

Commission Implementing Regulation (EU) 2020/2236 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates for the entry into the Union and movements within the Union of consignments of aquatic animals and of certain products of animal origin from aquatic animals, official certification regarding such certificates and repealing Regulation (EC) No 1251/2008 (Text with EEA relevance)

#### *Article 1*

##### **Subject matter and scope**

1 This Regulation lays down rules concerning the animal health certificates provided for in Regulation (EU) 2016/429 and official certification provided for in Regulation (EU) 2017/625 as regards the issuance and replacement of animal health certificates required for the entry into the Union<sup>(1)</sup> and movements within the Union of certain consignments of aquatic animals and of products of animal origin from aquatic animals.

2 It establishes model animal health certificates and a model declaration for the following:

- a model animal health certificates for movements within the Union of consignments of certain categories of aquatic animals and certain products of animal origin from aquaculture animals (Annex I);
- b a model animal health certificate for the entry into the Union of consignments of aquatic animals intended for certain aquaculture establishments, for release into the wild, or for other purposes excluding human consumption (Annex II);
- c a model declaration by the master of vessel: addendum for transport of consignments of certain aquatic animals entering the Union by sea (Annex III).

#### *Article 2*

##### **Definitions**

For the purposes of this Regulation, the following definitions shall apply:

- (1) ‘container’ means container as defined in point (1) of Article 2 of Delegated Regulation (EU) 2020/990;
- (2) ‘well-boat’ means a well-boat as defined in point (2) of Article 2 of Delegated Regulation (EU) 2020/990;
- (3) ‘fishing bait’ means fishing bait as defined in point (4) of Article 2 of Delegated Regulation (EU) 2020/990;
- (4) ‘national measures’ means national measures as defined in point (5) of Article 2 of Delegated Regulation (EU) 2020/990;
- (5) ‘habitat’ means habitat as defined in point (6) of Article 2 of Delegated Regulation (EU) 2020/990;

---

**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

- (6) 'listed third country, territory or zone thereof' means a third country, territory, zone or compartment as defined in point (1) of Article 2 of Delegated Regulation (EU) 2020/692;
- (7) 'disease-free Member State, zone or compartment' means a Member State, zone or compartment as defined in point (7) of Article 2 of Delegated Regulation (EU) 2020/990;
- (8) 'eradication programme' means an eradication programme as defined in point (8) of Article 2 of Delegated Regulation (EU) 2020/990.

### *Article 3*

#### **Completion of animal health certificates for consignments of aquatic animals and products of animal origin from aquatic animals**

- 1 Animal health certificates for the movement within the Union of consignments of aquatic animals and consignments of products of animal origin from aquatic animals, set out in Annex I to this Regulation, shall be duly completed and signed by an official veterinarian in accordance with the explanatory notes provided for in Chapter 2 of Annex I to Implementing Regulation (EU) 2020/2235.
- 2 Animal health certificates for the entry into the Union of consignments of aquatic animals and consignments of products of animal origin from aquatic animals, set out in Annex II to this Regulation, shall be duly completed and signed by an official veterinarian in accordance with the explanatory notes provided for in Chapter 4 of Annex I to Implementing Regulation (EU) 2020/2235.
- 3 Operators responsible for consignments referred to in paragraphs 1 and 2 shall provide the competent authority the information on the description of such consignments as described in Part I of the model animal health certificates set out in Annexes I and II.

### *Article 4*

#### **Requirements for animal health certificates for consignments of aquatic animals and products of animal origin from aquatic animals**

- 1 The official veterinarian shall complete animal health certificates for consignments of aquatic animals and products of animal origin from aquatic animals in accordance with the following requirements:
  - a the animal health certificate must bear the signature of the official veterinarian and the official stamp; the colour of the signature and the colour of stamp, other of an than embossed or watermarked stamp, must be different to the colour of the printing;
  - b where the animal health certificate contains multiple or alternative statements, the statements which are not relevant must be crossed out, initialled and stamped by the official veterinarian, or completely removed from the animal health certificate;
  - c the animal health certificate must consist of one of the following:
    - (i) a single sheet of paper;
    - (ii) several sheets of paper where all sheets are indivisible and constitute an integrated whole;

---

*Changes to legislation:* There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

- (iii) a sequence of pages with each page numbered so as to indicate that it is a particular page in a finite sequence;
  - d where the animal health certificate consists of a sequence of pages as referred to in point (c)(iii), of this paragraph, each page must bear the unique code referred to in Article 89(1)(a) of Regulation (EU) 2017/625, the signature of the official veterinarian and the official stamp;
  - e in the case of animal health certificates for movements of consignments within the Union, the animal health certificate must accompany the consignment until it reaches the place of destination in the Union;
  - f in the case of animal health certificates for the entry into the Union of consignments, the animal health certificate must be presented to the competent authority of the border control post of entry into the Union where the consignment is subjected to official controls;
  - g the animal health certificate must be issued before the consignment to which it relates leaves the control of the competent authority issuing the animal health certificate;
  - h in the case of animal health certificates for the entry into the Union of consignments, the animal health certificate must be drawn up in the official language, or in one of the official languages, of the Member State of the border control post of entry into the Union.
- 2 By way of derogation from paragraph 1(h), a Member State may consent to animal health certificates being drawn up in another official language of the Union, and accompanied, if necessary, by an authenticated translation.
- 3 Points (a) to (e) of paragraph 1 shall not apply to electronic certificates issued in accordance with the requirements of Article 39(1) of Implementing Regulation (EU) 2019/1715.
- 4 Points (b), (c) and (d) of paragraph 1 shall not apply to animal health certificates issued in paper and completed in, and printed from, TRACES.

