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From: General Secretariat of the Council

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To: Delegations

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Subject: Proposal for a Regulation of the European Parliament and of the Council on  
Animal Health

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Delegations will find in Annex a non-paper from the Commission services.

Date 11/11/2013

NON PAPER

Proposal for a Regulation on Animal Health: delegated and implementing acts

**1. Background**

The proposal for a Regulation of the European Parliament and of the Council on Animal Health<sup>1</sup> was adopted by the Commission on 6<sup>th</sup> May 2013 and submitted to the two institutions for the normal legislative procedure.

The Commission proposal represents a general legal framework for animal health, which will in time replace almost 40 Directives and Regulations adopted by the Council and the European Parliament. This proposal will need to be subsequently complemented by a number of legal acts to cover the technical details currently specified in those existing Directives or Regulations and their technical Annexes, or in the existing subsequent acts adopted by the Commission. Such structure should provide for the necessary flexibility of the animal health measures that have to be put in place.

The first examination of the Commission proposal is currently underway at European Parliament (AGRI, ENVI and PECH Committees) and Council Working Party level. In the course of the consultation in Council, many delegations expressed interest in having further explanations on the link between the Commission proposal, the current legislative framework and the future delegated and implementing acts. A better understanding and thorough insight into the contents and structure of the possible new delegated and implementing acts seems to be important to further negotiation on the Commission proposal. The information provided in this NON paper meets a request from the Chief Veterinary Officers of the EU Member States, who recognise the importance of this new legal framework and have expressed a wish to closely monitor the evolution of the Commission proposal and the subsequent legislation complementing it.

This document provides information on the possible Commission delegated and implementing acts which could be envisaged for adoption in accordance with Articles 290 and 291 TFEU to complement the Commission proposal.

However, this document only gives a preliminary indication of how the Commission might proceed in complementing the basic animal health legislation, which, for the time being, can only be based on the assumption that the European Parliament and the Council will decide to empower the Commission as proposed. It also provides a broad indication of timing and possible options for the structuring of the future legislation to be adopted pursuant to the Commission proposal.

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<sup>1</sup> COM(2013) 260 final.

## 2. Content and structure of delegations in the current Commission proposal

The possible contents of the delegated and implementing acts planned for adoption pursuant to the Commission proposal are presented in the attached Table 1. This table illustrates the requirements which would complement the Commission proposal, once adopted by the European Parliament and Council. **Note that this table should only be considered as indicative and its full accuracy cannot be guaranteed.**

In the first column Table 1 lists all Commission empowerments, briefly outlines them in the second and third columns, for delegated and implementing acts respectively, and indicates where there is the possibility to use the urgency procedure in the fourth column. The fifth column shows the existing legislation where similar or identical empowerments and requirements are laid out (the references are not exhaustive and should, again, only be considered of an informative nature – this is particularly true for the quoted Commission Decisions or Regulations). The sixth column shows how the **empowerments** compare with **empowerments** in existing legislation.

The assessment in the sixth column indicates where the delegation of powers will consist of one of the following approaches:

- existing legislation contains Commission empowerments: this proposal simply adapts those empowerments to the new legislative format (Marked: “*Not new*”);
- existing legislation contains similar Commission empowerments but this proposal adds new elements or provides more flexibility (Marked: “*Partially new*”);
- new Commission empowerments are proposed that do not currently exist in European legislation (Marked: “*New*”)

The seventh column compares the contents of **requirements** in existing legislation with the **requirements**, which will be, or are expected to be laid down on the basis of the empowerments in the Commission proposal. It is important to note that even when the proposed empowerments are partially new (for example, the potential scope is expanded), the Commission will not necessarily make use of this extended scope to set out new rules, at least in a foreseeable future. This is part of making the Animal Health legislation 'future-proof', as has been discussed and recommended exhaustively during the preparatory work on the proposal.

The Commission proposal consists of 106 empowerments for delegated acts and 57 empowerments for implementing acts. In this proposal, the number of empowerments to the Commission has significantly decreased compared to the more than 600 empowerments established in the relevant existing legislation. It should also be noted that numerous empowerments can be merged and grouped into one or more acts. There are

several options for the structure of **delegated acts** and reflection is ongoing to find the best approach:

- Option 1: a single Commission delegated act could complement the Commission proposal, similarly to the approach used for the implementation of the animal by-products Regulation, i.e. Regulation (EC) No 1069/2009<sup>2</sup>;
- Option 2: several empowerments could be grouped into a limited number of acts (possibly 3) based on the topic, for example one for disease prevention and control measures, one for movements, and a third for entry into the Union;
- Option 3: a few more specialised packages of rules (e.g. Commission delegated acts) for example for the movements and entry of ungulates, poultry, bees, aquatic animals, pet animals, etc., for semen, ova, embryos and a separate set of disease prevention and control rules;
- Option 4: a higher number of Commission delegated acts, keeping for each empowerment its own separate delegated act;
- Option 5: a combination of the different options described above.

