Commission Implementing Decision of 21 December 2011 amending Annexes II and IV to Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (notified under document C(2011) 9518) (Text with EEA relevance) (2011/879/EU)

COMMISSION IMPLEMENTING DECISION

of 21 December 2011

amending Annexes II and IV to Council Directive 2009/158/ EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs

(notified under document C(2011) 9518)

(Text with EEA relevance)

(2011/879/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁽¹⁾, and in particular Article 34 thereof,

Whereas:

- (1) Directive 2009/158/EC lays down animal health conditions governing intra-Union trade in, and imports from third countries of, poultry and hatching eggs. Annex II thereto sets out the rules for the approval of establishments for the purposes of intra-Union trade in those commodities and surveillance programmes to be carried out for certain diseases in the different poultry species. Annex IV to Directive 2009/158/EC lays down the model veterinary certificates for trade within the Union of the poultry commodities covered by that Directive.
- (2) Annex II to Directive 2009/158/EC, as amended by Commission Decision 2011/214/ EU⁽²⁾, sets out the diagnostic procedures for *Salmonella* and *Mycoplasma*.
- (3) Chapter III of Annex II to Directive 2009/158/EC lays down the minimum requirements for disease surveillance programmes. That Chapter provides a description of the testing procedures for *Salmonella* pullorum and *Salmonella* gallinarum. It is however necessary to provide for certain additional specific details as regards the testing for *Salmonella arizonae*.
- (4) In addition, box I.31. in Part I of the model veterinary certificate for day-old chicks set out in Annex IV to Directive 2009/158/EC includes a requirement to fill in detailed information in relation to the identification of the commodities covered by it.

- (5) That requirement provides valuable information on the health status of the parent flock(s) from which the day-old chicks originate, in particular with respect to testing for certain *Salmonella* serotypes. However, certain of those data requirements appear to pose unnecessary administrative burdens on business operators, especially in view of the unpredictability of hatch. In addition, certain data required to be filled in that box is filled in other parts of the certificate.
- (6) Those entries should therefore be deleted from box 1.31. in the model veterinary certificates for hatching eggs, day-old chicks and breeding and productive poultry and be replaced by the entry 'Approval number' which would provide clearer information on the origin of the respective commodities. Part I of the notes in Part II of those model certificates should therefore be amended accordingly.
- (7) Annex IX to Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements⁽³⁾ sets out the specific conditions which apply to imports of ratites for breeding and production, hatching eggs and day-old chicks thereof.
- (8) Point 3 of Part II of that Annex, as amended by Commission Implementing Regulation (EU) No 1380/2011⁽⁴⁾, provides that, where day-old chicks are not reared in the Member State which imported the hatching eggs, they are to be transported directly to the final destination and kept there for at least three weeks from the date of hatching. That requirement should be reflected in the relevant model veterinary certificate for day-old chicks laid down in Annex IV to Directive 2009/158/EC. That model certificate should therefore be amended accordingly.
- (9) Directive 2009/158/EC should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Annexes II and IV to Directive 2009/158/EC are amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from 1 February 2012.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2011.

For the Commission

John DALLI

Member of the Commission

Changes to legislation: Commission Implementing Decision of 21 December 2011 amending Annexes II and IV to Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (notified under document C(2011) 9518) (Text with EEA relevance) (2011/879/EU) is up to date with all changes known to be in force on or before 14 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX

Annexes II and IV to Directive 2009/158/EC are amended as follows:

- (1) in Annex II, Chapter III, point A.2 is amended as follows:
 - (a) note (**) is replaced by the following:
 - (**) Note that environmental samples are generally not suitable for reliable detection of *Salmonella pullorum* and *Salmonella gallinarum*, but are suitable for *Salmonella arizonae.*;
 - (b) note (****) is replaced by the following:
 - (****) Salmonella pullorum and Salmonella gallinarum do not readily grow in the modified semi-solid Rappaport Vassiliadis (MSRV) medium that is used for monitoring of zoonotic Salmonella spp. in the Union, but it is suitable for Salmonella arizonae.;
- in Annex IV, models 1, 2 and 3 are replaced by the following: MODEL 1

