

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') (Text with EEA relevance)

#### PART IV

### REGISTRATION, APPROVAL, TRACEABILITY AND MOVEMENTS

#### TITLE I

### TERRESTRIAL ANIMALS, GERMINAL PRODUCTS AND PRODUCTS OF ANIMAL ORIGIN FROM TERRESTRIAL ANIMALS

#### CHAPTER 3

#### *Movements within the Union of kept terrestrial animals*

##### *Section 1*

#### *General requirements for movements*

##### *Article 124*

#### **General requirements for movements of kept terrestrial animals**

1 Operators shall take appropriate preventive measures to ensure that the movement of kept terrestrial animals does not jeopardise the health status at the place of destination with regard to:

- a the listed diseases referred to in point (d) of Article 9(1);
- b emerging diseases.

2 Operators shall only move kept terrestrial animals from their establishments and receive such animals if the animals in question fulfil the following conditions:

- a they come from establishments that have been:
  - (i) registered by the competent authority in accordance with Article 93; or
  - (ii) approved by the competent authority in accordance with Articles 97(1) and 98, when required by Article 94(1) or Article 95; or
  - (iii) granted a derogation from the registration requirement laid down in Article 84;
- b they fulfil the identification and registration requirements laid down in Articles 112, 113, 114, 115 and 117 and the rules adopted pursuant to Articles 118 and 120.

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## Article 125

### Disease prevention measures in relation to transport

- 1 Operators shall take the appropriate and necessary preventive measures to ensure that:
  - a the health status of kept terrestrial animals is not jeopardised during transport;
  - b transport operations of kept terrestrial animals do not cause the potential spread of listed diseases as referred to in point (d) of Article 9(1) to humans and animals;
  - c cleaning and disinfection of, and control of insects and rodents with respect to, equipment and means of transport and other adequate biosecurity measures are taken, as appropriate to the risks involved with the transport operations concerned.
- 2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:
  - a the conditions and requirements for cleaning and disinfection of, and control of insects and rodents with respect to, equipment and means of transport and the use of biocidal products for those purposes;
  - b other appropriate biosecurity measures as provided for in point (c) of paragraph 1 of this Article.

## Section 2

### Movements between Member States

## Article 126

### General requirements for movements of kept terrestrial animals between Member States

- 1 Operators shall only move kept terrestrial animals to another Member State if the animals in question fulfil the following conditions:
  - a they show no disease symptoms;
  - b they come from a registered or approved establishment:
    - (i) where there are no abnormal mortalities with an undetermined cause;
    - (ii) which is not subject to movement restrictions affecting the species to be moved in accordance with the rules laid down in Article 55(1), point (a) of Article 61(1), Article 62, point (c) of Article 65(1), Article 74(1) and Article 79 and the rules adopted pursuant to Article 55(2), Articles 63 and 67, Articles 71(3), 74(4), and 83(2) or the emergency measures provided for in Articles 257 and 258 and any rules adopted pursuant to Article 259, unless derogations from movement restrictions have been granted in accordance with those rules;
    - (iii) which is not situated in a restricted zone in accordance with rules laid down in point (f)(ii) of Article 55(1), Articles 64 and 65, Article 74(1), Article 79 and any rules adopted pursuant to Article 67, Article 71(3), Article 74(4) and Article 83(2) or the emergency measures provided for in Articles 257 and 258 and any rules adopted pursuant to Article 259, unless derogations have been granted in accordance with those rules;

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- c they have not been in contact with kept terrestrial animals which are subject to movement restrictions as referred to in point (b)(ii) and (iii) or kept terrestrial animals of a listed species of a lower health status, for an adequate period of time prior to the date of the intended movement to another Member State, thereby minimising the possibility of spreading disease, taking into account the following matters:
    - (i) the incubation period and routes of transmission of the listed diseases and emerging diseases in question;
    - (ii) the type of establishment concerned;
    - (iii) the species and category of kept terrestrial animals moved;
    - (iv) other epidemiological factors;
  - d they fulfil the relevant requirements provided for in Sections 3 to 8 (Articles 130 to 154).
- 2 Operators shall take all necessary measures to ensure that kept terrestrial animals moved to another Member State are consigned directly to their place of destination in that other Member State unless they need to stop at a place of resting for animal welfare reasons.