With a view to the simplification of legislation and in line with the existing structure of the Commission proposal, Option 3 appears as the most suitable, covering appropriately all elements of the Commission proposal, offering sufficient flexibility and could be targeted enough to suit the needs of the final users, e.g. different groups of stakeholders using the legislation.

The structure of the future **implementing acts** should be determined later and would, to a large extent, depend on the final format of the delegated acts.

Anyhow, all this work would eventually end up with a considerable reduction of the Commission acts in place on animal health, that are currently about 250, and that would finally be repealed and replaced by a considerably lower number of Commission acts, as referred above.

### **3. Time plan for the adoption of delegated and implementing acts**

The Commission proposal envisages a 36 month period between the date of entry into force and the date of application of its proposal. During that period the Commission would prepare and adopt delegated and implementing acts, which are necessary to make this proposal operational and workable, while the existing legal framework would remain in place.

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<sup>2</sup> Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products not intended for human consumption and repealing Regulation (EC) No 1774/2002. OJ L 300, 14.11.2009, p. 1.

However, if the European Parliament and the Council decide to empower the Commission to adopt delegated acts with respect to the date on which the Directives and Regulations regarding identification and registration of animals, disease control measures for certain animal diseases and non-commercial movements of pet animals cease to apply, a longer period than the original 36 months for the preparation and adoption of delegated acts could be envisaged. This longer period should be linked to the date of application of the corresponding rules adopted pursuant to the Commission proposal. This will provide legal certainty by ensuring that there are no time gaps between the repeal of the existing rules and the application of the new rules. That means that more than the “basic” 36 months may elapse before a complete set of rules is established to replace the existing animal health rules.

The preparation of delegated and implementing acts could start as soon as the Commission proposal is sufficiently stable in the context of the discussions at the European Parliament and the Council. This cannot realistically be expected before the first months of 2014. However, a very first draft of a possible implementing act on the listing of diseases could be ready by November 2013, in order to provide a clearer picture on the disease prevention and controls rules that could be applied to different animal diseases.

**Table1: Summary of the delegated and implementing acts to be adopted pursuant to the Commission proposal for a Regulation of the European Parliament and of the Council on Animal Health**

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
<b>PART I</b>						
Article 4(2)	Amendments to list of pet animals (set out in Annex I) and ungulates (set out in Annex II)			Pet animals: Annex I to Regulation (EU) No 576/2013  Ungulates (including Equidae): Directive 2004/68/EC – Article 13(2) and Annex I And Article 2(b) of Directive 2009/156/EC	New.  The empowerment to amend the list of pet animals is new.  Not new.  The empowerment to amend the list of ungulates is not new.	Not new.  The content of Annex I to the Commission proposal will be aligned with Annex I to Regulation (EU) No 576/2013 (fine-tuning with the final version of the pet regulation is still needed).  Partially new.  Annex I to the Commission proposal brings the existing definition of equidae (Directive 2009/156/EC) into the group of ungulates as defined in Directive 2004/68/EC. Both definitions already exist.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 5(2)		Establishment of list of listed diseases	Urgency procedure	<p>Directive 82/894/EEC – Annex I (notification)</p> <p>Directive 90/425/EEC – Annex C (intra-Union trade, vet checks)</p> <p>Directive 64/432/EEC – Annexes E(I) and E(II) (trade in bovine animals and pigs)</p> <p>Directive 91/68/EEC – Annex B (trade in sheep and goats)</p> <p>Directive 92/65/EEC – Annexes A and B (trade in and import of other animals and products)</p> <p>Directive 92/119 – Annex I (SVD and certain other diseases)</p> <p>Directive 2002/99/EC – Annex I (products of animal origin)</p> <p>Directive 2003/99/EC – Annex I (zoonotic agents)</p> <p>Directive 2004/68/EC – Annex II (import of ungulates)</p> <p>Directive 2006/88/EC –</p>	<p>Partially new.</p> <p>There is no single current empowerment to list diseases in this way. However, there are empowerments to amend lists of diseases in annexes in much of the existing legislation.</p>	<p>Not new.</p> <p>There are currently 13 lists of diseases laid down in existing legislation and subject to the various kinds of EU intervention. The proposal to put them all in a single list will be clearer and easier to understand, benefiting operators and competent authorities, but also making the EU position clearer to third countries. It will also make the rationale behind listing diseases clearer and more consistent.</p> <p>Having the list adopted via an implementing act allows new and emerging diseases to be added to the list in a straightforward committee procedure, enabling swift action where it is necessary.</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 6(2)	Amendments to criteria for listing diseases			Article 12, Annex IV Directive 2009/156/EC – Annex I (trade in and import of equidae) Directive 2009/158/EC – Annex V (trade in and import of poultry) Decision 2009/470/EC – Annex I (to be replaced by the new financial Regulation)	New.  This is the first time that clear and objective criteria are set in the basic EU legislation. The amendment of these criteria should be possible in the future if priorities or circumstances change.	New.  Commission envisages the possibility to amend the criteria for listing diseases, only in exceptional cases, when alignment is needed with changes in international standards or due to scientific or technical progress. There are no changes envisaged in the near future.
Article 7(2)		Listing of species	Urgency procedure	Directive 92/35/EEC, Article 2(b) and 4(1)	Partially new.  The possibility to amend the	Not new.  The content will match



