 33, ELI: <http://data.europa.eu/eli/reg/2009/1069/oj>.

² Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1, ELI: <http://data.europa.eu/eli/reg/2011/142/oj>).

³ EFSA Journal, Volume 20, Issue 11, <https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2022.7591>.

processing method for the production of renewable fuels. The Authority issued a scientific opinion on the “Evaluation of a fluidised catalytic cracking co-processing method for the production of renewable fuels using Category 3 animal fat and used cooking oils”⁴. In its opinion the Authority concluded that the application and supporting literature contain sufficient evidence to support that the alternative method can achieve an adequate reduction of biological risks and, therefore, that the method can be considered at least equivalent to the processing methods currently approved in Commission Regulation (EU) No 142/2011. Accordingly, a new alternative processing method should be added to the list of alternative processing methods. Annex IV to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.

- (4) On 11 May 2023, Belgium submitted an application in accordance with Article 20 of Regulation (EC) No 1069/2009 for the authorisation of two alternative processing methods for tunnel composting of certain Category 3 animal by-products. The Authority issued a scientific opinion on the “Evaluation of alternative methods of tunnel composting of catering waste and former foodstuff, mixed with materials of non-animal origin”⁵. In its opinion, the Authority concluded that the evidence provided to validate the thermal inactivation and reduction of infectivity of appropriate indicator biological hazards that may enter the composting process is sufficient to consider that those methods can ensure an adequate reduction of biological risks and that those two methods can be considered at least equivalent to the standard transformation parameters for Category 3 material which is used as raw material in a composting plant currently laid down in Commission Regulation (EU) No 142/2011. Following the Authority’s scientific opinion, a new alternative processing method with two different but equivalent minimum time and minimum temperature combinations should be added to the list of alternative processing methods. However, given that the substance is dedicated only to composting, and to facilitate the implementation of the new alternative processing method, the new alternative processing method should be included in Chapter III, Section 1 of Annex V to Regulation (EU) No 142/2011 on specific requirements on composting of animal by-products. Annex V to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.
- (5) The Commission requested the Authority to provide a scientific opinion on the efficacy of processing methods 2 to 5 and of several specific scenarios of processing method 7 set out in Annex IV to Regulation (EU) No 142/2011, in order to inactivate relevant pathogens when producing processed animal protein of porcine origin intended to feed poultry and aquaculture animals. Following a favourable assessment in the Authority’s scientific opinion⁶, it is appropriate to amend Annex X to Regulation (EU) No 142/2011 to authorise Methods 2 to 5 and the favourably assessed scenarios of processing method 7 for the specific production of processed animal protein of porcine origin when specific temperature and time combinations of those scenarios are complied with. Annex X to Regulation (EU) No 142/2011 should, therefore, be amended accordingly.
- (6) Regulation (EU) No 142/2011 should, therefore, be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁴ EFSA Journal, Volume 23, Issue 4, (<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2025.9337>).

⁵ EFSA Journal, Volume 22, Issue 4
(<https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2024.8745>).

⁶ EFSA Journal, Volume 21, Issue 7 e08093
(<https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2023.8093>).

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IV, V and X are amended in accordance with the Annex to this Regulation.

Article 2

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