

ANNEX VI

SPECIAL RULES ON RESEARCH, FEEDING AND COLLECTION AND DISPOSAL

CHAPTER II

SPECIAL FEEDING RULES

Section 1

General requirements

Category 2 and 3 materials as referred to in Article 18(1) of Regulation (EC) No 1069/2009 may be fed to the animals referred to in paragraph (1)(a), (d), (f), (g) and (h) of that Article subject to compliance with at least the following conditions, in addition to any conditions laid down by the competent authority in accordance with Article 18(1) of that Regulation:

1. The animal by-products shall be transported to the users or to collection centres in accordance with Sections 1 and 3 of Chapter I of Annex VIII.
2. Collection centres shall be registered by the competent authority, provided that:
 - (a) they comply with the requirements for plants carrying out the intermediate operations set out in Chapter II of Annex IX; and
 - (b) they have adequate facilities for destroying unused material, or send it to an approved processing plant or to an approved incineration or co-incineration plant in accordance with this Regulation.
3. Member States may authorise the use of a processing plant for Category 2 material as a collection centre.
4. Operators of collection centres supplying material, other than animal by-products originating from aquatic animals and from aquatic invertebrates, to final users must ensure that it undergoes one of the following treatments:
 - (a) denaturing with a solution of a colouring agent; the solution must be of such a strength that the colouring on the stained material is clearly visible and does not disappear when the coloured materials are subject to freezing or chilling, and the whole surface of all pieces of material must have been covered with such solution either by immersing the material in, or spraying or otherwise applying the solution;
 - (b) sterilisation by boiling or steaming under pressure until every piece of material is cooked throughout; or
 - (c) any other handling or treatment authorised by the competent authority responsible for the operator.

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Section 2

Feeding of certain species in feeding stations

1. The competent authority may authorise the use of Category 1 material referred to in Article 18(2)(b) of Regulation (EC) No 1069/2009 for the feeding of the following endangered and protected species in feeding stations under the following conditions:

(a) The material must be fed to:

(i) one of the following species of necrophagous birds in the following Member States:

Member State	Animal species
Bulgaria	bearded vulture (<i>Gypaetus barbatus</i>) black vulture (<i>Aegypius monachus</i>) Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>) imperial eagle (<i>Aquila heliaca</i>) white-tailed eagle (<i>Haliaeetus albicilla</i>) black kite (<i>Milvus migrans</i>) red kite (<i>Milvus milvus</i>)
Greece	bearded vulture (<i>Gypaetus barbatus</i>) black vulture (<i>Aegypius monachus</i>) Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>) imperial eagle (<i>Aquila heliaca</i>) white-tailed eagle (<i>Haliaeetus albicilla</i>) black kite (<i>Milvus migrans</i>)
Spain	bearded vulture (<i>Gypaetus barbatus</i>) black vulture (<i>Aegypius monachus</i>) Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>) Spanish imperial eagle (<i>Aquila adalberti</i>) black kite (<i>Milvus migrans</i>) red kite (<i>Milvus milvus</i>)
France	bearded vulture (<i>Gypaetus barbatus</i>) black vulture (<i>Aegypius monachus</i>)

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	Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>) white-tailed eagle (<i>Haliaeetus albicilla</i>) black kite (<i>Milvus migrans</i>) red kite (<i>Milvus milvus</i>)
Italy	bearded vulture (<i>Gypaetus barbatus</i>) black vulture (<i>Aegypius monachus</i>) Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>) black kite (<i>Milvus migrans</i>) red kite (<i>Milvus milvus</i>)
Cyprus	black vulture (<i>Aegypius monachus</i>) griffon vulture (<i>Gyps fulvus</i>)
Portugal	black vulture (<i>Aegypius monachus</i>) Egyptian vulture (<i>Neophron percnopterus</i>) griffon vulture (<i>Gyps fulvus</i>) golden eagle (<i>Aquila chrysaetos</i>)
Slovakia	golden eagle (<i>Aquila chrysaetos</i>) imperial eagle (<i>Aquila heliaca</i>) white-tailed eagle (<i>Haliaeetus albicilla</i>) black kite (<i>Milvus migrans</i>) red kite (<i>Milvus milvus</i>)

- (ii) one of the species of the order Carnivora which are listed in Annex II to Directive 92/43/EEC, in special areas of conservation which have been set up under that Directive; or
 - (iii) one of the species of the orders Falconiformes or Strigiformes, which are listed in Annex I to Directive 2009/147/EC, in special protection areas which have been set up under that Directive;
- (b) The competent authority has granted an authorisation to the operator responsible for the feeding station.

