

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)

## TITLE I

### GENERAL PROVISIONS

#### CHAPTER I

##### Common provisions

##### Section 1

##### Subject matter, scope and definitions

##### *Article 2*

##### **Scope**

- 1 This Regulation shall apply to:
  - a animal by-products and derived products which are excluded from human consumption under [F1retained EU law]; and
  - b the following products which pursuant to a decision by an operator, which shall be irreversible, are destined for purposes other than human consumption:
    - (i) products of animal origin which may be destined for human consumption under [F1retained EU law];
    - (ii) raw materials for the production of products of animal origin.
- 2 This Regulation shall not apply to the following animal by-products:
  - a entire bodies or parts of wild animals, other than wild game, which are not suspected of being infected or affected with a disease communicable to humans or animals, except for aquatic animals landed for commercial purposes;
  - b entire bodies or parts of wild game which are not collected after killing, in accordance with good hunting practice, without prejudice to Regulation (EC) No 853/2004;
  - c animal by-products from wild game and from wild game meat referred to in Article 1(3) (e) of Regulation (EC) No 853/2004;
  - d oocytes, embryos and semen destined for breeding purposes;
  - e raw milk, colostrum and products derived therefrom which are obtained, kept, disposed of or used on the farm of origin;
  - f shells from shellfish with the soft tissue and flesh removed;
  - g catering waste, except if it:
    - (i) originates from means of transport operating [F2outside the British Islands];

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1069/2009 of the European Parliament and of the Council, Article 2. (See end of Document for details)*

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- (ii) is destined for feeding purposes;
- (iii) is destined for processing by pressure sterilisation or for processing by methods referred to in point (b) of the first subparagraph of Article 15(1) or for transformation into biogas or for composting;
- h <sup>F3</sup> ... material from vessels complying with Regulations (EC) No 852/2004 and (EC) No 853/2004, which has arisen in the course of their fishing operations and is disposed of at sea, except material derived from on-board evisceration of fish showing signs of disease, including parasites, that are communicable to humans;
- i raw pet food originating from retail shops, where the cutting and storage are performed solely for the purpose of supplying the consumer directly on the spot;
- j raw pet food derived from animals which are slaughtered on the farm of origin for private domestic consumption; and
- k excrement and urine other than manure and non-mineralised guano.

F<sup>4</sup><sub>3</sub> .....

#### Textual Amendments

- F1** Words in Regulation substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), **reg. 12(2)**
- F2** Words in Art. 2(2)(g)(i) substituted (E.W.S.) (31.12.2020) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **12(3)(a)(i)**
- F3** Words in Art. 2(2)(h) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **12(3)(a)(ii)**
- F4** Art. 2(3) omitted (E.W.S.) (31.12.2020) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(c), **12(3)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1069/2009 of the European Parliament and of the Council, Article 2.