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EUROPEAN
COMMISSION

Brussels, **XXX**
PLAN/74/2024
[...] (2022) **XXX** draft

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

of **XXX**

amending and correcting Delegated Regulation (EU) 2020/692 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

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Delegated Regulation (EU) 2020/692¹ supplements Regulation (EU) 2016/429 of the European Parliament and the Council² as regards the animal health rules for the entry into the Union and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin.

Delegated Regulation (EU) 2020/692 applies from 21 April 2021.

Since that date, some minor errors have been detected in that Delegated Regulation. These mistakes and omissions should be corrected and changes introduced by amending Delegated Regulation (EU) 2020/692 accordingly.

In addition, the experience gained on the application of that Delegated Regulation has shown the need to refine further several provisions. Therefore, this draft Delegated Regulation should amend those provisions as follows:

- **Animal identification:**
 - clarifying and aligning the technical requirements and covering certain situations that were not addressed initially.
- **Captive birds and their hatching eggs for conservation programmes:**
 - clarifying the current exemption for captive birds imported for conservation programmes approved by the competent authority of the Member State of destination and extending this exemption for the hatching eggs of such captive birds.
- **Meat products:**
 - clarifying requirements for entry into the Union of meat products.
- **Dairy products:**
 - aligning requirements for entry into the Union of dairy products subject to a risk-mitigating treatment.
- **Eggs and egg products:**
 - aligning requirements for entry into the Union of eggs and egg products subject to a risk-mitigating treatment.
- **Composite products:**
 - clarifying the requirements for the entry into the Union of shelf-stable composite products containing dairy products or egg products or both.

¹ 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).

² 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') (OJ L 84, 31.3.2016, p. 1).

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- **Minimum requirements for vaccination programmes against HPAI carried out in a third country:**
 - Aligning the required information that must be included in third country vaccination programmes to the requirements laid down in Annex III to Delegated Regulation (EU) 2023/361.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission consulted members of the Expert Group on Animal Health (E00930) regarding the contents of the draft Delegated Regulation during meetings that took place on [8 October] 2024. [Several comments were raised by the members, related to the wording of the draft Delegated Regulation with a view to improving the clarity of the draft act. They were taken into account in the draft act].

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This Regulation is to be adopted within the framework of Regulation (EU) 2016/429, and in particular pursuant to Articles 3(5), 234(2), 237(4) and 239(2) thereof.

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

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amending and correcting Delegated Regulation (EU) 2020/692 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

(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')¹, and in particular Articles 3(5), 234(2), 237(4) and 239(2) thereof,

[Whereas **to be further reviewed**]:

- (1) Commission Delegated Regulation (EU) 2020/692² supplements the animal health rules laid down in Regulation (EU) 2016/429 as regards the entry into the Union and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin.
- (2) **[CAPTIVE BIRDS, EXEMPTION]** Article 1 of Delegated Regulation (EU) 2020/692 provides for subject matter and scope of that regulation. Paragraph 3, point b, of that Article provides that specific animal health requirements are applicable to poultry and captive birds, except captive birds imported for conservation programmes approved by the competent authority of the Member State of destination. This exemption should be provided for in Article 62 of Delegated Regulation (EU) 2020/692 which lays down derogations from the animal health requirements for the entry into the Union of captive birds. Furthermore, the competent authority of the Member State of entry should be able to authorise the entry not only of captive bird but also of their hatching eggs for pre-existing conservation programmes approved by the competent authority of the Member State of destination. Articles 1 and 62 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.
- (3) **[IDENTIFICATION OF UNGULATES, RATITES AND CAPTIVE BIRDS]** Articles 21, 43 and 53 of Delegated Regulation (EU) 2020/692 lay down requirements for the identification of ungulates, ratites and captive birds accordingly. These requirements

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

² 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_del/2020/692/oj).

should be further clarified to ensure the conformity with relevant ISO standards and consistency. Articles 21, 43 and 53 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.

