NOTICE TO STAKEHOLDERS

WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES ON ANIMAL HEALTH AND WELFARE AND PUBLIC HEALTH RELATED TO THE MOVEMENT OF LIVE ANIMALS

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that, unless a ratified withdrawal agreement establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) (‘the withdrawal date’). The United Kingdom will then become a 'third country'.

Preparing for the withdrawal is not just a matter for EU and national authorities but also for private parties.

In view of the considerable uncertainties, in particular concerning the content of a possible withdrawal agreement, operators involved in trade in live animals are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to any transitional arrangement that may be contained in a possible withdrawal agreement, as of the withdrawal date, the EU public and animal health rules in the field

1 Negotiations are ongoing with the United Kingdom with a view to reaching a withdrawal agreement.

2 Furthermore, in accordance with Article 50(3) of the Treaty on European Union, the European Council, in agreement with the United Kingdom, may unanimously decide that the Treaties cease to apply at a later date.

3 A third country is a country not member of the EU.


5 For live animals the movement of which is ongoing on the withdrawal date, the EU is trying to agree solutions with the United Kingdom in the withdrawal agreement. The essential principles of the EU's position on goods placed on the market, including live animals the movement of which has started before the withdrawal date are available here: https://ec.europa.eu/commission/publications/position-paper-goods-placed-market-under-union-law-withdrawal-date_en.

6 Since the EU veterinary acquis is very detailed, this notice can only set out the essential rules. The website of the Commission on imports of live animals (https://ec.europa.eu/food/animals/live_animals_en) provides for general information concerning EU animal health legislation for imported live animals.
of intra-Union trade in live animals, the placing on the market of aquaculture animals, the controls carried out on such movements and EU law on animal transport no longer apply to the United Kingdom.

This notice is also relevant for the movement of live animals and hatching eggs from and to the Channel Islands and the Isle of Man.

1. **ENTRY OF LIVE ANIMALS INTO THE EU**

**Public and animal health:**

As of the withdrawal date, the entry of live animals from the United Kingdom into the EU-27 is prohibited for public and animal health reasons, unless:

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16. Cattle, pigs, sheep and goats, equidae, poultry and hatching eggs, aquaculture animals, bees and bumble bees, other "ungulates" listed in Directive 2004/68/EC. Dogs, cats and ferrets in commercial movements.

17. For other animals than those in footnote 16, including certain animals consigned to and from bodies, institutes or centres approved in accordance with Annex C to Directive 92/65/EEC, national animal health conditions may apply to the entry from third countries of animals (Article 18(2) of Directive 92/65/EEC). However, the EU rules on border checks apply.
The United Kingdom is "listed" as a third country by the Commission for animal health\(^\text{18}\) purposes. For the "listing", Directive 2004/68/EC as well as specific legislation applies;

The specific animal health requirements and veterinary certification conditions set out with the "listing" for the species or categories of animals from the United Kingdom are fulfilled;

The United Kingdom is "listed" by the Commission as a third country having a residue control plan approved in accordance with Directive 96/23/EC\(^\text{19}\) for the animals and animal products specified therein. For the "listing" Chapter VI of Directive 96/23/EC applies.

The "Tripartite Agreement" concluded in accordance with Article 6 of Directive 2009/156/EC between France, Ireland and the United Kingdom no longer applies to the United Kingdom as of the withdrawal date.

As of the withdrawal date, these substantial requirements are controlled upon entry into the EU-27 by applying mandatory border checks, including veterinary checks, at the first point of entry into the Union territory:

- Live animals can only enter the EU-27 through "border inspection posts"\(^\text{20}\) approved for the species and categories of animals concerned;

- Each consignment has to be accompanied by a duly completed health certificate in compliance with EU animal health import legislation;\(^\text{21}\)

- Each consignment undergoes documentary, identity and physical checks;\(^\text{22}\)

- Live animals are only allowed to enter the EU-27 with the official document (Common Veterinary Entry Document) attesting that the border checks were satisfactorily carried out in compliance with the applicable animal and, public health rules.

These conditions also apply to the entry into the EU-27, as of the withdrawal date, of live animals from the United Kingdom for the purpose of transit from the United Kingdom to another third country or to another part of the United Kingdom.\(^\text{23}\) In addition, the

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\(^{21}\) Article 4 of Council Directive 91/496/EEC.

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consignment has to pass through border inspection posts both at entry into and exit from the Union, including the respective notifications in the EU Trade Control and Expert System (TRACES). 24 25

In case of transit from the EU-27 through the United Kingdom to the EU-27, live animals have to be accompanied by an intra-Union trade certificate and pass through a border inspection post at entry into the EU-27, including the respective notifications in TRACES. 26 27

Animal welfare:

Live animals admitted to enter the EU-27 will have to be transported according to all the animal welfare rules laid down in Council Regulation (EC) No 1/200528, and will be submitted to checks at border inspection posts by the competent authorities as laid down in Article 21 of that Regulation. 29

2. EXIT OF LIVE ANIMALS FROM THE EU

Public and animal health:

As of the withdrawal date, the exit of live animals30 from a Member State to the United Kingdom through the territory of another Member State is subject to the following conditions:

- The transport operation must ensure that in accordance with Decision 93/444/EEC31 the consignment remains under customs supervision up to the point of exit32 from Union territory;

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26 In addition, for the transit of certain ungulates, Article 12 of Commission Regulation (EC) No 206/2010 applies.

27 In addition, the rules on exit of live animals apply, see section 2 of this Notice.


29 See also the Commission Notice to stakeholders withdrawal of the United Kingdom and EU rules for authorisations and certificates for transporters of live animals, drivers and attendants (https://ec.europa.eu/food/animals/welfare/practice/transport_en).

30 Cattle, pigs, sheep, goats, equidae, poultry and hatching eggs, dogs, cats and ferrets, bees and bumble bees and aquaculture animals.

Each consignment of animals is accompanied by veterinary documents or veterinary certificates meeting relevant veterinary requirements of the United Kingdom and health certificates for intra-Union trade, which contain, where necessary and applicable, the additional guarantees provided for by Union legislation for animals intended for slaughter;

A message must be addressed in TRACES to the place of destination, which is the border inspection post of exit or the local authority of the place in which the point of exit is situated, and to the central authorities of the place of destination and of the Member State(s) of transit.

Animal welfare:

The transport of live animals exiting the EU to the United Kingdom will have to comply with Council Regulation (EC) No 1/2005 up to the final place of destination and will be submitted to checks at the exit point by the competent authorities as laid down in Article 21 of that Regulation.

Private parties are advised that the specific conditions regarding the movement and importation of live animals are regularly updated. The website of the Commission on imports of live animals (https://ec.europa.eu/food/animals/live_animals_en) provides for general information concerning EU animal health legislation for imported live animals. These pages will be updated with further information, where necessary.

European Commission
Directorate-General for Health and Food Safety

32 In accordance with Article 1(2)(a) of Decision 93/444/EEC “exit point” means any place situated in close proximity to the external frontier of one of the territories listed in Annex I to Council Directive 90/675/EEC (5) offering customs supervision facilities.