

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1329**of 10 August 2021****amending Implementing Regulations (EU) 2020/2235, (EU) 2020/2236, (EU) 2021/403 and (EU) 2021/404 as regards extending the transitional period for the use of animal health certificates, animal health/official certificates and official certificates required for the entry into the Union of certain consignments****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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') ⁽¹⁾, and in particular Articles 213(2), 224(4), 230(1), 238(3) and 239(3) thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 90 and Article 126(3) thereof,

Whereas:

- (1) Commission Implementing Regulations (EU) 2020/2235 ⁽³⁾, (EU) 2020/2236 ⁽⁴⁾ and (EU) 2021/403 ⁽⁵⁾ lay down, inter alia, models of animal health certificates, animal health/official certificates and official certificates required to accompany consignments of animals and goods for the entry into the Union of those consignments. Those Implementing Regulations were adopted within the framework of Regulations (EU) 2016/429 and (EU) 2017/625. Regulation (EU) 2016/429 and those three Implementing Regulations apply from 21 April 2021.
- (2) Implementing Regulations (EU) 2020/2235, (EU) 2020/2236 and (EU) 2021/403 provide for a transitional period for the entry into the Union of consignments of animals and goods accompanied by the appropriate certificates required for the entry into the Union of those consignments, issued in accordance with the relevant model

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2020/2235 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, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates and repealing Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/EC (OJ L 442, 30.12.2020, p. 1.).

⁽⁴⁾ 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 (OJ L 442, 30.12.2020, p. 410).

⁽⁵⁾ Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 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 and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1).

certificates laid down in Union legislation in force before 21 April 2021, provided that they are duly signed before 21 August 2021. Those certificates are required to be read in accordance with the transitional provisions laid down in those Implementing Regulations, as regards any acts that have ceased to apply referred to in those certificates. That transitional period ends on 20 October 2021.

- (3) In addition, Commission Implementing Regulation (EU) 2021/404 ⁽⁶⁾ lays down, inter alia, rules concerning the model animal health certificates to be used for the entry into the Union of certain consignments of animals, germinal products and products of animal origin from third countries, territories or zones thereof. That Implementing Regulation provides for transitional provisions as regards the entry into the Union of consignments of animals, germinal products and products of animal origin from third countries, territories or zones thereof accompanied by the appropriate certificates issued in accordance with Union legislation in force before 21 April 2021, provided that the certificates are duly signed before 21 August 2021. Those certificates are required to be read in accordance with the transitional provisions laid down in that Implementing Regulation, as regards any acts that have ceased to apply referred to in those certificates. That transitional period also ends on 20 October 2021.
- (4) The transitional period currently provided for in Implementing Regulations (EU) 2020/2235, (EU) 2020/2236, (EU) 2021/403 and (EU) 2021/404, does not give sufficient time to put in place the necessary measures in third countries and territories for the issuance of new certificates in accordance with Union legislation applicable since 21 April 2021. Accordingly, the transitional period laid down in those Implementing Regulations should be extended to 15 March 2022 by which time the necessary measures should be in place and operational. That extension should assist the transition to the use of the new certificates provided for in those four Implementing Regulations and prevent any unnecessary disruption to trade concerning the entry into the Union of consignments falling within the scope of those Implementing Regulations.
- (5) It is therefore necessary to extend the transitional period laid down in Implementing Regulations (EU) 2020/2235, (EU) 2020/2236, (EU) 2021/403 and (EU) 2021/404 in order to provide sufficient time for the third countries and territories to put in place the necessary measures for the new certification requirements applicable since 21 April 2021, for a period until 15 March 2022, provided that the relevant certificate is signed before 15 January 2022 by the person authorised to sign it, in order to avoid any unnecessary disruptions in trade.
- (6) Implementing Regulations (EU) 2020/2235, (EU) 2020/2236, (EU) 2021/403 and (EU) 2021/404 should therefore be amended accordingly.
- (7) In the interest of legal certainty, the amendments to be made to Implementing Regulations (EU) 2020/2235, (EU) 2020/2236, (EU) 2021/403 and (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2020/2235

In Article 35 of Implementing Regulation (EU) 2020/2235, paragraph 1 is replaced by the following:

‘1. Consignments of products of animal origin, composite products, sprouts intended for human consumption and seeds intended for the production of sprouts for human consumption accompanied by the appropriate certificate issued in accordance with the models laid down in Regulation (EU) No 28/2012 and Implementing Regulation (EU) 2019/628 shall be accepted for entry into the Union until 15 March 2022 provided that the certificate was signed by the person authorised to sign the certificate in accordance with that Regulation and Implementing Regulation before 15 January 2022.’

⁽⁶⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1).

*Article 2***Amendment to Implementing Regulation (EU) 2020/2236**

In Article 10 of Implementing Regulation (EU) 2020/2236, paragraph 1 is replaced by the following:

‘1. Consignments of aquatic animals and products of animal origin from aquatic animals accompanied by the appropriate animal health certificate issued in accordance with the model laid down in Regulation (EC) No 1251/2008 shall be accepted for entry into the Union until 15 March 2022 provided that the animal health certificate was signed by an official inspector before 15 January 2022.’

*Article 3***Amendment to Implementing Regulation (EU) 2021/403**

In Article 27 of Implementing Regulation (EU) 2021/403, paragraph 1 is replaced by the following:

‘1. Consignments of terrestrial animals and germinal products thereof accompanied by the appropriate certificate issued in accordance with the models laid down in Regulations (EC) No 798/2008 and (EU) No 206/2010, Implementing Regulations (EU) No 139/2013 and (EU) 2018/659, Decisions 2006/168/EC and 2010/472/EU, as well as in accordance with Implementing Decisions 2011/630/EU, 2012/137/EU and (EU) 2019/294, shall be accepted for entry into the Union until 15 March 2022 provided that the certificate was signed by the person authorised to sign the certificate in accordance with those Regulations, Implementing Regulations, Decisions and Implementing Decisions before 15 January 2022.’

*Article 4***Amendment to Implementing Regulation (EU) 2021/404**

In Article 6 of Implementing Regulation (EU) 2021/404, paragraph 1 is replaced by the following:

‘1. Consignments of animals, germinal products and products of animal origin from third countries, territories or parts thereof authorised for entry into the Union in accordance with the following acts and, accompanied by the appropriate certificate issued in accordance with those acts, shall be permitted for entry into the Union until 15 March 2022, provided that the certificate was signed by the person authorised to sign the certificate in accordance with those acts before 15 January 2022:

- Regulation (EC) No 798/2008,
- Regulation (EC) No 1251/2008,
- Regulation (EU) No 206/2010,
- Regulation (EU) No 605/2010,
- Implementing Regulation (EU) No 139/2013,
- Implementing Regulation (EU) 2016/759,
- Implementing Regulation (EU) 2018/659,
- Decision 2006/168/EC,
- Decision 2007/777/EC,
- Decision 2008/636/EC,
- Decision 2010/472/EU,
- Decision 2011/630/EU,
- Implementing Decision 2012/137/EU,
- Implementing Decision (EU) 2019/294.’

*Article 5***Entry into force**

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

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

Done at Brussels, 10 August 2021.

For the Commission
The President
Ursula VON DER LEYEN