- (4) **[EHD]** Article 23 of Delegated Regulation (EU) 2020/692 lays down animal health conditions concerning the establishment of origin of the ungulates. As regards infection with epizootic haemorrhagic disease virus, consignment of ungulates must only be permitted to enter the Union if they come from an establishment where the disease has not been reported in a radius of 150 km in the two years prior to the dispatch of the consignment or if the establishment is in a seasonally free area. Vaccination against infection with epizootic haemorrhagic disease virus is included in the Terrestrial Animal Health Code of the World Organisation for Animal Health (WOAH)³ as an effective means to prevent the transmission of the virus, when applied in accordance with the specifications of the vaccine. Therefore, this Regulation should provide for the use of vaccines as a risk-mitigating measure for the entry into the Union of certain kept ungulates of listed species that come from an establishment situated in an area of at least 150 km radius around that establishment in which infection with epizootic haemorrhagic disease virus has been reported during the last 2 years prior to the dispatch of the consignment. Article 23 is amended accordingly to provide for the use of the vaccines and a new Part C is added to Annex VI to provide for the vaccination requirements. In addition, it is also pertinent to further detail the requirements that ungulates should comply with when originating from third country, territory or zone thereof seasonally free of infection with epizootic haemorrhagic disease and the conditions that a third country, territory or zone thereof should comply with in order to be considered as seasonally free of the disease that currently refer directly to the relevant Chapter of the Terrestrial Animal Health Code of the WOAH. Therefore, a new Part C is added to Annex VI detailing the requirements and the conditions.
- (5) **[EQUINE ANIMALS]** Article 24 of Delegated Regulation (EU) 2020/692 lays down requirements for the ungulates being a part of a consignment intended for entry into the Union. In accordance with paragraph 6 of that Article, consignments of equine animals should comply with the specific conditions set out in point 2 of Annex XI, depending on the sanitary group, as determined in accordance with point 1 of Annex XI, to which the third country or territory, or zone thereof has been assigned in the list. In order to prevent the spread of relevant equine diseases from third countries or territories, or zones thereof to the territory of the Union, it is also necessary to apply those specific conditions to a third country or territory, or zone thereof where a disease referred to in point 2.1 to 2.5 of Annex XI has been reported during the period indicated in point 2 or 3 of Annex IV. Therefore paragraph 6 of Article 24 should be amended accordingly.
- (6) **[DAIRY PRODUCTS - GENERAL]** Article 121 of Delegated Regulation (EU) 2020/692 lays down treatment requirements for the entry into the Union of consignments of products of animal origin, other than fresh or raw, including dairy products. Article 155 of Delegated Regulation (EU) 2020/692 lays down treatment requirements of dairy products. For the sake of consistency, the provisions of Article 155 should be clarified by providing a reference to Article 121. Article 155 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.

³ World Organisation for Animal Health, *Terrestrial Animal Health Code*, Chapter 8.7, 2023.