#### *Article 127*

#### **Obligations of operators at the place of destination**

- 1 Operators of establishments and slaughterhouses receiving kept terrestrial animals from another Member State shall:
- a check that:
    - (i) the means or methods of identification provided for in point (a) of Article 112, point (a) of Article 113(1), points (a) and (b) Article 114(1), point (a) of Article 115 and point (a) of Article 117 and the rules adopted pursuant to Articles 118 and 120 are in place;
    - (ii) the identification documents provided for in point (b) of Article 112, point (b) of Article 113(1), point (c) of Article 114(1), point (b) of Article 117 and the rules adopted pursuant to Articles 118 and 120 are in place and are correctly completed;
  - b check that the animal health certificates provided for in Article 143 and in any rules adopted pursuant to points (b) and (c) of Article 144(1) or the self-declaration documents provided for in Article 151 and the rules adopted pursuant to Article 151(3) and (4) are in place;
  - c inform the competent authority of the place of destination, after checking the kept terrestrial animals received, of any irregularity with regard to:
    - (i) the kept terrestrial animals received;
    - (ii) the means or methods of identification referred to in point (a)(i);
    - (iii) the documents referred to in points (a)(ii) and (b).
- 2 In the event of any irregularity as referred to in point (c) of paragraph 1, the operator shall isolate the animals concerned by that irregularity until the competent authority of the place of destination has taken a decision regarding them.

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### *Article 128*

#### **Prohibition on movements of kept terrestrial animals for disease eradication purposes outside the territory of a Member State**

Operators shall not move kept terrestrial animals intended to be slaughtered for disease eradication purposes as part of an eradication programme, as provided for in Article 31(1) or (2), to another Member State unless the Member State of destination and, where relevant, the Member State of passage authorise the movement in advance.

### *Article 129*

#### **General requirement applicable to operators in respect of movements of kept terrestrial animals passing through Member States but intended for export from the Union to third countries or territories**

Operators shall ensure that kept terrestrial animals intended for export to a third country or territory and passing through the territory of another Member State fulfil the requirements laid down in Articles 124, 125, 126 and 128.

### *Section 3*

#### ***Specific requirements in respect of movements to other Member States of ungulates and poultry***

### *Article 130*

#### **Movements of kept ungulates and poultry to other Member States**

Operators shall only move kept ungulates and poultry from an establishment in one Member State to another Member State if the animals in question fulfil the following conditions as regards the listed diseases referred to in point (d) of Article 9(1):

- (a) they show no clinical symptoms or signs of listed diseases as referred to in point (d) of Article 9(1) at the time of movement;
- (b) they have been subject to a residency period appropriate to those listed diseases, taking into account the species and category of kept ungulates and poultry to be moved;
- (c) for a period of time appropriate for those listed diseases and the species and category of ungulates or poultry to be moved, no kept ungulates or poultry have been introduced into the establishment of origin when a requirement to that effect is laid down in the rules adopted in accordance with Article 131 or Article 135;
- (d) they are presumed not to pose a significant risk of spreading of those listed diseases at the place of destination, based on:
  - (i) the health status concerning relevant diseases for species or categories of kept ungulates and poultry moved, taking into account the health status at the place of destination;

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- (ii) the results of laboratory or other examinations necessary in order to provide guarantees regarding the health status required for the movement in question;
- (iii) the application of vaccination or other disease prevention or risk-mitigation measures aimed at limiting the spread of the relevant disease to the places of destination or passage.

#### *Article 131*

### **Delegation of powers in respect of movements of kept ungulates and poultry to other Member States**

1 The Commission shall adopt delegated acts in accordance with Article 264 concerning:

- a residency periods as referred to in point (b) of Article 130;
- b the period of time necessary in order to limit the introduction of kept ungulates or poultry into establishments prior to movement as provided for in point (c) of Article 130;
- c supplementary requirements to ensure that kept ungulates and poultry do not pose a significant risk for the spread of listed diseases as referred to in point (d) of Article 9(1), as provided for in point (d) of Article 130);
- d other necessary risk-mitigation measures supplementing the requirements laid down in Article 130.