EURO	OPEA	N UNION							Intra-Union tra	ade certificate
	l.1.	Consignor		1.2.	I.2. Certificate reference No I.2.a. Local reference No					
		Name Address				I.3. Central competent authority				
		Postal code	1.4.	Local co	mpetent author	rity				
presented	1.5.	Consignee Name		1.6.						
pres		Address	17	***************************************						
nent		Postal code			1.7.					
f consignment	1.8.	Country ISO code of origin	Code	I.10.	Country destinati		ode I.	11. Region of destination	Code	
ils of	1.12.	Place of origin	•		I.13.	Place of	destination			
l: Details		Holding		Holding	☐ Establi	shment	Appro	ved body 🗌		
Part I:		Name Address		Name Approval number Address						
		Postal code				Postal co	ode			
	1.14.	Place of loading	1.15.	Date and	d time of depar	ture				
		Postal code								
	I.16.	Means of transport	1.17.	Transpor	ter					
		Aeroplane Ship Railway wagon					Name Approval number Address			
		Road vehicle Other Identification				Postal c	ode		Member State	
	I.18.	Description of commodity	y			I.19. Commodity code (HS code) 04.07				
								1.20.	Quantity	
	I.21.							1.22. 1	Number of packages	S
	1.23.	Seal/Container No						1.24.		
	1.25.	Commodities certified for	r:							
		Breeding [Approved bo				Ot	ther	
	1.26.	Transit through third cou	ntry		1.27.	Transit t	hrough Member	r States	;	
		Third country	ISO code			Member			ISO code	
		Exit point Entry point	Code BIP No			Member Member			ISO code ISO code	
	1.00		BIF NO		1.29.		State		130 code	
	1.20.	Export Third country ISO code								
		Exit point	Code							
	1.30.									
	1.31.	Identification of the comm	modities							
		Species (Scientific name)	Category	Ap	proval	number		Identific	eation	Age

EUF	EUROPEAN UNION Hatching eggs											
	II.	Health information II.a. Certificate reference No II.b.										
	II.1.	Ani	mal hea	alth attestation								
		I, th	e under	rsigned official veterinarian, certify that the hatching egg	gs described above:							
e e		(a) comply with										
ficati	(¹)	either [the provisions of Articles 6, 8 and 18 of Council Directive 2009/158/EC]										
Certi	(¹) (²)	or [the provisions of Article 6(a)(i),(ii) and (b), and Articles 8 and 18 of Council Directive 2009/158/EC];										
Part II: Certification	(3)	(b) comply with the provisions of Article 15(1)(a) of Council Directive 2009/158/EC.										
<u> </u>	(⁴)	(c)	(c) comply with the provisions of Commission Decision(s)//EU concerning additional guarantees with regard to									
(d) come from poultry which:												
	(¹)		either	[have not been vaccinated against Newcastle disease	:]							
	(¹)		or	[have been vaccinated against Newcastle disease using	-							
				(name and type (live or inactivated) of Newcastle dise								
				On (date) at the age of	weeks].							
	II.2.	Pub	lic hea	Ith attestation								
		I, th	e under	rsigned official veterinarian, certify that the hatching egg	gs described above:							
	(⁵)	(a)		from a flock which has been tested for <i>Salmonella</i> seroty 1003 of the European Parliament and of the Council.	pes with public health significance in a	ccordance with Regulation (EC) No						
			Date o	of last sampling of the flock from which the testing result	It is known:							
			Result	of all testing in the flock:								
	(1) (6)		either	[positive;]								
	(¹) (⁶)		or	[negative]								
	(⁵)	(b)	and, n	either Salmonella enteritidis nor Salmonella typhimuriur	m were detected with the control prog	gramme referred to in point II.2(a).						
	II.3.	Add	litional	health information								
	(¹)	II.3.	1. This	consignment complies with the animal health condition	ns laid down in Commission Decision	2006/415/EC.						
	(¹)	II.3.	2. This	consignment complies with the animal health condition	ns laid down in Commission Decision	2006/563/EC.						
	(¹) (⁷)	II.3.		consignment complies with the animal health condition inst avian influenza.	ns laid down in Commission Decision	//EU in relation to vaccination						
	Notes											
	Part I:											
	Box I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship)											
	Box I.	31:	Categoi	ry: select one of the following: pure line/grandparents/pa	arents/laying pullets/fattening/others.							
			Approva	al number: indicate the number(s) of the approved esta	blishment(s) of the parent flock(s).							
			Identific	eation: indicate the identification details of parent flock a	and brand name.							
	Age: provide the date of collection.											