- (7) **[MEAT PRODUCTS]** Articles 148 and 149 of Delegated Regulation (EU) 2020/692 lay down requirements for the entry into the Union of consignments of meat products. In addition, Part B of Annex XXV to that Delegated Regulation provides specific conditions for the entry into the Union of fresh meat originating from third country or territory or zone thereof where vaccination against foot and mouth disease has been carried out. Those specific conditions should be reflected respectively in Articles 148, point (b) and 149(1), point (b), of Delegated Regulation (EU) 2020/692 as regards possibilities for sourcing of fresh meat used for the processing of the meat product intended for entry into the Union.
- (8) **[TREATED DAIRY PRODUCTS]** Article 157 of Delegated Regulation (EU) 2020/692 lays down requirements for the entry into the Union of consignments of dairy products subject to a risk-mitigating treatment and processed from milk. These provisions should be further clarified to allow the entry into the Union of dairy products subject to a risk-mitigating treatment processed from raw milk or dairy products therefrom. Article 157 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.
- (9) **[EGG PRODUCTS – COUNTRY OF ORIGIN]** Article 160 of Delegated Regulation (EU) 2020/692 lays down specific animal health requirements for the entry into the Union of consignments of egg products. These provisions should be amended to allow, under certain conditions, entry into the Union of consignments of egg products originating from a third country or territory, or zone thereof listed for entry into the Union either of eggs or egg products. Article 160 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.
- (10) **[COMPOSITE PRODUCTS]** Article 163 of Delegated Regulation (EU) 2020/692 lays down specific requirements for the entry into the Union of consignments of shelf-stable composite products. The provisions which allow the sourcing of the dairy products from Member States and treated dairy products from third countries or territories, or zones thereof authorised for the entry into the Union of raw milk for the production of shelf-stable composite products should be further clarified. In addition, the provisions should be clarified in order to allow the sourcing of egg products that either have been obtained in the Union or in a third country or territory, or zone thereof listed for entry into the Union of eggs, or have undergone relevant risk-mitigating treatment applied in a third country or territory, or zone thereof authorised for the entry into the Union of egg products. Article 163 of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.
- (11) **[HPAI VACCINATION PROGRAMMES]** In accordance with Articles 37, 105 and 141 of Delegated Regulation (EU) 2020/692 the competent authority of the third country or territory of origin where vaccination against highly pathogenic avian influenza is carried out, shall provide guarantees that the vaccination programme complies with the requirements set out in Annex XIII of that Regulation. The minimum information to be included in those vaccination programmes should be aligned with Annex III to Delegated Regulation (EU) 2023/361 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council as regards rules for the use of certain veterinary medicinal products for the purpose of prevention and control of certain listed diseases. Annex XIII of Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.

(12) [TREATMENTS – possible amendments to Annexes XXVI, XXVII, XXVIII. To be further reflected]

- (13) Delegated Regulation (EU) 2020/692 should therefore be amended accordingly.
- (14) **[CORRECTIONS]** In addition, Article 12 of Delegated Regulation (EU) 2020/692 provides derogations regarding the residency period for certain equine animals. Current title of that Article incorrectly refers to derogations only for registered horses for competition, races and cultural events. Article 12 of Delegated Regulation (EU) 2020/692 should therefore be corrected to reflect its content.
- (15) Part B of Annex IV to Delegated Regulation (EU) 2020/692 sets out the specific conditions to be provided by the competent authority of the third country or territory where the third country or territory or zone thereof has been free from certain diseases for less than the period set out in the table in Part A of this Annex. The erroneous reference to breeding equine animals should be removed from the row for infection with *Burkholderia mallei* (Glanders) in the table in Part B of Annex IV to Delegated Regulation (EU) 2020/692 as the surveillance programme carried out in the establishment of origin of equine animals to be dispatched to the Union should cover all susceptible animals.
- (16) Delegated Regulation (EU) 2020/692 should therefore be corrected accordingly.

HAS ADOPTED THIS REGULATION:

Article 1
Amendments to Delegated Regulation (EU) 2020/692

Delegated Regulation (EU) 2020/692 is amended as follows:

- (1) in Article 1, paragraph 3, point (b) is replaced by the following:
‘(b) poultry and captive birds (Title 3)’;
- (2) Article 21 is replaced by the following:

‘Article 21
Identification of ungulates

1. Consignments of ungulates, other than equine animals, shall only be permitted to enter the Union if the animals of the consignment were individually identified prior to being dispatched from the establishment of origin, by at least one of the following means of identification, which establishes an unequivocal link between the animal and the accompanying animal health certificate:
- (a) a conventional ear tag with a visible, legible and indelible display of an identification code made up of the code of the exporting country conforming with ISO standard 3166-1, and a unique code in numeric characters;
 - (b) an electronic ear tag with the following visible, legible and indelible display of an identification code made up of the code of the exporting country conforming with ISO standard 3166-1, and a unique code in numeric characters. The visible and the electronic identification codes shall be consistent.