2 When establishing the rules to be laid down in the delegated acts provided for in paragraph 1, the Commission shall base those rules on the following considerations:

- a the listed diseases referred to in point (d) of Article 9(1) relevant for the listed species or the category of kept ungulates or poultry to be moved;
- b the health status as regards listed diseases referred to in point (d) of Article 9(1) in the establishments, compartments, zones and Member States of origin and destination;
- c the type of establishment concerned and the type of production at the places of origin and destination;
- d the type of movement concerned;
- e the species and categories of kept ungulates or poultry to be moved;
- f the age of the kept ungulates or poultry to be moved;
- g other epidemiological factors.

#### *Article 132*

### **Kept ungulates and poultry moved to another Member State and intended for slaughter**

1 Operators of slaughterhouses receiving kept ungulates and poultry from another Member State shall slaughter those animals as soon as possible following their arrival and at the latest within a timeframe to be laid down in delegated acts adopted pursuant to paragraph 2.

2 The Commission shall adopt delegated acts in accordance with Article 264 concerning the time of slaughter provided for in paragraph 1 of this Article.

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#### Section 4

### **Assembly operations in respect of kept ungulates and poultry**

#### Article 133

#### **Derogation in respect of assembly operations**

1 By way of derogation from Article 126(2), operators may subject kept ungulates and poultry to a maximum of three assembly operations during a movement from a Member State of origin to another Member State.

2 The assembly operations provided for in paragraph 1 of this Article shall only take place in an establishment approved for that purpose in accordance with Article 97(1) and Article 99(3) and (4).

However, the Member State of origin may allow an assembly operation on its territory to take place on a means of transport, collecting kept ungulates or poultry directly from their establishments of origin, provided that those animals are not unloaded again during that operation and before arriving:

- a at the establishment or final place of destination; or
- b for the subsequent assembly operation in an establishment approved for that purpose in accordance with Article 97(1) and Article 99(4) and (5).

#### Article 134

#### **Disease prevention requirements in respect of assembly operations**

Operators conducting assembly operations shall ensure that:

- (a) the kept ungulates and poultry assembled have the same health status; where they do not, the lower health status applies to all such animals assembled;
- (b) the kept ungulates and poultry are assembled and moved to their final place of destination in another Member State as soon as possible after leaving their establishment of origin, and at the latest within a timeframe to be laid down in delegated acts adopted pursuant to point (c) of Article 135;
- (c) the necessary biosecurity measures are taken to ensure that the kept ungulates and poultry assembled:
  - (i) do not come into contact with kept ungulates or poultry having a lower health status;
  - (ii) do not pose a significant risk for the spread of the listed diseases referred to in point (d) of Article 9(1) to the kept ungulates or poultry at the place where the assembly operation takes place;
- (d) the kept ungulates and poultry are identified where so required by this Regulation and are accompanied by the following documents:
  - (i) the identification and movement documents as provided for in point (b) of Article 112, point (b) of Article 113(1), point (c) of Article 114(1), point (b) of Article 115 and point (b) of Article 117 and any rules adopted pursuant

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- to Articles 118 and 120, unless derogations are provided for in accordance with Articles 113(2) and 119;
- (ii) the animal health certificates as provided for in Article 143 and point (c) of Article 144(1), unless derogations are provided for in the rules adopted pursuant to point (a) of Article 144(1);
  - (iii) the self-declaration document as provided for in Article 151.

#### *Article 135*

##### **Delegation of powers concerning assembly operations**

The Commission shall adopt delegated acts in accordance with Article 264 concerning:

- (a) specific rules for assembly operations, where other risk-mitigation measures, in addition to those provided for in points (b) and (c) of Article 134, are in place;
- (b) criteria under which Member States of origin may allow assembly operations to take place on means of transport, as provided for in the second subparagraph of Article 133(2);
- (c) the timeframe between the time of departure of the kept ungulates or poultry from their establishment of origin and their departure from the assembly operation to their final destination in another Member State, as referred to in point (b) of Article 134;
- (d) detailed rules as regards the biosecurity measures provided for in point (c) of Article 134.

#### *Section 5*

##### ***Movements to other Member States of kept terrestrial animals other than kept ungulates and poultry***

#### *Article 136*

##### **Movements of kept terrestrial animals other than kept ungulates and poultry to other Member States and delegated acts**

1 Operators shall only move kept terrestrial animals other than kept ungulates or poultry from an establishment in one Member State to another Member State if the animals in question do not pose a significant risk for the spread of listed diseases as referred to in point (d) of Article 9(1) at the place of destination.

