

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 VII

EMERGENCY MEASURES

Section 2

Emergency measures concerning consignments of animals and products originating from third countries and territories, and means of transport and other material, that may have come into contact with such consignments

Article 260

Emergency measures to be taken by the competent authority

Where the competent authority of a Member State becomes aware of animals or products originating from a third country or territory, or of means of transport or materials, which may have come into contact with such animals and products, that are likely to constitute a serious risk in the Union due to possible infection or contamination by listed diseases or emerging diseases or hazards, it shall:

- (a) immediately take one or more of the following emergency measures necessary to mitigate that risk, depending on the gravity of the situation:
 - (i) destruction of the animals and products concerned;
 - (ii) quarantine of animals and isolation of products;
 - (iii) surveillance and traceability measures;
 - (iv) any disease control measures referred to in Chapter 1 of Title II of Part III (Articles 53 to 71), where appropriate;
 - (v) any other emergency measure which it deems appropriate to prevent the spread of the disease or hazard into the Union;
- (b) immediately inform the Commission and the other Member States of the risks associated with the animals and products in question and of the origin of those animals and products by means of Traces, and without delay of the emergency measures taken pursuant to point (a).

Article 261

Commission emergency measures

1 Where a listed disease, an emerging disease or a hazard that is likely to constitute a serious risk occurs or spreads in a third country or territory, or if any other serious animal or public health reason so warrants, the Commission may, by means of an implementing act

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) 2016/429 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

and acting on its own initiative or at the request of a Member State, adopt one or more of the following emergency measures, depending on the gravity of the situation:

- a suspend the entry into the Union of consignments of animals and products, and means of transport or other material, that may have come into contact with such consignments, which may spread that disease or hazard into the Union;
- b establish special requirements for the entry into the Union of animals and products, and of means of transport and other material that may have come into contact with such animals and products, which may spread that disease or hazard into the Union;
- c take any other appropriate emergency disease control measures to prevent the spread of such disease or hazard into the Union.

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 serious risks, the Commission shall, after consulting the Member State concerned, adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 266(3).

Article 262

Emergency measures to be taken by Member States when the Commission does not act

1 Where a Member State has requested the Commission to take emergency measures in accordance with Article 261 and the Commission has not done so, that Member State:

- a may, pending the adoption of emergency measures by the Commission in accordance with paragraph 2 of this Article, take one or more of the emergency measures referred to in point (a) of Article 260 on an interim basis in respect of animals and products, and any means of transport and other material that may have come into contact with such animals and products, originating from the third country or territory referred to in Article 261(1), depending on the gravity of the situation within its territory;
- b shall inform the Commission and the competent authorities of the other Member States of such emergency measures without delay, giving the reason for their adoption.

2 The Commission shall review the situation and the emergency measures taken by the Member State concerned in accordance with paragraph 1 of this Article and shall, where necessary, adopt by means of an implementing act one or more of the emergency measures provided for in Article 261.

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

3 On duly justified imperative grounds of urgency relating to serious risks, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 266(3).

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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. \(t\)](#)