2. Consignments of equine animals shall only be permitted to enter the Union if the animals of the consignment were individually identified prior to being dispatched from the establishment of origin by at least one of the following methods:
 - (a) one of the following means of identification which establishes an unequivocal link between the animal and the accompanying animal health certificate:
 - (i) an injectable transponder with the code of the exporting country conforming with ISO standard 3166-1, and a unique code in numeric characters;
 - (ii) a conventional ear tag, with the following visible, legible and indelible display: the code of the exporting country conforming with ISO standard 3166-1, and a unique code in numeric characters;
 - (iii) an electronic ear tag with the following visible, legible and indelible display of an identification code made up of the code of the exporting country conforming with ISO standard 3166-1, and a unique code in numeric characters. The visible and the electronic identification codes shall be consistent.
 - (b) in the case of equine animals other than those intended for slaughter, an identification document, issued at the latest at the time of certification for entry into the Union, which:
 - (i) describes and depicts the animal, including the alternative methods of identification, so as to establish an unequivocal link between the animal and the accompanying identification document;
 - (ii) contains information on the individual code emitted by an implanted injectable transponder in the case where this code does not comply with the specifications in point (a).
3. By way of derogation from paragraph 1, consignments of ungulates intended for confined establishments may be permitted to enter the Union if those animals are individually identified by an injectable transponder or an alternative method of identification which ensures an unequivocal link between the animal and its accompanying entry documentation.
4. Where ungulates are identified with an electronic identifier which does not comply with ISO standards 11784 and 11785 the operator responsible for entry into the Union of the consignments of ungulates shall provide the reading device which enables at any time the verification of the identification of the animal.
5. By way of derogation from paragraph 1, based on the request of a third country or territory of origin to the Commission and subject to its agreement, the code of the exporting country referred to in points (a) and (b) of paragraph 1, may be replaced by a code different from ISO standard 3166-1.’;
- (3) in Article 23, the following paragraph is added:
 - ‘4. By way of derogation of paragraph 1, point (a), consignment of ungulates of listed species shall be permitted to enter the Union if they come from an establishment around which, including when appropriate the territory of a neighbouring country,

infection with epizootic haemorrhagic disease virus has been reported in a radius of 150 km in the two years prior to the date of dispatch of the consignment to the Union if they comply with one of the specific conditions set out in Part C of Annex VI.’;

(4) in Article 24, paragraph 3 is replaced by the following:

‘3. As regards infection with bluetongue virus (serotypes 1-24) and infection with epizootic haemorrhagic disease virus, consignments of listed species of ungulates shall only be permitted to enter the Union if the animals of the consignment have not been vaccinated with a live vaccine against any of the diseases in the last 60 days prior to the date of dispatch of the consignment to the Union.’;

(5) in Article 24, paragraph 6 is replaced by the following:

‘6. In addition to requirements laid down in paragraph 1, consignments of equine animals shall only be permitted to enter the Union if the animals of the consignment comply with the specific conditions set out in point 2 of Annex XI, depending on the sanitary group, as determined in accordance with point 1 of Annex XI, to which the third country or territory, or zone thereof has been assigned in the list or in the case a disease referred to in point 2.1 to 2.5 of Annex XI has been reported during the period indicated in point 2 or 3 of Annex IV in the third country or territory, or zone thereof.’;

(6) Article 43 is replaced by the following:

Article 43

Identification of breeding ratites and productive ratites

1. Consignments of breeding ratites and productive ratites shall only be permitted to enter the Union if the animals of the consignment are individually identified prior to being dispatched from the establishment of origin, by at least one of the following means of identification displaying an identification code establishing an unequivocal link between the animal and the accompanying animal health certificate:
 - (a) a neck-tag with the following visible, legible and indelible display: the code of the third country or territory of origin conforming with ISO standard 3166-1, and a unique code in numeric characters;
 - (b) an injectable transponder with the following legible and indelible display: the code of the third country or territory of origin conforming with ISO standard 3166-1, and a unique code in numeric characters.
2. When the injectable transponder does not comply with ISO standards 11784 and 11785, the operator responsible for entry into the Union of the consignments of ratites shall provide the reading device which enables at any time the verification of the identification of the animals.’;