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				<p>Directive 92/66/EEC – Article 1, Directive 2000/75/EC - Article 1</p> <p>Directive 2001/89/EC – Article 2(a), Directive 2002/60/EC – Article 2(a), Directive 2003/85/EC – Article 2(a), Directive 2005/94/EC – Annex I, Directive 2006/88/EC – Annex IV</p>	<p>list of species already exists clearly for aquaculture animals in 2006/88; and in certain of the terrestrial directives, but not outside these parameters.</p>	<p>existing legislation. The construction will be more functional and will enable the measures to be structured for specific diseases and linked to different susceptible and vector animal species.</p>
Article 8(1)		Application of disease prevention and control rules to listed diseases	Urgency procedure	<p>Main relevant legislation:            Directive 64/432/EEC            Directive 78/52/EEC            Directive 80/1095/EEC            Directive 82/894/EEC            Directive 88/407/EEC            Directive 89/556/EEC            Directive 90/429/EEC            Directive 91/68/EEC            Directive 92/35/EEC            Directive 92/65/EEC            Directive 92/66/EEC            Directive 92/118/EEC            Directive 92/119/EEC            Council Decision 95/410/EC</p>	<p>Partially new.</p> <p>Most, but not all, of what this proposed empowerment covers is already conferred on the Commission in existing legislation, but not in a single and coherent manner.</p>	<p>Not new.</p> <p>Content will match existing legislation. The construction will be more functional and will enable the measures to be structured for specific diseases and link them to different susceptible and vector animal species.</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 9(2)	Biosecurity measures to be taken			<p>Directive 2000/75/EC Council Decision 2000/258/EC Directive 2001/89/EC Directive 2002/60/EC Directive 2002/99/EC Directive 2003/85/EC Directive 2004/68/EC Directive 2005/94/EC Directive 2006/88/EC Directive 2009/156/EC Directive 2009/158/EC Regulation (EC) 1069/2009 Regulation (EU) No. 576/2013 (pet animals)</p>	Partially new.	Partially new.  The content would be linked to the relevant existing guides of good practice established under Regulation (EC) No 852/2004 and Directive 2006/88/EC. It would be subject to consultation and a possible impact assessment before adoption.
				<p>Directive 2006/88/EC – Article 9  Regulation (EC) No 852/2004 – Articles 8 and 9  Directive 2005/94/EC - Articles 3, 34(3) and 63(3)</p>	Partially new.  Some biosecurity and hygiene requirements are empowered to the Commission under existing legislation.	

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 11(3)	Qualifications for veterinarians and aquatic animal health professionals			<p>Directive 64/432/EEC – Article 14 (3) B</p> <p>Partial link with Regulation (EC) No 854/2004 – Annex I, Section III, Chapter IV, A (professional qualifications of official veterinarians)</p>	<p>Partially new.</p> <p>The Commission has some related empowerments under Article 18(3) and related Annexes to Regulation (EC) No 854/2004, which cover the content of tests for official veterinarians and official auxiliaries.</p>	<p>Partially new.</p> <p>Some elements exist in the current legislation, for example in Article 14 of Directive 64/432/EEC (approved veterinarians) in the framework of surveillance networks. The aim is to encourage the continuous professional development of veterinarians in a consistent manner.</p>
Article 13(2)	Activities delegated to veterinarians and minimum requirements for the training of veterinarians			<p>Directive 64/432/EEC – Article 2(2)(m) and 14 (3) B</p> <p>Directive 96/93/EC – Article 3(1) and (5)</p> <p>Regulation (EC) No 576/2013</p>	<p>Partially new.</p> <p>Empowerment for laying down detailed rules for the certain types of training/knowledge already exists. The proposed empowerment is broader than that existing . .</p>	<p>Partially new.</p> <p>This is not currently entirely harmonised across the Union.</p> <p>Some elements of the likely content exist in current legislation, for example in Directive 96/93/EC, which provides the requirements for certification, including level of knowledge, Article 14 of Directive 64/432/EEC</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 15(2)	Safety measures in laboratories: biosecurity, movement of disease agents			Decision 91/666/EEC – Article 6 Directive 92/118/EEC – Article 6 Directive 2001/89/EC (CSF) – Articles 17 and 18 Directive 2002/60/EC (ASF) – Articles 18 and 19 Directive 2003/85/EC (FMD) – Articles 49, 65 and 70 Directive 2005/94/EC (AI) – Article 50	Not new.  Most of what this proposed empowerment covers is already conferred on the Commission in existing legislation.	(approved veterinarians) in the framework of surveillance networks and in the pet Regulation (authorised veterinarians).  Not new.  The proposed laboratory safety provisions are largely expected to match the existing legislation (e.g. diagnostic manuals), subject to a consultation and review.  A legal basis is provided for movement of pathogens across the EU. This has also a consequence on the requirements for entry into the Union of those products.
<b>PART II</b>						
Article 16(3)	Criteria for notification to competent authority in case of disease			Directive 64/432/EEC – Articles 2(2)(n) and 8, Annex E(I) Directive 78/52/EEC – Articles 5, 13 and 22	Not new.  Obligation to notify and criteria is delegated to Commission in existing	Not new.  Rather than dispersed disease-specific rules, as in existing legislation, the principles of criteria for