The competent authority shall grant such authorisations provided that:

- (i) the feeding is not used as an alternative way of disposal of specified risk materials or the disposal of fallen ruminant stock containing such material posing a TSE risk;
- (ii) an appropriate surveillance system for TSEs as laid down in Regulation (EC) No 999/2001 is in place involving regular laboratory testing of samples for TSE;

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- (c) The competent authority must ensure coordination with any other competent authorities responsible for the supervision of the requirements laid down in the authorisation;
 - (d) The competent authority must be satisfied, on the basis of an assessment of the specific situation of the species concerned and their habitat, that the conservation status of the species will be improved;
 - (e) The authorisation granted by the competent authority must:
 - (i) refer to and name the species actually concerned;
 - (ii) describe in detail the location of the feeding station in the geographical area where feeding shall take place; and
 - (iii) be immediately suspended in the case of:
 - a suspected or confirmed link to the spread of TSE until the risk can be excluded, or
 - non-compliance with any of the rules provided for in this Regulation.
 - (f) The operator responsible for the feeding shall:
 - (i) dedicate an area to the feeding that is enclosed and to which access is limited to animals of the species to be conserved, if appropriate by fences or by other means which correspond to the natural feeding patterns of those species;
 - (ii) ensure that eligible bodies of bovine animals and at least 4 % of eligible bodies of ovine and caprine animals intended to be used for feeding are tested prior to that use with a negative result, in the TSE monitoring programme carried out in accordance with Annex III to Regulation (EC) No 999/2001 and, if applicable, in accordance with a Decision adopted in accordance with the second subparagraph of Article 6(1b) of that Regulation; and
 - (iii) keep records at least of the number, nature, estimated weight and origin of the carcasses of the animals used for feeding, the date of the feeding, the location where feeding took place and if applicable, the results of the TSE tests.
2. When a Member State applies to the Commission to be included into the list set out under point 1(a), it shall submit:
- (a) a detailed justification for the extension of the list to include certain species of necrophagous birds in that Member State, including an explanation of the reasons why it is necessary to feed such birds with Category 1 material instead of with Category 2 or Category 3 material;
 - (b) an explanation of the measures which will be taken in order to ensure compliance with point 1.

Section 3

Feeding of wild animals outside feeding stations

The competent authority may authorise the use of Category 1 material comprising of entire bodies or parts of dead animals containing specified risk materials outside feeding stations, if

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appropriate without prior collection of the dead animals, for feeding to wild animals referred to in point 1(a) of Section 2 under the following conditions:

1. The competent authority must be satisfied, on the basis of an assessment of the specific situation of the species concerned and their habitat, that the conservation status of the species will be improved;
2. The competent authority must identify in the authorisation, holdings or herds within a geographically defined feeding zone under the following conditions:
 - (a) The feeding zone must not extend to areas where intensive farming of animals takes place;
 - (b) Farmed animals in holdings or herds in the feeding zone must be under the regular surveillance of an official veterinarian regarding the prevalence of TSE and of diseases transmissible to humans or animals;
 - (c) Feeding must be immediately suspended in the case of:
 - (i) a suspected or confirmed link to the spread of TSE in a holding or herd, until the risk can be excluded;
 - (ii) a suspected or confirmed outbreak of a serious disease transmissible to humans or animals in a holding or herd, until the risk can be excluded; or
 - (iii) non-compliance with any of the rules provided for in this Regulation;
 - (d) The competent authority must specify in the authorisation:
 - (i) appropriate measures to prevent the transmission of TSE and of transmissible diseases from the dead animals to humans or other animals, such as measures targeted at the feeding patterns of the species to be conserved, seasonal feeding restrictions, movement restrictions for farmed animals and other measures intended to control possible risks of transmission of a disease communicable to humans or animals, such as measures relating to species present in the feeding zone for the feeding of which the animal by-products are not used;
 - (ii) the responsibilities of persons or entities in the feeding zone who are assisting with the feeding or responsible for farmed animals, in relation to the measures referred to under point (i);
 - (iii) the conditions for the imposition of penalties as referred to in Article 53 of Regulation (EC) No 1069/2009 which are applicable to infringements of measures referred to under point (i) by the persons or entities referred to under point (ii) of this point (d);
 - (e) Where the feeding is carried out without the prior collection of the dead animals, an estimate of the likely mortality rate of farmed animals in the feeding zone and of the likely feeding requirements of the wild animals must be carried out, as a basis for the assessment of the potential risks of disease transmission.

Section 4

Feeding of zoo animals with Category 1 material

The competent authority may authorise the use of Category 1 material comprising of entire bodies or parts of dead animals containing specified risk materials and the use of material derived from zoo animals, for the feeding of zoo animals under the following conditions:

- (a) The competent authority must have granted an authorisation to the operator responsible for the feeding. The competent authority shall grant such authorisations provided that:
 - (i) the feeding is not used as an alternative way of disposal of specified risk materials or disposal of fallen ruminant stock containing such material posing a TSE risk;
 - (ii) when Category 1 material comprising of entire bodies or parts of dead animals containing specified risk material, which originates from bovine animals is used, an appropriate surveillance system for TSEs as laid down in Regulation (EC) No 999/2001 is in place involving regular laboratory testing of samples for TSEs;
- (b) The authorisation granted by the competent authority must be immediately suspended in the case of:
 - (i) a suspected or confirmed link to the spread of TSEs until the risk can be excluded; or
 - (ii) non-compliance with any of the rules provided for in this Regulation;
- (c) The operator responsible for the feeding shall:
 - (i) store the material to be used for the feeding and carry out the feeding in an enclosed and fenced area to ensure that no carnivorous animal other than the zoo animals for which the authorisation has been granted have access to the material for the feeding;
 - (ii) ensure that ruminant animals intended to be used for feeding are included in the TSE monitoring programme carried out in accordance with Annex III to Regulation (EC) No 999/2001 and, if applicable, in accordance with a Decision adopted in accordance with the second subparagraph of Article 6(1b) of that Regulation;
 - (iii) keep records at least of the number, nature, estimated weight and origin of the bodies of the animals used for feeding, the results of the TSE tests and the date of the feeding.