(7) Article 53 is replaced by the following:

‘Article 53

Requirements concerning the identification of captive birds

1. Consignments of captive birds shall only be permitted to enter the Union if the animals in the consignment are identified with an individual identification number prior to being dispatched from the establishment of origin, by at least one of the following means of identification:
 - (a) a closed-ring attached at least to one leg of the bird with the following visible, legible and indelible display: the code of the third country or territory where they were initially identified conforming with ISO standard 3166-1, and a unique code in numeric characters;
 - (b) an injectable transponder with the following legible and indelible display: the code of the third country or territory where they were initially identified conforming with ISO standard 3166-1, and a unique code in numeric characters.
 2. The means of identification referred to in paragraph 1 displaying the individual identification number shall establish an unequivocal link between the bird and the accompanying animal health certificate.
 3. Where captive birds are identified with an injectable transponder as referred to in paragraph 1, point (b), which does not comply with the ISO standards 11784 and 11785, the operator responsible for entry into the Union of the consignments of captive birds shall provide the reading device which enables at any time the verification of the identification of the birds.
 4. By way of derogation from paragraph 1 of this Article, the competent authority may accept in exceptional circumstances a bird’s individual identification number not complying with the provisions of that paragraph, under the following conditions:
 - (a) the final destination of the bird is a confined establishment;
 - (b) the bird was initially identified under different rules e.g. CITES listed species traceability rules;
 - (c) it was not possible to reidentify the bird in accordance with the rules provided for in the first paragraph;
 - (d) there is no doubt about the third country or territory where the bird was initially identified;
 - (e) the identification code of the bird establishes an unequivocal link between the animal and the accompanying animal health certificate.’;
- (8) In Article 62, paragraph 4 is added:
- ‘4. By way of derogation from the requirements laid down in Articles 53 to 61, 115 and 116, the competent authority of the Member State of entry may authorise the entry into the Union of captive birds or their hatching eggs which do not comply with those requirements when they are intended for entry into the Union for pre-existing conservation programmes approved by the competent authority of the Member State of destination, which determines the rules applicable for such entry.’;

- (9) Articles 148 and 149 are replaced by the following:

‘Article 148

Meat products not subject to a risk-mitigating treatment

Consignments of meat products shall only be permitted to enter the Union if the meat products of the consignment have not undergone a risk-mitigating treatment in accordance with Annex XXVI where:

- (a) the third country or territory or zone thereof of origin is listed for entry into the Union of fresh meat of the relevant species, and specific conditions in accordance with Chapter 1 and 2 of Title 1, Part IV, are not required for entry into the Union of such fresh meat;
- (b) the fresh meat used for the processing of the meat product complied with all the requirements for entry into the Union of fresh meat and therefore was eligible for entry into the Union and originated from at least one of the following:
 - (i) the third country or territory or zone thereof where the meat product was processed;
 - (ii) a third country or territory or zone thereof which is listed for entry into the Union of fresh meat of the relevant species without the obligation to apply specific conditions referred to in Part B of Annex XXV;
 - (iii) a Member State.

Article 149

Meat products subject to a risk-mitigating treatment

Consignments of meat products that do not fulfil the requirements provided for in Article 148, shall only be permitted to enter the Union if they have undergone at least the risk-mitigating treatment set out in Annex XXVI specifically assigned by the Union in the list to the third country or territory or zone thereof of origin of the meat product in accordance with Article 121, where the fresh meat used for processing of the meat products originates from at least one of the following:

- (a) the third country or territory or zone thereof where the meat product has been processed;
- (b) a listed third country or territory or zone thereof authorised for entry into the Union of fresh meat of the relevant species without the obligation to apply specific conditions referred to in Part B of Annex XXV;
- (c) a Member State.’;

- (10) Article 155 is replaced by the following:

‘Article 155

Treatment of dairy products

Consignments of dairy products shall only be permitted to enter the Union if the dairy products of the consignment have been treated in accordance with Article 121 as required in Articles 156 and 157.’;

- (11) Article 157 is replaced by the following:

‘Article 157

Dairy products subject to a risk-mitigating treatment

1. Consignments of dairy products not complying with the requirements set out in Article 156 shall only be permitted to enter the Union if the dairy products of the consignment have undergone at least one of the risk-mitigating treatments provided for in column A of the table in Annex XXVII where:
 - (a) they were processed from raw milk or dairy products therefrom, and obtained from the species *Bos taurus*, *Ovis aries*, *Capra hircus*, *Bubalus bubalis* or *Camelus dromedarius*;
 - (b) the third country or territory of origin, or zone thereof has not been free from foot and mouth disease and infection with rinderpest virus for at least 12 months prior to the date of milking or if during that period vaccination against those diseases has been carried out.
 2. Consignments of dairy products shall only be permitted to enter the Union if the dairy products of the consignment have undergone at least one of the risk-mitigating treatments provided for in column B of the table in Annex XXVII where they were processed from raw milk or dairy products therefrom, obtained from species of animals other than those referred to in paragraph 1, point (a).
 3. Consignments of dairy products that have been processed from raw milk or dairy products therefrom, obtained from more than one species of animal shall only be permitted to enter the Union if those dairy products have undergone either:
 - (a) at least the most severe of the risk-mitigating treatments assigned to each species of animals of origin where the mixing of raw milk or dairy products takes place before the final processing of the dairy product; or
 - (b) the risk-mitigating treatment assigned to each species of animals of origin where the mixing of the products takes place after processing of each ingredient of the dairy product.’;
- (12) Article 160 is replaced by the following:

‘Article 160

The third country or territory of origin, or zone thereof of the egg products

Consignments of egg products shall only be permitted to enter the Union if the egg products of the consignment either:

- (a) originate from a third country or territory, or zone thereof listed for entry into the Union of eggs, and which applies a disease surveillance programme for highly pathogenic avian influenza that complies with the requirements established in either:
 - (i) Annex II to this Regulation; or
 - (ii) the relevant Chapter of the Terrestrial Animal Health Code of the World Organisation for Animal Health (WOAH); or
- (b) originate from a third country or territory, or zone thereof listed for entry into the Union of egg products and have undergone appropriate risk-mitigating treatment for that particular egg product as set out in point 1 and point 2 of the table in Annex XXVIII, to achieve the inactivation of highly pathogenic avian influenza

virus and Newcastle disease virus, applied in accordance with Article 121(1), point (b) in that third country or territory, or zone thereof.’;

(13) Article 163 is replaced by the following:

‘Article 163

Specific requirements for shelf-stable composite products

1. Consignments of composite products that do not contain meat products, except gelatine and collagen, or colostrum-based products, and that have been treated to become shelf-stable at ambient temperature, shall be permitted to enter the Union if they contain:
 - (a) dairy products that comply with one of the following conditions:
 - (i) the dairy products have been obtained either in the Union or in a third country or territory, or zone thereof listed in accordance with Article 156 for the entry into the Union of dairy products without undergoing a specific risk-mitigating treatment, and the third country or territory, or zone thereof where the composite product is produced, if different, is also listed in accordance with Article 156 for entry into the Union of dairy products without undergoing a specific risk-mitigating treatment;
 - (ii) the dairy products have undergone a risk-mitigating treatment provided for in column A or B of the table in Annex XXVII, relevant for the species of origin of the milk, provided that they have been obtained in a third country or territory, or zone thereof listed in accordance with Article 157 for entry into the Union of dairy products that have undergone a specific risk-mitigating treatment, and that risk-mitigating treatment has been applied in accordance with Article 121(1), point (b); and the third country or territory, or zone thereof where the composite product is produced, if different, is also listed in accordance with Article 157 for entry into the Union of dairy products that have undergone a specific risk-mitigating treatment;
 - (iii) the dairy products have undergone a risk-mitigating treatment [at least equivalent to those] referred to in column B of the table in Annex XXVII, regardless of the species of origin of the milk, if the dairy products do not comply with all the requirements provided for in (i) or (ii) of this point, or they have been obtained in a third country or territory, or zone thereof which is not authorised for entry into the Union of dairy products but is authorised for entry into the Union of other products of animal origin in accordance with this Regulation;
 - (b) egg products that either:
 - (i) have been obtained in the Union or in a third country or territory, or zone thereof listed for entry into the Union of eggs, and the third country or territory, or zone thereof where the composite product is produced, if different, is also listed for entry into the Union of eggs; or
 - (ii) have undergone a risk-mitigating treatment [equivalent to those] referred to in Annex XXVIII which has been applied in accordance