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	outbreak or suspicion			Directive 91/68/EEC - Article 2(b)(6), Annex B(l) Directive 92/35/EEC – Article 3 Directive 92/65/EEC – Article 4 Directive 92/66/EEC – Article 3 Directive 92/119/EEC – Article 3 Directive 2000/75/EC – Article 3 Directive 2001/89/EC – Article 3 Directive 2002/60/EC – Article 3 Directive 2003/85/EC – Article 3 Directive 2005/94/EC – Article 5 Directive 2006/88/EC – Article 26 Directive 2009/156/EC – Article 2(g)- Annex I	legislation.	notification to the CA will be made consistent across different diseases, with variations where necessary.
Article 17(3)		Which listed diseases are subject to immediate		Directive 82/894/EEC – Articles 3 and 4, Annex I Directive 2001/89/EC – Article 3(2) and (3)	Not new. A basic list is provided for in the “disease notification”	Not new. The basic list would be complemented by the

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		Union notification		Directive 2002/60/EC – Article 3(2) Directive 2003/85/EC – Article 3(2) and Annex II Directive 2005/94/EC – Article 5(2) Directive 2006/88/EC – Article 27	Directive 82/894/EEC, and empowerments to the Commission to amend the list already exist.	specification of the list of diseases that will be subject to the notification obligations. The implementing act will allow new diseases to be added speedily through the committee procedure if the circumstances justify it.
Article 18(3)	Reporting obligations for diseases other than immediate notification obligations			Directive 64/432/EEC – Article 8 Directive 82/894/EEC – Article 4 and Annex II Directive 92/35/EEC – Article 3 Directive 2001/89/EC – Article 3 Directive 2002/60/EC – Article 3 Directive 2003/85/EC – Article 3 Directive 2005/94/EC – Article 5 Directive 2006/88/EC – Article 27	Not new.  A basic list and empowerment to amend the list is provided for in the “disease notification” directive 82/894/EEC. However, a number of reporting obligations and in some cases, empowerments are also laid down in other legal acts.	Not new.  The proposed reporting obligations are compiled in one place, coherently for all diseases. A single set of reporting obligations will provide clarity and consistency. The possibility to amend the proposal concerning the information to be included in the reports is envisaged.
Article 21		Rules for the Union		Directive 82/894/EEC – Articles 3, 4 and 5, Annex II	Not new.  A single list and consistent	Not new.  Contents will broadly mirror

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		notification and Union reporting and procedures for the establishment and use of computerised information system		<p>Directive 2001/89/EC – Article 3 and Annex I  Directive 2002/60/EC – Article 3  Directive 2003/85/EC – Article 3 and Annex II  Directive 2005/94/EC – Article 5 and Annex II</p> <p>Directive 82/894/EEC- Article 1 and Annexes I and II</p> <p>Commission Decision 2005/176 (laying down the codified form and the codes for the notification of animal diseases)</p> <p>Directive 64/432/EEC – Article 2(2)(p) (regions) and Article 5(4) and (5)</p> <p>Directive 91/68/EEC – Article 2(b)(14) (regions) and Article 9</p>	<p>set of rules for the Union notification and Union reporting will improve clarity and consistency. A number of notification and reporting obligations are laid down in the "disease notification" Directive 82/894/EEC, along with the empowerment to amend them; but also in other legal acts (see fifth column). In the new Commission proposal the notification and reporting obligations are compiled in one place, coherently for all diseases.</p> <p>New.</p> <p>The designation of regions was not previously empowered to the Commission.</p>	<p>the requirements laid down in Annex II to Directive 82/894/EEC and to Decision 2005/176/EC (on codes for the notification of animal diseases) and some other technical annexes of the legal acts listed in the fifth column.</p> <p>Continue to use web based interfaces and keep updated with technological advances. Possibly integration with WAHIS database (OIE) through development of ADIS.</p> <p>Not new.</p> <p>Regions referred to in Article 19(2) and 21(d) are the regions currently laid down in Directives 64/432/EEC and 91/68/EEC. No changes envisaged.</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 24	Criteria and format of animal health visits			Directive 64/432/EEC – Article 14 Directive 2006/88/EEC – Article 10	Partially new. The concept is currently used in the aquaculture directive (Directive 2006/88/EC), where it is part of the animal health surveillance scheme which the Commission is empowered to make guidelines for. It is also used in Article 14 of Directive 64/432/EEC concerning surveillance networks, in which the Commission is empowered to approve the networks.	Possibly new It is intended that the criteria for animal health visits would only be laid down in areas where visits for other purposes are not already regularly carried out by either the private sector's (operators') own systems or by the competent authority. Such an act would be subject to extensive consultation before adoption.
Article 28	Surveillance programmes (design etc, requirements for programmes)			Directive 2003/99/EC (zoonoses) Directive 2005/94/EC – Article 4 (plus guidelines drawn up under this article). Directive 2006/88/EC – some aspects of Articles 44-46 Regulation (EC) No 1266/2007, Art 4 and Annex I on BT	Not new. Currently used for many diseases in different contexts.	Not new. Will retain elements from the technical annexes to those Directives or diagnostic manuals (see in the fifth column).



