

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 IV

REGISTRATION, APPROVAL, TRACEABILITY AND MOVEMENTS

TITLE I

TERRESTRIAL ANIMALS, GERMINAL PRODUCTS AND PRODUCTS OF ANIMAL ORIGIN FROM TERRESTRIAL ANIMALS

CHAPTER 1

Registration, approval, record-keeping and registers

Section 4

Record-keeping

Article 102

Record-keeping obligations of operators of establishments other than germinal products establishments

1 Operators of establishments subject to the requirement of registration in accordance with Article 93, or approval in accordance with Article 97(1), shall keep and maintain records containing at least the following information:

- a the species, categories, number and, where applicable, identification of kept terrestrial animals on their establishment;
- b movements of kept terrestrial animals into and out of their establishment, stating as appropriate:
 - (i) their place of origin or destination;
 - (ii) the date of such movements;
- c the documents required to accompany kept terrestrial animals arriving at or leaving their establishment in accordance with point (b) of Article 112, point (b) of Article 113(1), point (c) of Article 114(1), point (b) of Article 115, point (b) of Article 117, Article 143(1) and (2), Article 164(2) and any rules adopted pursuant to Articles 118 and 120 and points (b) and (c) of Article 144(1);
- d mortality of kept terrestrial animals on their establishment;
- e biosecurity measures, surveillance, treatments, test results and other relevant information as appropriate for:
 - (i) the species and categories of kept terrestrial animals in the establishment;

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- (ii) the type of production;
- (iii) the type and size of the establishment;
- f the results of any animal health visits required in accordance with Article 25(1).

The records shall be kept and maintained in paper or electronic form.

2 Establishments presenting a low risk of spreading listed or emerging diseases may be exempted by the Member State concerned from the requirement to keep records of all or some of the information listed in paragraph 1.

3 Operators of establishments shall keep the records provided for in paragraphs 1 and 2 on their establishment concerned and shall:

- a make them immediately available to the competent authority on request;
- b retain them for a minimum period to be prescribed by the competent authority, which may not be less than three years.

4 By way of derogation from paragraph 3, operators may be exempted from the obligation to keep records of some or all of the matters provided for in paragraph 1 when the operator concerned:

- a has access to the computerised database referred to in Article 109 for the relevant species and the database already contains the information to be included in the records; and
- b has the up-to-date information entered directly into the computerised database.

Article 103

Record-keeping obligations of germinal product establishments

1 Operators of germinal product establishments shall keep and maintain records containing at least the following information:

- a the breed, age, identification and health status of donor animals used for the production of germinal products;
- b the time and place of collection, and the processing and storage, of germinal products collected, produced or processed;
- c the identification of the germinal products together with details of their place of destination, if known;
- d the documents required to accompany germinal products arriving at or leaving the establishment in question in accordance with Article 162 and Article 164(2) and any rules adopted pursuant to Article 162(3) and (4);
- e where relevant, the results of clinical and laboratory tests;
- f laboratory techniques used.

2 Establishments presenting a low risk of spreading listed or emerging diseases may be exempted by the Member State concerned from the requirement to keep records of all or some of the information listed in paragraph 1.

3 Operators of germinal product establishments shall keep the records provided for in paragraphs 1 and 2 on their establishment and:

- a make them immediately available to the competent authority on request;
- b retain them for a minimum period to be prescribed by the competent authority, which may not be less than three years.

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Article 104

Record-keeping obligations of transporters

1 Transporters shall keep and maintain records containing at least the following information:

- a the establishments visited by them;
- b the categories, species and number of kept terrestrial animals transported by them;
- c the cleaning, disinfection and disinfestation of the means of transport used;
- d details of the documents accompanying the animals in question, including their document numbers.

The records shall be kept and maintained in paper or electronic form.

2 Transporters presenting a low risk of spreading listed or emerging diseases may be exempted by the Member State concerned from the requirement to keep records of all or some of the information listed in paragraph 1.

3 Transporters shall keep the records provided for in paragraphs 1 and 2:

- a in such a manner that they can be made immediately available to the competent authority on request;
- b for a minimum period to be prescribed by the competent authority, which may not be less than three years.

Article 105

Record-keeping obligations of operators conducting assembly operations

1 Operators conducting assembly operations subject to the registration requirement laid down in Article 93 shall keep and maintain records containing at least the following information:

- a the species, categories, numbers and identification of kept terrestrial animals under their responsibility;
- b movements of kept terrestrial animals under their responsibility, stating as appropriate:
 - (i) their place of origin and destination;
 - (ii) the date of such movements;
- c the documents required to accompany kept terrestrial animals moved under their responsibility in accordance with point (b) of Article 112, point (b) of Article 113(1), point (c) of Article 114(1), point (b) of Article 115, point (b) of Article 117, Article 143(1) and (2), Article 164(2) and any rules adopted pursuant to Articles 118 and 120 and points (b) and (c) of Article 144(1);
- d mortality of kept terrestrial animals under their responsibility; and
- e biosecurity measures, surveillance, treatments, test results and other relevant information as appropriate for the species and categories of kept terrestrial animals under their responsibility.

The records shall be kept and maintained in paper or electronic form.

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2 Operators whose activities present a low risk of spreading listed or emerging diseases may be exempted by the Member State concerned from the requirement to keep records of all or some of the information listed in paragraph 1.

3 Operators shall:

- a make the records referred to in paragraph 1 available to the competent authority on request;
- b retain those records for a minimum period to be prescribed by the competent authority, which may not be less than three years.

Article 106

Delegation of powers concerning record-keeping

1 The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning rules supplementing the record-keeping requirements provided for in Articles 102, 103, 104 and 105, as regards:

- a information to be recorded in addition to that provided for in Articles 102(1), 103(1), 104(1) and 105(1);
- b additional requirements for record-keeping in respect of germinal products collected, produced or processed in a germinal products establishment after that establishment ceased its activities.

2 When establishing the rules to be laid down in delegated acts as provided for in paragraph 1, the Commission shall base those rules on the following matters:

- a the risks posed by each type of establishment or activity;
- b the species and categories of kept terrestrial animals or germinal products in the establishment concerned, or transported to or from that establishment;
- c the type of production on the establishment or the type of activity;
- d the typical movement patterns and categories of the animals concerned;
- e the number of kept terrestrial animals or volume of germinal products under the responsibility of the operator concerned.

Article 107

Implementing powers concerning exemptions from the record-keeping requirements

The Commission may, by means of implementing acts, lay down rules concerning the types of establishments and operators that may be exempted by Member States from the record-keeping requirements provided for in Articles 102, 103, 104 and 105, as regards:

- (a) establishments keeping, or operators handling or transporting, a small number of kept terrestrial animals or a small volume or number of germinal products;
- (b) species or categories of kept terrestrial animals or germinal products.

When adopting those implementing acts, the Commission shall base those acts on the criteria laid down in Article 106(2).

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

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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. \(t\)](#)