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EUROPEAN UNION Hatching eggs								
II. Health information II.a. Certificate reference No II.b.								
Part II:								
1) Keep as appropriate.								
(2) Only applicable if II.3.1. or II.3.2. are complied with.								
(3) To certify in case of dispatch to a Member State, which has an EU-approved non-vaccinating status for Newcastle disease; currently: Finland and Sweden. Otherwise delete reference.								
(4) Complete if appropriate.								
(5) The guarantees under II.2 only apply to poultry belonging to the spe	cies of Gallus gallus or turkeys.							
(e) If any of the results were positive during the life of the breeding flock hadar, indicate as positive.	(6) If any of the results were positive during the life of the breeding flock of Gallus gallus for Salmonella infantis, Salmonella virchow or Salmonella hadar, indicate as positive.							
(7) Only applicable for Member States which carry out vaccination again	nst avian influenza according to an EU-a	pproved vaccination plan.						
The colour of the stamp and signature must be different from the	at of the other particulars in the certificate	э.						
Official veterinarian or official inspector								
Name (in capital letters):	Quali	fication and title:						
Local veterinary unit: LVU No:								
Date: Signature:								
Stamp:								

MODEL 2

ANNEX

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EURO	PEA	N UNION		Intra-Union trade certificate						
	l.1.	Consignor			I.2. Certificate reference No I.2.a. Local reference No					ence No
		Name Address			1.3.	I.3. Central competent authority				
		Postal code		1.4.	I.4. Local competent authority					
presented	1.5.	Consignee Name Address	1.6.	I.6. No(s) of related original certificates No(s) of accompanying documents			ying			
ent		Postal code	1.7.	1.7.						
consignment presented	1.8.	Country of origin	I.9. Region of origin	Code		Country of destination		de I.	11. Region of destination	Code
s of	I.12.	Place of origin			1.13.	Place of de	estination			
etai		Holding		Holding Establishment Approved body						
Part I: Details		Name Address		Name Approval number Address						
		Postal code		Postal cod	le					
	1.14.	Place of loading			1.15.	Date and t	time of depart	ure		
		Postal code		I.15. Date and time of departure						
	I.16.	Means of transport	I.17. Transporter							
		Aeroplane S	Name Approval number Address							
		Identification		Postal cod	le		Member State			
	I.18.	Description of commodity	I.19. Commodity code (HS code)							
					I.20. Quantity					
	I.21.							1.22.	Number of packages	i
	1.23.	Seal/Container No				1.24.				
	1.25.	Commodities certified for:								
		Breeding [] ,	Approved bo	ody 🔲			0	ther	
	1.26.	Transit through third coun	ntry		1.27.	Transit thro	ough Member	States	•	
		Third country	ISO code			Member S			ISO code	
		Exit point Entry point	Code BIP No			Member S Member S			ISO code ISO code	
	1.28.	Export			1.29.					
		Third country ISO code					_			
		Exit point								
	1.30.									
	I.31.	Identification of the comm	nodities							
		Species (Scientific name)	Category	Ар	proval	number	I	dentific	eation	Age