2 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning detailed rules to ensure that kept terrestrial animals other than kept ungulates or poultry do not pose a significant risk for the spread of listed diseases as referred to in point (d) of Article 9(1), as provided for in paragraph 1 of this Article.

3 When establishing the detailed rules to be laid down in the delegated acts provided for in paragraph 2, the Commission shall base those rules on the following considerations:

- a the listed diseases referred to in point (d) of Article 9(1) relevant for the listed species or the category of kept terrestrial animals to be moved;

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- b the health status as regards the listed diseases referred to in point (d) of Article 9(1) in the establishments, compartments, zones and Member States of origin and the place of destination;
- c the types of establishment and the types of production at the place of origin and the place of destination;
- d the types of movement in respect of the final use of animals at the place of destination;
- e the species and categories of kept terrestrial animals to be moved;
- f the age of the kept terrestrial animals to be moved;
- g other epidemiological factors.

### *Section 6*

#### ***DERogating from, and supplementing, risk-mitigation measures for movements of kept terrestrial animals***

#### *Article 137*

#### **Kept terrestrial animals intended for confined establishments and delegated acts**

- 1 Operators shall only move kept terrestrial animals to a confined establishment if the animals in question fulfil the following conditions:
  - a they originate from another confined establishment;
  - b they do not pose a significant risk for the spread of listed diseases as referred to in point (d) of Article 9(1) to listed species or to categories of animals at the confined establishment of destination, except where the movement in question is authorised for scientific purposes.
- 2 The Commission shall adopt delegated acts in accordance with Article 264 concerning:
  - a detailed rules for movements of kept terrestrial animals into confined establishments in addition to those provided for in paragraph 1 of this Article;
  - b specific rules for movements of kept terrestrial animals into confined establishments where the risk-mitigation measures in place guarantee that such movements do not pose a significant risk for the health of kept terrestrial animals within that confined establishment and the surrounding establishments.

#### *Article 138*

#### **Movements of kept terrestrial animals for scientific purposes and delegated acts**

- 1 The competent authority of the place of destination may, subject to the agreement of the competent authority of the place of origin, authorise movements of kept terrestrial animals into the territory of the Member State of destination, for scientific purposes, where those movements do not comply with the requirements of Sections 1 to 5 (Articles 124 to 136), with the exception of Articles 124 and 125, point (b)(ii) of Article 126(1) and Article 127.
- 2 The competent authority of the place of destination shall only grant derogations as provided for in paragraph 1 under the following conditions:
  - a the competent authorities of the places of destination and origin:



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- (i) have agreed on the conditions for such movements;
  - (ii) ensure that the necessary risk-mitigation measures are in place so that those movements do not jeopardise the health status in places en route and in the place of destination with regard to the listed diseases referred to in point (d) of Article 9(1); and
  - (iii) have notified, where relevant, the competent authorities of the Member States of passage of the derogation granted and of the conditions under which it is granted; and
- b those movements of those animals take place under the supervision of the competent authorities of the places of origin and destination, and where relevant, the competent authorities of the Member States of passage.
- 3 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules for the granting of derogations by competent authorities, supplementing those provided for in paragraphs 1 and 2 of this Article.

#### *Article 139*

#### **Derogations concerning recreational use, sporting and cultural events, work near borders and grazing**

1 The competent authority of the place of destination may grant derogations from the requirements of Sections 2 to 5 (Articles 126 to 136), with the exception of points (a),(b) and (c) of Article 126(1) and Articles 127 and 128, for intra-Union movements of kept terrestrial animals between Member States where such movements are for:

- a recreational use near borders;
- b exhibitions, and sporting, cultural and similar events, organised near borders;
- c grazing of kept terrestrial animals in grazing areas shared between Member States; or
- d work done by kept terrestrial animals near borders of Member States.

2 Derogations by the competent authority of the place of destination for movements of kept terrestrial animals for the purposes provided for in paragraph 1 shall be agreed on between the Member States of origin and destination and appropriate risk-mitigation measures shall be taken to ensure that such movements do not pose a significant risk.

