

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 4

Category 1 material

Article 8

Category 1 material

Category 1 material shall comprise the following animal by-products:

- (a) entire bodies and all body parts, including hides and skins, of the following animals:
 - (i) animals suspected of being infected by a TSE in accordance with Regulation (EC) No 999/2001 or in which the presence of a TSE has been officially confirmed;
 - (ii) animals killed in the context of TSE eradication measures;
 - (iii) animals other than farmed and wild animals, including in particular pet animals, zoo animals and circus animals;
 - (iv) [^{F1}animals used in a procedure or procedures defined in Article 3 of Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes ⁽¹⁾, in cases where the competent authority decides that such animals or any of their body parts have the potential to pose serious health risks to humans or to other animals, as a result of that procedure or those procedures without prejudice to Article 3(2) of Regulation (EC) No 1831/2003;]
 - (v) wild animals, when suspected of being infected with diseases communicable to humans or animals;
- (b) the following material:
 - (i) specified risk material;

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 8. (See end of Document for details)

- (ii) entire bodies or parts of dead animals containing specified risk material at the time of disposal;
- (c) animal by-products derived from animals which have been submitted to illegal treatment as defined in Article 1(2)(d) of Directive 96/22/EC ^{F2}... [^{F3}reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law”];
- (d) animal by-products containing residues of other substances and environmental contaminants listed in Group B(3) of Annex I to Directive 96/23/EC, if such residues exceed the permitted level laid down by [^{F4}retained EU law] or, in the absence thereof, by [^{F5}other] national legislation;
- (e) animal by-products collected during the treatment of waste water required by implementing rules adopted under point (c) of the first paragraph of Article 27:
 - (i) from establishments or plants processing Category 1 material; or
 - (ii) from other establishments or plants where specified risk material is being removed;
- (f) catering waste from means of transport operating [^{F6}outside the British Islands];
- (g) mixtures of Category 1 material with either Category 2 material or Category 3 material or both.

Textual Amendments

- F1** Substituted by Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes (Text with EEA relevance).
- F2** Words in Art. 8(c) 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(9)(a)(i)**
- F3** Words in Art. 8(c) inserted (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(9)(a)(ii)**
- F4** 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)**
- F5** Word in Art. 8(d) inserted (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(9)(b)**
- F6** Words in Art. 8(f) 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(9)(c)**

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(1) [^{F1}OJ L 276, 20.10.2010, p. 33.]

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Textual Amendments

F1 Substituted by [Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes \(Text with EEA relevance\).](#)

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 8.