

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 V

ENTRY INTO THE UNION AND EXPORT

CHAPTER 1

Entry into the Union of animals, germinal products and products of animal origin from third countries and territories

Section 4

Entry into the Union of species and categories of animals, germinal products and products of animal origin

Article 234

Animal health requirements for the entry into the Union of species and categories of animals, germinal products and products of animal origin

- 1 The animal health requirements for the entry into the Union of species and categories of animals, germinal products and products of animal origin from third countries or territories shall:
 - a be as stringent as the animal health requirements laid down in this Regulation and in the rules adopted pursuant thereto applicable to movements of the species and categories of animals, germinal products or products of animal origin in question within the Union; or
 - b offer equivalent guarantees to the animal health requirements applicable to the species and categories of animals, germinal products or products of animal origin provided for in Part IV (Articles 84 to 228) of this Regulation.
- 2 The Commission shall adopt delegated acts in accordance with Article 264 concerning the animal health requirements for:
 - a the entry into the Union of species and categories of animals, germinal products and products of animal origin from third countries or territories;
 - b the movement within the Union and handling of those animals, germinal products and products of animal origin after their entry into the Union, where this is necessary in order to mitigate the risk involved.
- 3 Pending the adoption of delegated acts laying down animal health requirements as regards a particular species and category of animal, germinal product or product of animal origin provided for in paragraph 1 of this Article, Member State may, following an evaluation of the risks involved, apply national rules, provided that those rules comply with the requirements laid down in that paragraph and provided that they take into account the matters referred to in Articles 235 and 236.

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

Article 235

Matters to be taken into account in delegated acts provided for in Article 234 with regard to the entry into the Union of animals

The Commission shall take the following matters into account when laying down, in delegated acts as provided for in Article 234(2), animal health requirements for the entry into the Union of particular species and categories of animals:

- (a) the listed diseases referred to in point (d) of Article 9(1) and emerging diseases;
- (b) the health status of the Union concerning the listed diseases referred to in point (d) of Article 9(1) and emerging diseases;
- (c) the listed species with regard to those listed diseases referred to in point (d) of Article 9(1) and emerging diseases;
- (d) the age and sex of the animals concerned;
- (e) the origin of the animals concerned;
- (f) the type of establishment concerned and the type of production at the places of origin and of destination;
- (g) the intended place of destination;
- (h) the intended use of the animals concerned;
- (i) any risk-mitigation measures in place in the third countries or territories of origin or transit, or after the arrival of the animals concerned into the territory of the Union;
- (j) animal health requirements applicable to movements of those animals within the Union;
- (k) other epidemiological factors;
- (l) international animal health trade standards, relevant to the species and categories of those animals.

Article 236

Matters to be taken into account in delegated acts as provided for in Article 234 with regard to the entry into the Union of germinal products and products of animal origin

The Commission shall take the following matters into account when laying down, in delegated acts as provided for in Article 234(2), the animal health requirements for the entry into the Union of germinal products and products of animal origin:

- (a) the listed diseases referred to in point (d) of Article 9(1) and emerging diseases;
- (b) the health status of the animals from which the germinal products or products of animal origin originate and of the Union concerning the listed diseases referred to in point (d) of Article 9(1) and emerging diseases;

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- (c) the type and nature of particular germinal products or products of animal origin, treatments, processing methods and other risk-mitigation measures that have been applied at the places of origin, dispatch of consignment or destination;
- (d) the type of establishment and the type of production at the places of origin and of destination;
- (e) the intended place of destination;
- (f) the intended use of the germinal products or products of animal origin concerned;
- (g) animal health requirements applicable to movements of the germinal products and products of animal origin concerned within the Union;
- (h) other epidemiological factors;
- (i) international animal health trade standards, relevant for the germinal products and products of animal origin in question.

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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. \(t\)](#)