3 The Member States referred to in paragraph 2 shall inform the Commission of the granting of derogations as provided for in paragraph 1.

4 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules for the granting of derogations by the competent authority of the place of destination, supplementing those provided for in paragraph 1 of this Article.

#### *Article 140*

#### **Delegation of power concerning circuses, exhibitions, sporting events and recreational use, zoos, pet shops, animal shelters and wholesalers**

The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

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- (a) specific requirements supplementing the rules laid down in Sections 2 to 5 (Articles 126 to 136) for movements of kept terrestrial animals for the following purposes:
  - (i) circuses, zoos, pet shops, animal shelters and wholesalers;
  - (ii) exhibitions and sporting, cultural and similar events;
- (b) derogations from Sections 2 to 5 (Articles 126 to 136), with the exception of points (a), (b) and (c) of Article 126(1) and Articles 127 and 128, for movements of kept terrestrial animals as referred to in point (a) of this Article.

#### *Article 141*

#### **Implementing power to adopt temporary rules for movements of specific species or categories of kept terrestrial animals**

1 The Commission may, by means of implementing acts, lay down temporary rules, by way of addition or alternative to those laid down in this Chapter, for movements of specific species or categories of kept terrestrial animals where:

- a the movement requirements provided for in Article 130, Article 132(1), Articles 133 and 134, Articles 136(1), 137(1) and 138(1) and (2) and Article 139 and the rules adopted pursuant to Articles 131(1) and 132(2), Article 135, Articles 136(2), 137(2), 138(3) and 139(4) and Article 140 are not effectively mitigating the risks posed by the movement of such animals; or
- b a listed disease as referred to in point (d) of Article 9(1) appears to be spreading despite the movement requirements laid down in accordance with Sections 1 to 6 (Articles 124 to 142).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

2 On duly justified imperative grounds of urgency relating to diseases representing a risk of a highly significant impact and taking into account the matters referred to in Article 142, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure provided for in Article 266(3).

#### *Article 142*

#### **Matters to be taken into account in the adoption of delegated and implementing acts as provided for in this Section**

When establishing the rules to be laid down in the delegated and implementing acts provided for in Articles 137(2), 138(3) and 139(4) and Articles 140 and 141, the Commission shall base those rules on the following matters:

- (a) the risks involved with the movements referred to in those provisions;
- (b) the health status as regards the listed diseases referred to in point (d) of Article 9(1) at the places of origin, passage and destination;
- (c) listed animal species for the listed diseases referred to in point (d) of Article 9(1);
- (d) biosecurity measures in place at the places of origin, passage and destination

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- (e) any specific conditions in establishments under which the kept terrestrial animals are kept;
- (f) specific movement patterns of the type of establishment and the species and category of kept terrestrial animals concerned;
- (g) other epidemiological factors.

### Section 7

#### **Animal health certification**

#### Article 143

#### **Obligation of operators to ensure that animals are accompanied by an animal health certificate**

1 Operators shall only move the following species and categories of kept terrestrial animals to another Member State if the animals in question are accompanied by an animal health certificate issued by the competent authority of the Member State of origin in accordance with Article 149(1):

- a ungulates;
- b poultry;
- c kept terrestrial animals other than ungulates and poultry, intended for a confined establishment;
- d kept terrestrial animals other than those referred to in points (a), (b) and (c) of this paragraph, when required in accordance with delegated acts adopted pursuant to point (c) of Article 144(1).

2 In cases where kept terrestrial animals are allowed to leave a restricted zone as provided for in point (f)(ii) of Article 55(1), Article 56 and Article 64(1) and are subject to disease control measures as provided for in Articles 55(1), 65(1), 74(1), Article 79 or Article 80 or rules adopted pursuant to Article 55(2), Article 67, Articles 71(3) and 74(4), Article 83(3) or Article 259, and the animals in question are of species subject to those disease control measures, operators shall only move such kept terrestrial animals within a Member State or from one Member State to another Member State when the animals to be moved are accompanied by an animal health certificate issued by the competent authority of the Member State of origin in accordance with Article 149(1).

The competent authority may decide that such a certificate does not have to be issued for movements of kept terrestrial animals within the Member State in question when that authority considers that an alternative system is in place ensuring that the consignment of such animals is traceable and that those animals fulfil the animal health requirements for such movement.