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 29				<p>Diagnostic manuals for CSF, ASF, SVD, AI: Commission Decision 2000/428/EC            Commission Decision 2002/106/EC            Commission Decision 2003/422/EC            Commission Decision 2006/437/EC</p> <p>Directive 2003/99/EC (zoonoses)</p> <p>Directive 2005/94/EC – Article 4 (Commission Decision 2006/437/EC)</p> <p>Directive 2006/88/EC – some aspects of Articles 44-46 (Commission Decision 2008/896/EC)</p> <p>Council Decision 2009/470/EC</p>	<p>Not new.</p> <p>The Commission empowerments already exist but the construction is to some extent new.</p>	<p>Not new.</p> <p>The content already exists and is related to the on-going EU coordinated programmes.</p>
Article 30(3)		(a) Submission of compulsory eradication	Urgency procedure	<p>Directive 64/432/EEC – Article 9(2)            Directive 77/391/EEC –</p>	<p>Not new.</p> <p>Empowerments currently</p>	<p>Not new.</p> <p>Commission approval by</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		programmes for approval  (b) Submission of voluntary eradication programmes for approval		Articles 2 to 4 Directive 78/52/EEC – Articles 3(1), 3(4) and 4 Directive 80/1095/EEC – Articles 3 and 6 Directive 91/68/EEC – Article 7(2) Directive 92/65/EEC – Article 14(2) Directive 2001/89/EC – Article 16(1) Directive 2002/60/EC – Article 16(1) Directive 2006/88/EC – Article 44(2) Directive 2009/156/EC – Article 4(6) Directive 2009/158/EC – Articles 15(2) and 16(2)	broadly used in the Union legislation.	committee procedure, as now.
Article 30(4)	Objectives, strategies and targets of eradication programmes, derogation from the need for approval, amendment or			Directive 64/432/EEC – Article 9(1) Directive 77/391/EEC – Articles 2, 3 and 4 Directive 78/52/EEC – Articles 3(1), 3(4) and 4 Directive 80/1095/EEC – Articles 4(1) and 6 Directive 91/68/EEC –	Partially new.  The empowerments to approve programmes already exist. However, the proposed empowerment is only new in the case where the contents are currently set out in the body of the	Not new.  Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	termination of programme.			Article 7(1) Directive 92/65/EEC – Article 14(1) Directive 2001/89/EC – Article 16(1) Directive 2002/60/EC – Article 16(1) Directive 2006/88/EC – Article 45 Directive 2009/156/EC – Article 4(6) Directive 2009/158/EC – Articles 15(2) and 16(1)	basic acts	
Article 31(2)	Disease control, surveillance to be taken under an eradication programme			Directive 64/432/EEC – Article 9(1) Directive 77/391/EEC – Articles 2, 3 and 4 Directive 78/52/EEC – Articles 5-27 Directive 80/1095/EEC – Articles 4(2), 4(3) and 6 Directive 91/68/EEC – Article 7(2) Directive 92/65/EEC – Article 14(1) Directive 2001/89/EC – Article 16(3) Directive 2002/60/EC –	Partially new.  The empowerments for the Commission to approve programmes already exist. However, the proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				Article 16(3) Directive 2006/88/EC – Article 45 Directive 2009/156/EC – Article 4(6) Directive 2009/158/EC – Articles 15(2) and 16(1)		
Article 34(2)	Additional requirements concerning the period of application of eradication programmes			Directive 64/432/EEC – Article 9(3) Directive 80/1095/EEC – Article 6(4) Directive 91/68/EEC – Article 7(3) Directive 92/65/EEC – Article 14(3) Directive 2001/89/EC – Article 16(1) Directive 2002/60/EC – Article 16(1) Directive 2006/88/EC – Article 46 Directive 2009/156/EC – Article 4(6) Directive 2009/158/EC – Article 16(3)	Partially new.  The empowerments for the Commission to approve programmes already exist. However, the proposed empowerment regarding the contents is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.
Article 35		Format and procedure for submission,		Directive 64/432/EEC – Article 9(1) Directive 77/391/EEC –	Partially new.  The empowerments for the	Not new.  Certain detailed provisions

