

## **NON-PAPERS ON SANITARY AND PHYTOSANITARY MEASURES**

**The set of short non-papers on sanitary and phytosanitary (SPS) measures includes the subset on assistance dogs and movements of livestock from Great Britain to Northern Ireland and also clarifies the rules that apply to EU-origin animal products that are exported to the UK(GB) for storage before being moved to Northern Ireland.**

## ASSISTANCE DOGS

Very early in the discussions with the UK authorities, the Commission's services clarified that assistance dogs accompanying their owner when entering the EU territory and Northern Ireland, may benefit from the flexibility offered by Article 32 of Regulation (EU) No 576/2013 on the non-commercial movement of pet animals.

This option was already referred to in point 5.1 (p. 16) of the readiness "*Notice on travelling between the EU and the United Kingdom after the end of the transition period*", lastly updated on 2 December 2020.

### 5.1. Accompanying pets<sup>55</sup>

Union law<sup>56</sup> sets rules for the non-commercial movement of pet dogs, cats and ferrets (hereafter "pets")<sup>57</sup> that accompany travellers coming from third countries.<sup>58</sup>

As from the end of the transition period,<sup>59</sup> the following applies in relation to travels from Great Britain to the EU or Northern Ireland:

This section is drawn up in the assumption that Great Britain<sup>60</sup> will be "listed" in accordance with Article 13(2) of Regulation (EU) No 576/2013, i.e. it provides sufficient animal health guarantees.

Please note that guidance dogs and assistant dogs may profit, in addition, from the derogation provided for in Article 32 of Regulation (EU) No 576/2013.

The above was recalled in the technical meetings with the Cabinet Office and DEFRA, especially those held on 27 April and 12 May 2021, where the UK side confirmed that DAERA would propose an operating procedure for the practical implementation of Article 32.

As planned during these meetings, the Commission services are ready to assess any proposal for such operating procedure as may be presented by the UK authorities.

# **IDENTIFICATION AND RE-IDENTIFICATION OF CATTLE SHEEP AND GOATS IN NORTHERN IRELAND**

## **Summary**

The EU rules on traceability of terrestrial animals require that certain species (bovines, ovines, caprines, camelids and cervids) shall be individually identified on the establishment where they are born. The same requirement applies to animals of those species when they enter into the Union from a non-EU country; those animals have to be individually identified at the establishment of arrival.

Under the EU animal health legislation (Delegated Regulation (EU) 2019/2035), bovine, ovine and caprine animals need to be identified with an eartag bearing a code as laid down in Implementing Regulation (EU) 2021/520 so that the first element of the identification code is the country code of the Member State where the means of identification was first applied to. The country code can be either a two-letter code (mirroring ISO standard 3166-1 alpha-2) or a three-digit country code (ISO standard 3166-1 numeric).

To enable Northern Ireland to use the above system Implementing Regulation (EU) 2021/1064 provides that ‘XI’ is the two-letter code to be used in United Kingdom in respect of Northern Ireland and the three-digit code assigned is ‘899’.

## **Consequences:**

- New-born animals in NI after 01/07/21 should bear the “XI or “899” code in their eartags;
- Animals introduced from third countries (or GB) into NI after 01/07/21 and identified not in accordance with EU rules (e.g. bearing a UK code) should be re-identified with eartags bearing “XI” or “899” establishments of the first arrival;
- Animals introduced from third countries (or GB) into NI already identified in accordance with EU rules (e.g. bearing a XI code) do not need to be re-identified.

## **Legal text (excerpt)**

2(2) in Article 12 [of Implementing Regulation (EU) 2021/520], point (a) is replaced by the following:

‘(a) the first element of the identification code shall be the country code of the Member State where the means of identification was first applied to the animals, in the format of either:

- (i) the two-letter code in accordance with ISO standard 3166-1 alpha-2, except for Greece, for which the two-letter code ‘EL’ shall be used, and for the United Kingdom in respect of Northern Ireland, for which the two-letter code ‘XI’ shall be used; or
- (ii) the three-digit country code in accordance with ISO standard 3166-1 numeric, except for the United Kingdom in respect of Northern Ireland, for which ‘899’ shall be used;’.