3 Operators shall take all necessary measures to ensure that the animal health certificate referred to in paragraph 1 of this Article accompanies the kept terrestrial animals from their place of origin to their final place of destination, unless specific measures are provided for in rules adopted pursuant to Article 147.

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#### Article 144

##### **Delegation of powers concerning the obligation of operators to ensure that animals are accompanied by an animal health certificate**

1 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- a derogations from the animal health certification requirements provided for in Article 143(1), for movements of kept terrestrial animals which do not pose a significant risk for the spread of a disease on account of:
  - (i) the species or categories of the kept terrestrial animals that are being moved and the listed diseases referred to in point (d) of Article 9(1) for which they are listed species;
  - (ii) the methods of keeping and the type of production of those species and categories of kept terrestrial animals;
  - (iii) the intended use of the kept terrestrial animals; or
  - (iv) the place of destination of the kept terrestrial animals; including those cases where their place of destination is in the same Member State as their place of origin but they pass through another Member State in order to reach their place of destination;
- b special rules for animal health certification as provided for in Article 143(1) where specific risk-mitigation measures concerning surveillance or biosecurity are taken, taking into account the matters provided for in paragraph 2 of this Article, which ensure:
  - (i) the traceability of the kept terrestrial animals being moved;
  - (ii) that the kept terrestrial animals being moved fulfil the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142);
- c the requirement for animal health certification for movements of species and categories of kept terrestrial animals other than those referred to in points (a), (b) and (c) of Article 143(1) in cases where animal health certification is imperative in order to ensure that the movement in question complies with the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142).

2 When establishing the special rules provided for in point (b) of paragraph 1, the Commission shall take the following matters into account:

- a the assessment by the competent authority of the biosecurity put in place by operators as provided for in point (b) of Article 10(1) and any rules adopted pursuant Article 10(6);
- b the ability of the competent authority, in so far as may be necessary and appropriate, to take measures and to engage in activities required by this Regulation as provided for in Article 13(1);
- c the level of knowledge of animal health as provided for in Article 11 and the encouragement thereof provided for in Article 13(2);
- d the carrying-out of the animal health visits provided for in Article 25 or other relevant surveillance or official controls in place;

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- e the performance by the competent authority of its obligations under the Union notification and reporting system provided for in Articles 19 to 22 and in the rules adopted pursuant to Article 20(3) and Article 23;
  - f the application of surveillance as provided for in Article 26 and surveillance programmes as provided for in Article 28 and in any rules adopted pursuant to Articles 29 and 30.
- 3 The Commission shall take the matters referred to in point (a)(i) to (iv) of paragraph 1 into account when establishing the requirements for animal health certification provided for in point (c) of paragraph (1).

#### *Article 145*

### **Contents of animal health certificates**

- 1 The animal health certificate referred to in Article 143 shall contain the following information:
- a the establishment or place of origin, the establishment or place of destination and, where relevant, establishments for assembly operations or for rests, of the kept terrestrial animals concerned;
  - b the means of transport and the transporter;
  - c a description of the kept terrestrial animals;
  - d the number of kept terrestrial animals;
  - e the identification and registration of kept terrestrial animals, where required by Articles 112, 113, 114, 115 and 117 and by any rules adopted pursuant to Articles 118 and 120, unless derogations are provided for in accordance with Article 119; and
  - f the information needed to demonstrate that the kept terrestrial animals fulfil the relevant animal health requirements in respect of movements provided for in Sections 1 to 6 (Articles 124 to 142).
- 2 The animal health certificate may include other information required under other Union legislation.

#### *Article 146*

### **Delegation of powers and implementing acts concerning the content of animal health certificates**

- 1 The Commission shall adopt delegated acts in accordance with Article 264 concerning:
- a detailed rules on the content of animal health certificates as provided for in Article 145(1) for different species and categories of kept terrestrial animals and for specific types of movements as provided for in the rules adopted pursuant to Article 147;
  - b additional information to be contained in the animal health certificate provided for in Article 145(1).
- 2 The Commission may, by means of implementing acts, lay down rules for model forms of animal health certificates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