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		performance indicators and reporting of eradication programme.		Article 2, 3 and 4 Directive 80/1095/EEC – Articles 4(4), 6 Directive 92/65/EEC – Article 14(1) Directive 2001/89/EC – Article 16(4) Directive 2002/60/EC – Article 16(4)	Commission to approve programmes already exist. However, the proposed empowerment regarding the contents is only new in the case where the contents are currently set out in the body of the basic acts.	of existing Directives and their technical Annexes will be provided for under this empowerment.
Article 36(3)		Approval of disease-free status of MS		Directive 64/432/EEC – Article 10 Directive 77/391/EEC – Articles 2(4), 3(4) and 4 Directive 80/1095/EEC – Article 7 Directive 91/68/EEC – Article Directive 92/65/EEC – Article 15 Directive 2003/85/EC – Articles 59, 60 and 61 Directive 2006/88/EC – Article 49 Directive 2009/158/EC – Article 17	Not new.  Empowerments currently broadly used in the Union legislation.	Not new.  Disease-free status conferred by committee procedure where merited, as now.
Article 37(4)		Approval of disease-free status of		Directive 2005/94/EC – Article 34  Directive 2006/88/EC –	Partially new.  Empowerments currently used under the avian	Possible new elements.  Requirements could be used in new circumstances if

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		compartments		Article 50 Regulation (EC) No 616/2009 – Articles 3 and 4	influenza and aquaculture Directives. This empowerment expands the possible recognition of a compartment by the Commission to more possible circumstances.	operators wanted to submit new kinds of compartments for approval.
Article 37(5)	Requirements for disease-free status of compartments to be approved			Directive 2005/94/EC – Article 34 Regulation (EC) No 616/2009 – Articles 3 and 4 Directive 2006/88/EC – Article 50	Partially new. Empowerments currently used under the avian influenza and aquaculture directives, but could be used in new circumstances. Some procedural issues are new (e.g. the approval of the compartment by the Commission).	Possible new elements Detailed provisions of existing Directives and Decisions to be included. Requirements could be used in new circumstances if operators wanted to submit new kinds of compartments for approval.
Article 39	Conditions for disease free status of MS and zones, derogations and information			Directive 64/432/EEC – Article 10 Directive 80/1095/EEC – Article 7 Directive 91/68/EEC – Article 8(1) Directive 92/65/EEC – Article 15(1) Directive 2003/85/EC –	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. Detailing the requirements and derogating from those requirements laid down in Article 36 for disease freedom. Detailed provisions of existing Directives and related Commission