## **RE-ENTRY INTO THE UNION (EXHIBITIONS/EVENTS)**

### **Executive summary**

Under the EU animal health legislation (Delegated Regulation (EU) 2020/692), ungulate animals (except racing horses) to be introduced into the EU have to fulfil all the requirements and respect a residency period of 6 months in an authorised third country of origin for such imports.

To enable the participation of EU animals in events, exhibitions or shows, the draft amendment to Delegated Regulation (EU) 2020/692 establishes for certain species of ungulates (bovine, ovine and caprine animals):

- a derogation from certain general requirements, including from the 6 months residency in the “guest” country;
- minimum specific animal health requirements for the re-entry into the Union of those animals:
  - they are moved for a period not exceeding 15 days to participate in events, exhibitions;
  - the third country is listed for the entry into the EU of cattle, sheep, goats;
  - the establishment complies with the requirements for assembly operations of ungulates;
  - the transport is direct and in appropriate vehicles;
  - the animals do not have contact with animals of a lower health status during the stay in the third country.

### **In addition:**

A separated draft legal text (amending Implementing Regulation (EU) 2021/403 as regards the new model certificate and amending Regulation (EU) 2021/404 as regards the list of third countries authorised) lays down:

- a specific model certificate for entry into the EU of those animals reflecting the requirements described above;
- the list of third countries authorised for this special re-entry into the EU of animals which took part to such events.

### **Draft text (excerpt) amendment to Article 177 of DR 2020/692**

#### *Article 177*

**Additional requirements for the entry into the Union of certain ungulates which originate in the Union, are moved to a third country or territory or zone thereof to participate in events, exhibitions, displays and shows and which are then moved back to the Union'**

2. the following paragraph is added:

‘3. By way of derogation from Article 11, consignments of bovine, ovine and caprine animals that originate in the Union and are moved for a period not exceeding 15 days to a third country or territory or zone thereof to participate in events, exhibitions, displays or shows (‘the event’), shall be permitted to enter the Union from that third country or territory provided that they comply with the following conditions:

- (a) the third country or territory or zone thereof where the event takes place is listed for the entry into the Union of the specific species of animals;
- (b) the establishment where the event takes place:

- (i) complies with the requirements applicable to establishments conducting assembly operations of ungulates laid down in Article 20(2), point(b);
  - (ii) upon the arrival of the consignment at the establishment and for the entire duration of the event, only keeps bovine, ovine or caprine animals that comply with all the relevant requirements laid down in Union law for the entry into the Union of such animals;
- (c) the dispatch of the consignment of animals from the Union to the establishment referred to in point (b) and from that establishment to the Union is carried out in means of transport that comply with the general requirements regarding means of transport of terrestrial animals laid down in Article 17 and without unloading in any other third country or territory or zone thereof;
- (d) the animals of the consignment had no contact with other animals of a lower health status from the moment of loading for dispatch from the Union to the establishment referred to in point (b) and for all the duration of the event until their arrival back to the Union.

**PRODUCTS OF ANIMAL ORIGIN THAT ORIGINATE IN THE UNION AND ARE MOVED TO A THIRD COUNTRY OR TERRITORY AND MOVED BACK TO THE UNION AFTER UNLOADING, STORAGE AND RELOADING IN THAT THIRD COUNTRY OR TERRITORY**

The animal health policy for entry into the EU of products of animal origin does not allow third countries to certify for import into the EU products which have been imported in that third country, including products of EU origin.

Therefore, Implementing Regulation (EU) 2020/2235, which establishes the model certificates for entry into the EU of products of animal origin, does not include any model certificate to cover the entry into the Union of products of animal origin which originate in the EU and which are moved to a third country or territory, and are then moved back to the Union from that third country or territory after unloading, storage and reloading.

The lack of such certificate model would prohibit EU products of animal origin to re-enter the EU after being stored in a third country.

The draft Implementing Regulation amends Implementing Regulation (EU) 2020/2235 adding a model certificate for that purpose, which allows re-entry into the EU of products of EU origin which are packaged and stored under the control of the competent authority of the third country.

It also amends Annex XXII to Implementing Regulation (EU) 2021/404 to establish a list of third countries which are authorised to use that certificate (including GB and the Crown Dependencies).