EU	UROPEAN UNION Day-old chick												
	II.	Hea	alth inform	matic	n	II.a. Certificate reference No	II.b.						
	II.1.	Ani	mal hea	ılth a	attestation								
		I, th	the undersigned official veterinarian, certify that the day-old chicks described above:										
tion		(a)	comply	comply with									
rtifica	(1)		either (i) [the provisions of Articles 6, 9 and 18 of Council Directive 2009/158/EC]										
Part II: Certification	(1) (2)		or	or [the provisions of Article 6(a)(i), (ii) and (b), and Articles 9 and 18 of Council Directive 2009/158/EC];									
	(¹) (³)		or	or (ii) [if derived from hatching eggs imported according to the requirements of Model HEP or HER of Commission Regulation (EC) No 798/2008, with the provisions of Article 6(a) and Article 9(b) and (c) of Council Directive 2009/158/EC]									
	(1) (2)	(³)	or	or [if derived from hatching eggs imported according to the requirements of Model HEP or HER of Commission Regulation (EC) No 798/2008, with the provisions of Article 6(a)(i), (ii) and Article 9(b) and (c) of Council Directive 2009/158/EC].									
L	(⁴)	(b)	comply	with	Article 15(1)(b) of Council Directive 2009/158/EC								
_	(5)	(c) comply with the provisions of Commission Decision(s)//EU concerning additional guarantees with regard to											
	(1)	(d)	either	[ha	ve not been vaccinated against Newcastle disease	e;]							
	(1)		or	[ha	ve been vaccinated against Newcastle disease us								
				(na	me and type (live or inactivated) of Newcastle dis								
on(date)].													
		(e)	come f	rom	poultry which:								
	(¹)		either	[ha	ve not been vaccinated against Newcastle disease	e;]							
	(1)		or	[ha	ve been vaccinated against Newcastle disease us	_							
				(na	ame and type (live or inactivated) of Newcastle dis-	ease virus strain used in vaccine(s))							
	on (date)].												
	(⁶)	(f) for introduction into flocks of breeding poultry or flocks of productive poultry come from flocks which have been tested with negresults according to the rules laid down in Commission Decision 2003/644/EC.											
	II.2.	Pub	olic heal	lth a	ttestation								
		I, the undersigned official veterinarian, certify that the day-old chicks described above:											
	(7) (a) come from a flock which has been tested for Salmonella serotypes with public health significance in accordance with Regula No 2160/2003 of the European Parliament and of the Council.												
Date of last sampling of the flock from which the testing result is known: Result of all testing in the flock:													
									(1) (8)		either	[posi	tive;]
	(¹) (⁸)		or	[nega	ative]								
	(7)	(b)) and, if intended for breeding, neither Salmonella enteritidis nor Salmonella typhimurium were detected within the control programme referred to in point II.2(a).										