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#### Article 147

### Delegation of powers concerning specific types of movements of kept terrestrial animals

The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning specific measures derogating from, or supplementing, the obligation of operators to ensure that animals are accompanied by an animal health certificate as provided for in Article 143 and in the rules adopted pursuant to Article 144, for the following types of movements of kept terrestrial animals:

- (a) movements of kept ungulates and poultry passing through the assembly operations provided for in Article 133 prior to reaching their final place of destination;
- (b) movements of kept terrestrial animals which are required to return to their place of origin or to be moved to a different destination, for one or more of the following reasons:
  - (i) their intended journey was unexpectedly interrupted for animal welfare reasons;
  - (ii) unforeseen accidents or events during the journey;
  - (iii) they were rejected at the place of destination in a Member State or at the external border of the Union;
  - (iv) they were rejected at a place of assembly or resting;
  - (v) they were rejected in a third country or territory;
- (c) movements of kept terrestrial animals intended for exhibitions, and sporting, cultural and similar events, and their subsequent return to their place of origin.

#### Article 148

### Operators' obligations to cooperate with the competent authority for the purposes of animal health certification

Operators shall:

- (a) provide the competent authority with all the information necessary to complete the animal health certificate provided for in Article 143(1) and (2) and in any rules adopted pursuant to Article 146(1) or Article 147, in advance of the intended movement;
- (b) where necessary, ensure that the kept terrestrial animals in question are subjected to documentary, identity and physical checks as provided for in Article 149(3).

#### Article 149

### Responsibility of the competent authority for animal health certification

1 The competent authority shall, upon request by an operator, issue an animal health certificate for the movement of kept terrestrial animals, where required by Article 143 or by delegated acts adopted pursuant to Article 144(1), provided that the following movement requirements have been complied with:

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- a those provided for in Article 124, Article 125(1), Articles 126, 128, 129, 130, 133 and 134, Articles 136(1) and 137(1), Article 138 and Article 139;
  - [<sup>X1</sup>b those provided for in delegated acts adopted pursuant to Articles 125(2) and 131(1), Article 135, Articles 136(2), 137(2), 138(3) and 139(4) and Article 140;]
  - c those provided for in implementing acts adopted pursuant to Article 141.
- 2 Animal health certificates shall:
- a be verified, stamped and signed by an official veterinarian;
  - b remain valid for the period of time provided for in the rules adopted pursuant to point (c) of paragraph 4, during which the kept terrestrial animals covered by it continue to fulfil the animal health guarantees contained in it.
- 3 Before signing an animal health certificate, the official veterinarian concerned shall verify, by means of documentary, identity and physical checks as provided for by delegated acts adopted pursuant to paragraph 4, that the kept terrestrial animals covered by it fulfil the requirements of this Chapter.
- 4 The Commission shall adopt delegated acts in accordance with Article 264 laying down rules concerning:
- a the types of documentary, identity and physical checks and examinations in relation to different species and categories of kept terrestrial animals that must be carried out by the official veterinarian in accordance with paragraph 3 in order to verify compliance with the requirements of this Chapter;
  - b the timeframes for the carrying-out of such documentary, identity and physical checks and examinations and the issuing of animal health certificates by the official veterinarian prior to the movement of consignments of kept terrestrial animals;
  - c the duration of the validity of animal health certificates.

#### **Editorial Information**

- X1** Substituted by [Corrigendum 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 \('Animal Health Law'\)](#) (Official Journal of the European Union L 84 of 31 March 2016).

### *Article 150*

#### **Electronic animal health certificates**

Electronic animal health certificates, produced, handled and transmitted by means of Traces, may replace accompanying animal health certificates as provided for in Article 149(1) where:

- (a) such electronic animal health certificates contain all the information that the model form of animal health certificate is required to contain in accordance with Article 145 and any rules adopted pursuant to Article 146;
- (b) the traceability of the kept terrestrial animals in question and the link between those animals and the electronic animal health certificate is ensured;
- (c) the competent authorities of the Member States of origin, passage and destination are able to have access to the electronic documents at all times during the transport.

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### *Article 151*

#### **Self-declaration by operators for movements to other Member States**

1 Operators at the place of origin shall issue a self-declaration document for movements of kept terrestrial animals from their place of origin in one Member State to their place of destination in another Member State, and shall ensure that it accompanies such animals, where they are not required to be accompanied by an animal health certificate as provided for in Article 143(1) and (2).

