

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 V

ENTRY INTO THE UNION AND EXPORT

CHAPTER 1

Entry into the Union of animals, germinal products and products of animal origin from third countries and territories

Section 5

Animal health certificates, declarations and other documents

Article 237

Animal health certificates, declarations and other documents for entry into the Union

1 Member States shall only permit the entry into the Union of consignments of animals, germinal products and products of animal origin if such consignments are accompanied by one or both of the following:

- a an animal health certificate issued by the competent authority of the third country or territory of origin, unless a derogation is provided for in point (a) of paragraph 4;
- b declarations or other documents, where required by the rules adopted pursuant to point (b) of paragraph 4.

2 Member States shall not permit the entry into the Union of consignments of animals, germinal products and products of animal origin unless the animal health certificate referred to in point (a) of paragraph 1 has been verified and signed by an official veterinarian in a third country or territory in compliance with certification requirements equivalent to those laid down in Article 149(3) or 216(3) and any rules adopted pursuant to Article 149(4) or 216(4).

3 Member States shall permit electronic animal health certificates that are produced, handled and transmitted by means of Traces to replace the accompanying animal health certificates referred to in paragraph 1, where such electronic animal health certificates:

- a contain all the information that the animal health certificate referred to in point (a) of paragraph 1 of this Article is required to contain in accordance with Article 238(1) and any rules adopted pursuant to Article 238(3);
- b ensure the traceability of the consignments of animals, germinal products and products of animal origin concerned and link those consignments to the electronic animal health certificate.

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

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- a derogations from the animal health certificate requirements provided for in point (a) of paragraph 1 and paragraph 2 of this Article, for consignments of animals, germinal products and products of animal origin, and in specific rules for the animal health certification of those consignments, where the consignments in question pose an insignificant risk to animal health or public health within the Union, due to one or more of the following factors:
 - (i) the species and categories of animals, germinal products or products of animal origin concerned;
 - (ii) the methods of keeping and types of production of the animals, germinal products and products of animal origin concerned;
 - (iii) their intended use;
 - (iv) alternative risk-mitigation measures which are in place in the third countries or territories of origin or transit, or after their arrival into the territory of the Union, affording equivalent protection of animal health and public health within the Union as provided for in this Regulation;
 - (v) the provision by the third country or territory concerned of guarantees of compliance with the requirements for entry into the Union, demonstrated by means other than an animal health certificate;
- b rules requiring consignments of animals, germinal products and products of animal origin entering into the Union to be accompanied by declarations or other documents needed to demonstrate that the animals, germinal products and products of animal origin in question meet the animal health requirements for entry into the Union laid down in rules adopted pursuant to Article 234(2).

Article 238

Content of animal health certificates

- 1 The animal health certificate referred to in point (a) of Article 237(1) shall contain at least the following information:
- a the name and address of:
 - (i) the establishment or place of origin;
 - (ii) the establishment or place of destination;
 - (iii) where applicable, establishments for assembly operations or rest of the kept animals concerned;
 - b a description of the animals, germinal products or products of animal origin concerned;
 - c the number or volume of the animals, germinal products or products of animal origin concerned;
 - d where applicable, the identification and registration of the animals, germinal products or products of animal origin concerned;
 - e the information needed to demonstrate that the animals, germinal products and products of animal origin concerned fulfil the animal health requirements for entry into the Union provided for in Article 229 and Article 234(1) and in the rules adopted pursuant to Article 234(2) and Article 239.

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2 The animal health certificate referred to in point (a) of Article 237(1) may include other information required under other Union legislation.

3 The Commission may, by means of implementing acts, lay down rules concerning:

- a information to be contained in the animal health certificate referred to in point (a) of Article 237(1) in addition to that referred to in paragraph 1 of this Article;
- b information to be contained in declarations or other documents as referred to in point (b) of Article 237(1);
- c model forms for the animal health certificates, declarations and other documents referred to in Article 237(1).

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

4 Pending the establishment of rules in implementing acts adopted pursuant to paragraph 3, as regards a particular species and category of animal, germinal product or product of animal origin, Member States may, following an evaluation of the risks involved, apply national rules, provided those national rules comply with the conditions laid down in paragraph 1.

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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. \(t\)](#)