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				Articles 59, 60 and 61 Directive 2006/88/EC – Articles 49 and 50 Directive 2009/156/EC – Article 5 Directive 2009/158/EC – Article 17		decisions to be included.
Article 40		Format and procedure on disease-free status applications and related information exchange, and listing diseases for compartments		Directive 64/432/EEC – Article 10 Directive 80/1095/EEC – Article 7 Directive 91/68/EEC – Article 8 Directive 92/65/EEC – Article 15 Directive 2003/85/EC – Articles 59, 60 and 61 Directive 2006/88/EC – Articles 50(2), 51 and 59 Directive 2009/158/EC – Article 17	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. Certain detailed provisions of the existing Directives and their technical Annexes will be provided for under this empowerment.
Article 41(3)	Conditions for maintaining disease-free status of MSs, zones and compartments			Directive 64/432/EEC – Article 10 Directive 77/391/EEC – Article 2(4), 3(4) and 4 Directive 80/1095/EEC – Article 8 Directive 91/68/EEC –	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				Article 8 Directive 92/65/EEC – Article 15 Directive 2006/88/EC – Article 52 Directive 2009/158/EC – Article 17 Regulation 616/2009 – Articles 5 and 6		
Article 42(4)		Withdrawal of disease free status	Urgency procedure	Directive 64/432/EEC – Article 10 Directive 80/1095/EEC – Article 8 Directive 91/68/EEC – Article 8(3) Directive 92/65/EEC – Article 15(3) Regulation 616/2009 – Articles 7 and 8 Directive 2006/88/EC – Article 53 Directive 2009/158/EC – Article 17(3)	Not new.  Empowerments currently broadly used.	Not new.  Disease-free status will be withdrawn under the Committee procedure where necessary, as now.
Article 42(5)	Rules on suspension, withdrawal and restoration of disease-free status			Directive 64/432/EEC – Article 10 Directive 80/1095/EEC – Article 8 Directive 91/68/EEC – Article 8(3)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the	Not new.  Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
<b>Part III</b>						
Article 44(1)	Requirements and conditions for contingency plans			Directive 92/65/EEC – Article 15(3) Directive 2003/85/EC - Articles 59, 60 and 61 Directive 2006/88/EC – Article 53 Directive 2009/158/EC – Article 17(3) Regulation 616/2009 – Articles 7 and 8	body of the basic acts.	empowerment.
				Directive 92/35/EEC – Article 17 and Annex IV Directive 92/66/EEC – Article 7, 21 and Annex VII Directive 92/119/EEC – Article 20 and Annex IV Directive 2000/75/EC – Article 18 and Annex III Directive 2001/89/EC – Articles 22, 23 and Annex VII Directive 2002/60/EC – Articles 21, 22 and Annex VI Directive 2003/85/EC – Articles 72 and 74	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 44(2)		Practical implementation of contingency plans		<p>Directive 2005/94/EC – Article 62 and Annex X            Directive 2006/88/EC – Article 47 and Annex VII</p> <p>Directive 92/35/EEC – Article 17 and Annex IV            Directive 92/66/EEC – Articles 7, 21 and Annex VII            Directive 92/119/EEC – Article 20 and Annex IV            Directive 2000/75/EC – Article 18 and Annex III            Directive 2001/89/EC – Articles 22, 23 and Annex VII</p> <p>Directive 2002/60/EC – Articles 21, 22 and Annex VI</p> <p>Directive 2003/85/EC – Articles 72, 74, 75, 76, 77 and 78</p> <p>Directive 2005/94/EC – Article 62 and Annex X            Directive 2006/88/EC – Article 47 and Annex VII</p>	<p>Not new.</p> <p>Empowerments currently broadly used.</p>	<p>Not new.</p> <p>Certain detailed provisions of technical Annexes will be provided for under this empowerment.</p>
Article 45(4)		Practical implementation of simulation		<p>Directive 2001/89/EC – Annex II            Directive 2002/60/EC –</p>	<p>Not new.</p> <p>Empowerments currently</p>	<p>Not new.</p> <p>Certain detailed provisions</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		exercises		Annex VI Commission Decision 2002/106/EC Directive 2003/85/EC – Article 73 Commission Decision 2003/422/EC	broadly used.	of technical Annexes will be provided for under this empowerment.
Article 47	Prohibitions, restrictions, conditions and obligations to use VMPs in relation to disease control measures; risk mitigating measures and surveillance for vaccinated animals		Urgency procedure	Directive 78/52/EEC – Articles 5, 13 and 22 (TB, Brucellosis, Leukosis) Directive 92/35/EEC – Article 5 (AHS) Directive 92/66/EEC – Articles 16 and 17 (NCD) Directive 92/119/EEC – Article 19 (SVD & other diseases) Directive 2000/75/EC – Article 5 (BTV) Directive 2001/89/EC – Article 18, 19 and 20 (CSF) Directive 2002/60/EC – Article 19 (ASF) Directive 2003/85/EC – Articles 49 – 57 (AI) Directive 2005/94/EC – Articles 52-57 Directive 2006/88/EC –	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  These requirements are present in existing Directives and will be provided for under this empowerment.  Provides the possibility for different measures in the future.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 48(3)	Measures for Union vaccine etc. banks. (establishment, management, biosecurity requirements etc.).			Article 48 Decision 91/666/EEC – Articles 3-6 Directive 2003/85/EC – Articles 80, 81, 82 and 84 Directive 2005/94/EC – Article 58	Partially new.  The empowerment already exists for the FMD vaccine bank and in more modest form for the CSF vaccine bank. But, the proposed empowerment provides the possibility to extend that approach to other diseases.	Possible new elements.  There is now the possibility to extend the approach to other diseases. This measure is also supported by the financing proposal.
Article 50		Vaccine etc. banks – which diseases, which vaccines etc. Also supply, storage, delivery, technical requirements for vaccines etc.	Urgency procedure	Decision 91/666/EEC – Articles 4, 5 and 7 and Annexes I and II Directive 2003/85/EC – Articles 81, 82 and 84 Directive 2005/94/EC – Article 58	Partially new.  The empowerment already exists for the FMD vaccine bank and in a more modest form for the CSF vaccine bank. But , the proposed empowerment will provide the possibility to establish and maintain banks for other diseases, which the Commission will list.	Possible new elements.  The Commission will list diseases for which it can establish and maintain banks, where this is appropriate and desired by the MSs.
Article 52(3)		Submission of information on national vaccine etc.		Directive 2003/85/EC – Article 79(4) FMD Directive 2005/94/EC – Article 59	Not new.  At least not for diseases for which such provisions exist	Not new.  At least not for diseases for which such provisions exist.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		banks (content, frequencies)			(possible diseases can be expanded as above).	(possible diseases can be expanded as above).
Article 53(2)	Detailed rules for control measures by operators in case of disease suspicion for (a) diseases.			Directive 92/35/EEC – Article 4(3) Directive 92/66/EEC – Article 4(3) Directive 92/119/EEC – Article 4(3) Directive 2000/75/EC – Article 4(3) Directive 2003/85/EC – Article 3(1)(b)	Not new.  The empowerments are currently already laid down in some disease control directives, while for the others they are specified in national legislation transposing EU Directives.	Not new.  No significant changes currently envisaged.
Article 54(3)	Detailed rules for CA investigation of suspicion of listed (a) diseases			Directive 92/35/EEC – Article 4(1) Directive 92/66/EEC – Article 4(1), 12, 19(1), Annex III Directive 91/119/EEC – Article 4(1) Directive 2000/75/EC – Article 4(1) Directive 2001/89/EC – Articles 4(1), 14(1) Directive 2002/60/EC – Article 4(1), 14(1) Directive 2003/85/EC –	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes (measures for FMD, CSF, ASF, AHS, AI, NCD, etc.).