ANNEX

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EURC	Day-old chicks								
II.	Health	information	II.a. Certificate reference No	II.b.					
II.3.	3. Additional health information								
(¹) (⁸	(8) II.3.1. The consignment complies with the animal health conditions laid down in Commission Decision//EU in relation to protection measures concerning highly pathogenic avian influenza of another subtype than H5N1.								
(¹)	ı	II.3.2. This consignment complies with the animal health co	onditions laid down in Commission Decis	sion 2006/415/EC.					
(¹) (⁹) I	II.3.3. This consignment complies with the animal health vaccination against avian influenza.	conditions laid down in Commission E	Decision//EU in relation to					
Note	es								
Part	l:								
Вох	I.6: No((s) of accompanying animal health certificates.							
Вох	I.16: Reg	gistration number (railway wagons or container and lorries),	flight number (aircraft) or name (ship).						
Вох	I.19: Use	e the appropriate HS codes: 01.05, 01.06.39.							
Вох	I.31: Cat	regory: select one of the following: pure line/grandparents/pa	arents/laying pullets/fattening/others.						
	App	proval number: indicate the number(s) of the approved estate	blishment(s) of the parent flock(s).						
	Idei	ntification: indicate the identification details of parent flock a	nd brand name.						
	Age	e: provide date hatched.							
Part	II:								
(¹) F	Keep as a	appropriate.							
(²) (Only appli	cable if II.3.1.or II.3.2. is complied with.							
r	espected	ases where day-old chicks come from eggs imported from a t as foreseen in Part II of Annex VIII to Commission Regulation d chicks must be informed through the TRACES system ab	on (EC) No 798/2008. The competent au						
		in case of dispatch to a Member State, which has an EU-apen. Otherwise delete reference.	pproved non-vaccinating status for Newc	eastle disease; currently: Finland					
(5) (Complete	if appropriate.							
(⁶) 1	To certify	for consignments to Finland and Sweden. Otherwise delete	reference.						
(7)	The guara	intees under II.2. only apply to poultry belonging to the spec	cies of Gallus gallus or turkeys.						
(⁸) l	f any of th	he results were positive for the serotypes below during the	life of the flock, indicate as positive.						
F	locks of	breeding poultry of Gallus gallus: Salmonella hadar, Salmon	nella virchow and Salmonella infantis.						
F	locks of	productive poultry: Salmonella enteritidis and Salmonella typ	ohimurium.						
(⁹) (Only appli	cable for Member States which carry out vaccination agains	st avian influenza according to an EU-ap	pproved vaccination plan.					
-	The colour of the stamp and signature must be different from that of the other particulars in the certificate.								
Offic	ial veterin	narian or official inspector							
1	Name (in	capital letters):	Qualif	ication and title:					
ι	ocal vete	rinary unit:	LVU	No:					
[Date:		Signa	ture:					
8	Stamp:								

EURC	PEA	N UNION						Intra-Union trade	certificate	
	l.1.	Consignor		1.2.	I.2. Certificate reference No I.2.a. Local reference				e No	
		Name Address			I.3. Central competent authority					
		Postal code	1.4.	I.4. Local competent authorityy						
consignment presented	1.5.	Consignee	1.6.							
rese		Name								
nt p		Address	1.7.	17						
nme		Postal code								
nsig	1.8.	Country ISO coo	le I.9. Region of origin	Code	I.10.	Country of destination	ISO cod	le I.11	Region of destination	Code
ils of	l.12.	Place of origin	•		I.13.	Place of destin	nation	•		
Part I: Details		Holding	Establishment		Holding ☐ Establishment ☐ Approved body ☐					
Ξ.		Name		Name Approval number						
Par		Address			Address					
		Postal code			Postal code					
	l.14.	Place of loading	I.15.	I.15. Date and time of departure						
		Postal code								
	I.16.	Means of transport	1.17.	Transporter						
		Aeroplane	Ship Railway	wagon 🔲		Name Address			Approval number	
		Road vehicle Other Identification I.18. Description of commodity				Postal code Member State				
						I.19. Commodity code (HS code)				
	I.18.					1.19.	Commodi	ty code	(HS code)	
								I.20. Q	uantity	
	I.21.							I.22. N	umber of packages	
	1.23.	Seal/Container No						1.24.		
	1.25.	Commodities certified	for:							
		Breeding		Approved be	ody 🗀	dy Other O			er 🗌	
	1.26.	Transit through third o	ountry		1.27.	Transit through	h Member	er States		
		Third country	ISO code			Member State		ISO code		
		Exit point Entry point	Code BIP No			Member State Member State			ISO code ISO code	
	1.28.	Export			1.29.					
		Third country	ISO code	_						
		Exit point	Code							
	1.30.									
	I.31. Identification of the commodities									
		Species (Scientific name)	Category			Approval nu	ımber		Identification	