## *Article 5*

### **Replacement of animal health certificates for consignments of aquatic animals and products of animal origin from aquatic animals**

- 1 Competent authorities shall only issue replacement animal health certificates for consignments of aquatic animals and products of animal origin from aquatic animals in the case of administrative errors in the initial animal health certificate or where the initial animal health certificate has been damaged or lost.
- 2 In the replacement animal health certificate, the competent authority shall not modify information in the initial animal health certificate concerning the identification of the consignment, its traceability and the guarantees provided for in the initial animal health certificate for the consignment.
- 3 In the replacement animal health certificate, the competent authority shall:
- a make clear reference to the unique code referred to in Article 89(1)(a) of Regulation (EU) 2017/625 and the date of issue of the initial animal health certificate, and clearly state that it replaces the initial animal health certificate;
  - b indicate a new animal health certificate number different to that of the initial animal health certificate;

---

**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

- c indicate the date when it was issued, as opposed to the date of issue of the initial animal health certificate;
- d produce an original document issued in paper, except in the case of electronic replacement animal health certificates submitted in TRACES.

4 In the case of entry into the Union of consignments, the competent authority of the border control post of entry into the Union may refrain from requesting the operator responsible for the consignment to provide a replacement animal health certificate when information concerning the consignee, the importer, the border control post of entry into the Union or the means of transport changes after the certificate has been issued and such new information is provided by the operator responsible for the consignment.

### *Article 6*

#### **Model animal health certificates for movements within the Union of certain categories of aquatic animals and products of animal origin from aquatic animals**

The animal health certificates referred to in Article 1(2)(a) to be used for movements within the Union of consignments of certain categories of aquatic animals and certain products of animal origin from aquatic animals shall correspond to one of the following models, depending on the aquatic animals and categories of products concerned:

- (a) AQUA-INTRA-ESTAB drawn up in accordance with the model set out in Chapter 1 of Annex I, for aquatic animals intended for aquaculture establishments;
- (b) AQUA-INTRA-RELEASE drawn up in accordance with the model set out in Chapter 2 of Annex I, for aquatic animals intended for release into the wild;
- (c) AQUA-INTRA-HC drawn up in accordance with the model set out in Chapter 3 of Annex I, for aquatic animals intended for human consumption;
- (d) AQUA-INTRA-RESTRICT drawn up in accordance with the model set out in Chapter 4 of Annex I, for aquatic animals subjected to movement restrictions or emergency measures regarding listed or emerging diseases;
- (e) AQUA-INTRA-BAIT drawn up in accordance with the model set out in Chapter 5 of Annex I, for aquatic animals intended for use as live fishing bait;
- (f) PAO-AQUA-INTRA-PROCESS drawn up in accordance with the model set out in Chapter 6 of Annex I, for products of animal origin from aquaculture animals other than live aquaculture animals, intended for further processing;
- (g) PAO-AQUA-INTRA-RESTRICT drawn up in accordance with the model set out in Chapter 7 of Annex I, for products of animal origin from aquaculture animals other than live aquaculture animals subjected to movement restrictions or emergency measures regarding listed diseases or emerging diseases.

---

**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

## *Article 7*

### **Model animal health certificate for the entry into the Union of aquatic animals intended for aquaculture establishments, for release into the wild, or for other purposes, excluding direct human consumption**

The animal health certificate referred to in Article 1(2)(b) to be used for the entry into the Union of consignments of aquatic animals intended for aquaculture establishments, for release into the wild, or for other purposes, excluding direct human consumption shall correspond to the model AQUA-ENTRY-ESTAB/RELEASE/OTHER drawn up in accordance with the model set out in Annex II.

## *Article 8*

### **Model declaration for the transport of certain aquatic animals entering the Union by sea**

The declaration referred to in Article 1(2)(c) to be used for the transport of certain aquatic animals entering the Union by sea shall correspond to the model addendum AT-AQUA-SEA drawn up in accordance with the model set out in Annex III.

That addendum shall be completed by the master of the vessel and attached to the relevant animal health certificate.

## *Article 9*

### **Repeal of Commission Regulation (EC) No 1251/2008**

- 1 Regulation (EC) No 1251/2008 is repealed with effect from 21 April 2021.
- 2 References to the Regulation (EC) No 1251/2008 shall be construed as references to this Regulation and read in accordance with the correlation table in Annex IV.

## *Article 10*

### **Transitional provisions**

Consignments of aquatic animals and products of animal origin from aquatic animals accompanied by the appropriate animal health certificates issued in accordance with Regulation (EC) No 1251/2008, before the date of application of this Regulation, shall be accepted for the entry into the Union until 20 October 2021 provided that the animal health certificate was signed by an official inspector before 21 August 2021.

## *Article 11*

### **Entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 21 April 2021.

---

**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 December 2020.

*For the Commission*

*The President*

Ursula VON DER LEYEN

---

**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2020/2236. (See end of Document for details)

---

- (1) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Regulation references to ‘Union’ include the United Kingdom in respect of Northern Ireland.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2236.