

Fylgiskjal 3.**COMMISSION IMPLEMENTING REGULATION (EU) 2023/2612****of 23 November 2023****amending Annexes II, III and XIII to Implementing Regulation (EU) 2021/404 as regards the lists of third countries, territories or zones thereof authorised for the entry into the Union of consignments of certain ungulates and fresh meat 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')⁽¹⁾, and in particular Article 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down, inter alia, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and it applies from 21 April 2021. One of those animal health requirements is that those consignments must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.
- (2) Commission Delegated Regulation (EU) 2020/692⁽²⁾ supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones or compartments thereof. Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope are to be permitted to enter into the Union if they come from a third country or territory, or zone or compartment thereof, listed for the particular species and categories of animals, germinal products and products of animal origin, in accordance with the animal health requirements laid down in that Delegated Regulation.
- (3) Commission Implementing Regulation (EU) 2021/404⁽³⁾ establishes the lists of third countries or territories, or zones or compartments thereof, from which the entry into the Union of consignments of those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is to be permitted. The lists and certain general rules concerning the lists are set out in Annexes I to XXII to that Delegated Regulation.
- (4) Annexes II and III to Implementing Regulation (EU) 2021/404 set out respectively the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of ungulates, other than equine animals, and of ungulates intended for confined establishments, and specific conditions for the entry into the Union of such ungulates. Article 21(5) of Delegated Regulation (EU) 2020/692, introduced by Commission Delegated Regulation (EU) 2023/119⁽⁴⁾, provides for a derogation from Article 21(1), point (b), thereof, and permits the entry into the Union of ungulates, other than equine animals, identified by a physical means of identification displaying

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽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).

⁽³⁾ 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).

⁽⁴⁾ Commission Delegated Regulation (EU) 2023/119 of 9 November 2022 amending 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 (OJ L 16, 18.1.2023, p. 5).

the code of the exporting country different from the code conforming to ISO Standard 3166, based on the request of a third country or territory of origin to the Commission and subject to the Commission's agreement. Therefore, a specific condition 'ID' reflecting that derogation should be added in the tables in Part 3 of Annexes II and III to Implementing Regulation (EU) 2021/404.

- (5) In addition, the United Kingdom has submitted to the Commission a substantiated request to be listed for the entry into the Union of bovine, ovine and caprine animals originating from that third country and its Crown Dependencies of the Isle of Man, Guernsey and Jersey with the specific condition 'ID'. In the entries for the zones GB-1 and GB-2 in the United Kingdom, and its Crown Dependencies of Guernsey, the Isle of Man and Jersey, column 6 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404 should, therefore, be amended to include that specific condition.
- (6) Annexes II and III to Implementing Regulation (EU) 2021/404 should, therefore, be amended accordingly.
- (7) The table in Part 1 of Annex XIII to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of fresh meat of ungulates, and it includes a column 7 setting out a 'closing date' for consignments and a column 8 setting out an 'opening date' for consignments. In column 8 of that table, in the entry for the zone BW-4 in Botswana, for reasons of clarity and in view of the footnote (1) in the heading of column 7, the opening date indicated in column 8 should be deleted.
- (8) In addition, in the table in Part 2 of Annex XIII to Implementing Regulation (EU) 2021/404, based on the information provided to the Commission by Botswana, the disease control zones 18 and 14 should be deleted from the descriptions of the zones BW-1 and BW-2 in Botswana respectively. The tables in Parts 1 and 2 of Annex XIII to Implementing Regulation (EU) 2021/404 should, therefore, be amended accordingly.
- (9) Implementing Regulation (EU) 2021/404 should, therefore, be amended accordingly.
- (10) 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

Annexes II, III and XIII to Implementing Regulation (EU) 2021/404 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, 23 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II, III and XIII to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex II is amended as follows:

(a) Part I is amended as follows:

(i) the entries for the United Kingdom and Guernsey are replaced by the following:

'GB' United King- dom	GB-1	Bovine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	BOV-X, BOV-Y	ID	BRU, BTV, EBL, EVENTS	
		Ovine and caprine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	OV/CAP-X, OV/CAP-X-NI ⁽³⁾ , OV/CAP-Y	ID	BRU, BTV, EVENTS	
		Porcine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	SUI-X, SUI-Y		ADV	
		Camelid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV	
		Cervid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV	
		Other ungulates	Animals for further keeping ⁽¹⁾	RUM, RHINO, HIPPO		BTV ⁽²⁾	
		Bovine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	BOV-X, BOV-Y	ID	BRU, TB, BTV, EBL, EVENTS	
		Ovine and caprine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	OV/CAP-X, OV/CAP-X-NI ⁽³⁾ , OV/CAP-Y	ID	BRU, BTV, EVENTS	
		Porcine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	SUI-X, SUI-Y		ADV	
		Camelid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV	

(b) in Part 3, the following row is added:

ID	<p>Consignments of ungulates, other than equine animals, may be individually identified prior to being dispatched from the establishment of origin, by a physical means of identification with a visible, legible and indelible display of:</p> <p>(a) the identification code of the animal which establishes an unequivocal link between the animal and the accompanying animal health certificate;</p> <p>(b) the code of the exporting country in accordance with ISO Standard 3166 or other code in the format of two-letter code in accordance with Article 21(5) of Delegated Regulation (EU) 2020/692.</p>
-----------	--

) in Annex III, Part 3 is replaced by the following:

'Part 3 – Specific conditions referred to in column 4 of the table set out in Part 1

ID	<p>Consignments of ungulates, other than equine animals, may be individually identified prior to being dispatched from the establishment of origin, by a physical means of identification with a visible, legible and indelible display of:</p> <p>(a) the identification code of the animal which establishes an unequivocal link between the animal and the accompanying animal health certificate;</p> <p>(b) the code of the exporting country in accordance with ISO Standard 3166 or other code in the format of two-letter code in accordance with Article 21(5) of Delegated Regulation (EU) 2020/692.</p>
-----------	--

) Annex XIII is amended as follows:

(a) in Part 1, the entry for the zone BW-4 in Botswana is replaced by the following:

BW Botswana	BW-4	Bovine animals	BOV	Maturation and de-boning No offal	28.5.2013'
-----------------------	------	----------------	-----	--------------------------------------	------------

(b) in Part 2, the descriptions of the zones BW-1 and BW-2 in Botswana are replaced by the following:

'Botswana	BW-1	The veterinary disease control zones 3c, 4b, 5, 8 and 9
	BW-2	The veterinary disease control zones 10, 11 and 13'