with Article 121(1), point (b) in a third country or territory, or zone thereof listed in for entry into the Union of egg products, and the third country or territory, or zone thereof where the composite product is produced, if different, is also listed for entry into the Union of egg products.

2. By way of derogation from Article 3, point (a)(i), and paragraph 1 of this Article, the composite products containing dairy products referred to in paragraph 1, point (a)(iii), and the composite products containing egg products, that have been treated to become shelf-stable at ambient temperature shall be permitted to enter the Union if they come from a third country or territory, or zone thereof which is not specifically listed for entry into the Union of those products of animal origin but is listed for entry into the Union of either meat products, dairy products or egg products, or fishery products in accordance with Article 127 of Regulation (EU) 2017/625, and if they contain:
 - (a) dairy products that comply with one of the following conditions:
 - (i) they have been obtained in the Union;
 - (ii) they have been obtained in a third country or territory, or zone thereof listed in accordance with Article 156 for the entry into the Union of dairy products without undergoing a specific risk-mitigating treatment;
 - (iii) they have undergone a risk-mitigating treatment provided for in column A or B of the table in Annex XXVII, relevant for the species of origin of the milk, provided that they have been obtained in a third country or territory, or zone thereof listed in accordance with Article 157 for entry into the Union of dairy products that have undergone a specific risk-mitigating treatment, and that risk-mitigating treatment has been applied in accordance with Article 121(1), point (b),
 - (b) egg products that that comply with one of the following conditions:
 - (i) they have been obtained in the Union;
 - (ii) they have been obtained in a third country or territory, or zone thereof listed for entry into the Union of eggs;
 - (iii) they have undergone appropriate risk-mitigating treatments for that particular egg product as set out in point 1 and point 2 of the table in Annex XXVIII, to achieve the inactivation of highly pathogenic avian influenza virus and Newcastle disease virus, and which has been applied in accordance with Article 121(1), point (b), in a third country or territory, or zone thereof listed for entry into the Union of egg products.
3. By way of derogation from Article 3, point (c)(i), consignments of composite products referred to in paragraphs 1 and 2 of this Article, shall be permitted to enter the Union accompanied by a declaration, which shall:
 - (a) only accompany consignments of composite products where the final destination of the composite products is in the Union;

This draft has not been adopted or endorsed by the Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.

- (b) be issued by the operator responsible of the entry into the Union of the consignment of composite products, attesting that the composite products in the consignment comply with the requirements laid down in paragraph 1.’;
- (14) Annexes VI, VIII, XIII and XXI to Delegated Regulation (EU) 2020/692 are amended in accordance with Part A of the Annex to this Regulation.

[(15) TREATMENTS.]

Article 2
Correction to Delegated Regulation (EU) 2020/692

Delegated Regulation (EU) 2020/692 is corrected as follows:

- (1) The title of Article 12 is replaced by the following:

‘Article 12
Derogations regarding the residency period for certain equine animals’;

- (2) Annex IV to Delegated Regulation (EU) 2020/692 is corrected in accordance with Part B of the Annex to this Regulation.

Article 3
Entry into force

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