

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 IX

TRANSITIONAL AND FINAL PROVISIONS

Article 278

Amendments to Regulation (EC) No 1760/2000

Regulation (EC) No 1760/2000 is amended as follows:

- (1) Articles 1 to 10 are deleted;
- (2) Article 22 is replaced by the following:

Article 22

 - 1 Member States shall take all the necessary measures to ensure compliance with the provisions of this Regulation.

The controls provided for shall be without prejudice to any controls which the Commission may carry out pursuant to Article 9 of Regulation (EC, Euratom) No 2988/95.

Any penalties imposed by the Member State on an operator or organisation marketing beef shall be effective, dissuasive and proportionate.
 - 2 Notwithstanding paragraph 1, where operators and organisations marketing beef have labelled beef without complying with their obligations laid down in Title II, Member States shall, as appropriate, and in accordance with the principle of proportionality, require the removal of the beef from the market. In addition to the penalties referred to in paragraph 1, Member States may:
 - a if the meat concerned conforms with relevant veterinary and hygiene rules, authorise that such beef:
 - (i) be placed on the market after being properly labelled in accordance with Union requirements; or
 - (ii) be sent directly for processing into products other than those indicated in point 1 of Article 12;
 - b order the suspension or withdrawal of the approval of the operators and organisations concerned.
 - 3 Experts from the Commission, in conjunction with the competent authorities, shall:
 - a verify that Member States comply with the requirements of this Regulation;
 - b make on-the-spot checks to ensure that the checks are carried out in accordance with this Regulation.

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

4 A Member State in whose territory an on-the-spot check is carried out shall provide the experts from the Commission with any assistance they may require in the performance of their tasks. The outcome of the checks made shall be discussed with the competent authority of the Member State concerned before a final report is drawn up and circulated. That report shall, where appropriate, contain recommendations for Member States on the improvement of compliance with this Regulation.;

(3) Article 22b is replaced by the following:

Article 22b

Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions under this Article.

2 The power to adopt delegated acts referred to in Articles 13(6), 14(4) and 15a shall be conferred on the Commission for a period of five years from 20 April 2016. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Articles 13(6), 14(4) and 15a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Articles 13(6), 14(4) and 15a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.;

(4) Article 23 is replaced by the following:

Article 23

Committee procedure

1 The Commission shall be assisted for the implementing acts adopted pursuant to Article 13(6) of this Regulation by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽¹⁾.

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That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽²⁾.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the Committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the Committee so decides or a simple majority of committee members so requests..

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- (1) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([OJ L 31, 1.2.2002, p. 1](#)).
- (2) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).?

Changes to legislation:

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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. \(t\)](#)