2 The self-declaration document provided for in paragraph 1 shall contain the following information concerning the kept terrestrial animals in question:

- a their place of origin, their place of destination and, when relevant, any places of assembly or rest;
- b the means of transport and the transporter;
- c a description of the kept terrestrial animals, their species, category and quantity;
- d identification and registration where required in accordance with Articles 112, 113, 114 and 115, point (a) of Article 117 and any rules adopted pursuant to Articles 118 and 120;
- e the information needed to demonstrate that the kept terrestrial animals fulfil the animal health requirements for movements provided for in Sections 1 to 6 (Articles 124 to 142).

3 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:

- a detailed rules on the content of the self-declaration document provided for in paragraph 2 of this Article for different species and categories of animals;
- b information to be contained in the self-declaration document in addition to that provided for in paragraph 2 of this Article.

4 The Commission may, by means of implementing acts, lay down rules for the model forms of the self-declaration document provided for in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

### *Section 8*

#### ***Notification of movements of kept terrestrial animals to other Member States***

### *Article 152*

#### **Obligation of operators concerning the notification of movements of kept terrestrial animals to other Member States**

Operators other than transporters shall notify the competent authority in their Member State of origin in advance of intended movements of kept terrestrial animals from that Member State to another Member State where:

- (a) the animals must be accompanied by an animal health certificate issued by the competent authority of the Member State of origin in accordance with Articles 149 and 150 and any rules adopted pursuant to Article 149(4);



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- (b) the animals must be accompanied by an animal health certificate for kept terrestrial animals where they are being moved from a restricted zone and are subject to disease control measures as referred to in Article 143(2);
- (c) the animals are granted a derogation from the animal health certification requirement provided for in point (a) of Article 144(1) or are subject to special rules as provided for in point (b) of Article 144(1);
- (d) notification is required in accordance with delegated acts adopted pursuant to Article 154(1).

For the purposes of the first paragraph of this Article, operators shall provide the competent authority of their Member State of origin with all the necessary information to enable it to notify the movements of the kept terrestrial animals to the competent authority of the Member State of destination in accordance with Article 153(1).

#### *Article 153*

##### **Responsibility of the competent authority to notify movements to other Member States**

- 1 The competent authority of the Member State of origin shall notify the competent authority of the Member State of destination of movements of kept terrestrial animals as referred to in Article 152.
- 2 The notification referred to in paragraph 1 shall be carried out prior to the movement in question and, whenever possible, through Traces.
- 3 Member States shall designate regions for the management of notifications of movements as provided for in paragraph 1.
- 4 By way of derogation from paragraph 1, the competent authority of the Member State of origin may authorise the operator concerned to notify, partially or completely, movements of kept terrestrial animals through Traces to the competent authority of the Member State of destination.

#### *Article 154*

##### **Delegation of power and implementing acts for the notification of movements by operators and by the competent authority**

- 1 The Commission shall adopt delegated acts in accordance with Article 264 concerning:
  - a the requirement for advance notification by operators, in accordance with Article 152, of movements between Member States of kept terrestrial animals of species or categories other than those referred to in points (a) and (b) of that Article, where traceability of such movements of those species or categories is necessary in order to ensure compliance with the animal health requirements for movements laid down in Sections 1 to 6 (Articles 124 to 142);
  - b the information needed in order to notify movements of kept terrestrial animals as provided for in Articles 152 and 153;
  - c the emergency procedures for the notification of movements of kept terrestrial animals in the event of power cuts and other disturbances of Traces;

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- d the requirements for the designation of regions by Member States for the management of notifications of movements, as provided for in Article 153(3).
- 2 The Commission may, by means of implementing acts, lay down rules concerning:
- a the details concerning notifications of movements of kept terrestrial animals by:
    - (i) operators to the competent authority of their Member State of origin in accordance with Article 152;
    - (ii) the competent authority of the Member State of origin to the Member State of destination in accordance with Article 153;
  - b the deadlines for:
    - (i) the provision by the operator of the necessary information referred to in Article 152 to the competent authority of the Member State of origin;
    - (ii) the notification of movements of kept terrestrial animals by the competent authority of the Member State of origin as referred to in Article 153(1).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 266(2).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)