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E	UR	OPEA	ΝŲ	NION			Breeding and productive poultry						
		II.	Hea	alth infor	rmation	II.a. Certificate reference No	II.b.						
		II.1.	Animal health attestation										
			I, th	ne under	rsigned official veterinarian, certify that the poultry desc	ribed above:							
	5		(a)	comply	with the provisions of Articles 6, 10 and 18 of Council	il Directive 2009/158/EC.							
	ificati	(¹)	(b) comply with Article 15(1)(c) of Council Directive 2009/158/EC.										
	Part II: Certification	(²)	(c) comply with the provisions of Commission Decision(s)//EU concerning additional guarantees with regard to										
	Part	(³)	(d) either [have not been vaccinated against Newcastle disease;]										
		(³)		or	[have been vaccinated against Newcastle disease usi								
			(name and type (live or inactivated) of Newcastle disease virus strain used in vaccine(s)) on (date) at the age of										
		(⁴)	(e)	the bre	eeding poultry has been tested with negative results a	according to the rules laid down in C	Commission Decision 2003/644/EC.						
		(³)	(f)		ing hens (productive poultry reared with the view to ping to the rules laid down in Commission Decision 200		been tested with negative results						
		II.2.	Put	olic hea	Ith attestation								
			I, th	ne under	rsigned official veterinarian, certify that the poultry desc	ribed above:							
		(⁵)	(a) come from a flock which has been tested for Salmonella serotypes with public health significance in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council.										
		Date of last sampling of the flock from which the testing result is known:											
				Result									
		(³) (⁶)		either	[positive;]								
		(³) (⁶)		or	[negative]								
		(⁵)	(b)		intended for breeding, neither Salmonella enteritidis nd to in point II.2(a).	or Salmonella typhimurium were dete	cted within the control programme						
		II.3.	Add	ditional	health information								
		(¹) (⁷)	II.3.		consignment complies with the animal health condition nst avian influenza.	ns laid down in Commission Decision	//EU in relation to vaccination						
		Notes											
		Part I	:										
	Box I.16: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship). Box I.19: Use the appropriate HS codes: 01.05, 01.06.39. Box I.31: Category: select one of the following: pure line/grandparents/parents/laying pullets/fattening/others.												
Approval number: indicate the number(s) of the approved establishment(s) of origin. Identification: indicate the identification details of flock of origin and brand name.													
		Part I	l:										
		(1) To certify in case of dispatch to a Member State, which has an EU-approved non-vaccinating status for Newcastle disease; currently: Fin and Sweden. Otherwise delete reference.											

EU	ROPEAN UNION	Br	eeding and productive poultry						
II.	Health information	II.a. Certificate reference No	II.b.						
(2)	Complete if appropriate.								
(3)	(3) Keep as appropriate.								
(4)	(4) To certify for consignments to Finland and Sweden. Otherwise delete reference.								
(5)	(5) The guarantees under II.2. only apply to poultry belonging to the species of Gallus gallus or turkeys.								
(6)	If any of the results were positive for the serotypes below during the	life of the flock, indicate as positive.							
	Flocks of breeding poultry of Gallus gallus: Salmonella hadar, Salmo	nella virchow and Salmonella infantis.							
	Flocks of productive poultry: Salmonella enteritidis and Salmonella ty	phimurium.							
(7)	Only applicable for Member States which carry out vaccination again	nst avian influenza according to an EU-ap	proved vaccination plan.						
	— The colour of the stamp and signature must be different from that	t of the other particulars in the certificate							
Of	ficial veterinarian or official inspector								
	Name (in capital letters):	Qualif	ication and title:						
	Local veterinary unit:	LVU	No:						
	Date: Signature:								
	Stamp:								

- (1) OJ L 343, 22.12.2009, p. 74.
- (2) OJ L 90, 6.4.2011, p. 27.
- (**3**) OJ L 226, 23.8.2008, p. 1.
- (4) See page 25 of this Official Journal.

Changes to legislation:

Commission Implementing Decision of 21 December 2011 amending Annexes II and IV to Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (notified under document C(2011) 9518) (Text with EEA relevance) (2011/879/EU) is up to date with all changes known to be in force on or before 14 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

Decision implicit repeal by EUR 2016/429 Regulation