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 55(2)	Detailed rules on preliminary control measures by CA when suspicion of listed (a) diseases			Articles 4(2), 71 and Annex I – Directive 2005/94/EC – Articles 7(1) and 50 – Directive 2006/88/EC – Articles 28 and 57(b)  Directive 92/35/EEC – Article 4(2), (4) and (5) – Directive 92/66/EEC – Article 4(2) and (4), 8, 19(2) – Directive 91/119/EEC – Article 4(2), (4) – Directive 2000/75/EC – Article 4(2), (4) and (5) – Directive 2001/89/EC – Article 4(2) and (3), 17 – Directive 2002/60/EC – Article 4(2) and (3), 17 – Directive 2003/85/EC – Articles 4(1) and (3), 5, 6 and 8 – Directive 2005/94/EC – Articles 7 and 8 – Directive 2006/88/EC – Article 28	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.
Article 58(2)	Criteria for official confirmation of listed (a)			Directive 2003/85/EC – Article 71 and Annex I – Directive 2005/94/EC –	Partially new.  The proposed	Not new.  The requirements to be set

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	diseases			Article 50	empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.  The construction might be different but it will add to clarity.
Article 63	Detailed rules on control measures to be taken by CA in affected and linked establishments (a) diseases			Directive 92/35/EEC – Article 6 Directive 92/66/EEC – Article 5, 6, 19(4) Directive 91/119/EEC – Article 5, 7, 9 and 16 Directive 2000/75/EC – Article 6 Directive 2001/89/EC – Articles 5, 6, 7, 13 and 14 Directive 2002/60/EC – Articles 5, 6, 7, 13 and 14 Directive 2003/85/EC – Articles 10, 11, 14, 15, 16, 18, 19 and 71 Directive 2005/94/EC – Articles 11, 12, 13, 14, 15, 36, 37, 38, 39, 40, 41, 42, 47 and 50	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 64(4)	Detailed rules for establishment and amendment of restricted zones (a) diseases			<p>Directive 2006/88/EC – Articles 34, 35 and 57(b)</p> <p>Directive 92/35/EEC – Articles 6 and 8</p> <p>Directive 92/66/EEC – Article 9(1)</p> <p>Directive 92/119/EEC – Article 10</p> <p>Directive 2000/75/EC – Articles 6, 8 and 10(1)</p> <p>Directive 2001/89/EC – Article 9</p> <p>Directive 2002/60/EC – Article 9</p> <p>Directive 2003/85/EC – Articles 21 and 45</p> <p>Directive 2005/94/EC – Articles 16 and 43</p> <p>Directive 2006/88/EC – Article 32</p>	<p>Partially new.</p> <p>The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.</p>	<p>Not new.</p> <p>The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.</p>
Article 67	Detailed rules on control measures in restricted zones for listed (a) diseases			<p>Directive 92/35/EEC – Article 6, 9 and 10</p> <p>Directive 92/66/EEC – Article 9(2), 10, 11 and 18</p> <p>Directive 92/119/EEC – Articles 11, 12, 13 and 16</p> <p>Directive 2000/75/EC – Articles 9, 10(1) and 12</p>	<p>Partially new.</p> <p>The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.</p>	<p>Not new.</p> <p>The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.</p>



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments	
				<p>Directive 2001/89/EC – Articles 10, 11, 12 and 19</p> <p>Directive 2002/60/EC – Articles 10, 11, 12 and 18</p> <p>Directive 2002/99/EC – Article 4</p> <p>Directive 2003/85/EC – Articles 11, 12, 22-34, 37-42, 46, 47, 54, 55, 58 and 71</p> <p>Directive 2004/95/EC – Articles 17-28, 30, 32-24, 28, 44, 46, 54 and 55</p> <p>Directive 2006/88/EC – Articles 33 and 57(b)</p> <p>Commission Regulation (EC) No 1266/2007, Articles 7, 8 and 9.</p>			
Article 68(2)	<p>Maintaining of measures in restricted zones:</p> <p>Measures to be taken in restricted zones (including procedures of</p>			<p>Directive 92/35/EEC – Articles 6 and 11</p> <p>Directive 92/66/EEC – Articles 9(2) and 11</p> <p>Directive 92/119/EEC – Articles 11, 12 and 16</p> <p>Directive 2000/75/EC – Article 8</p> <p>Directive 2001/89/EC –</p>	<p>Partially new.</p> <p>The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.</p>	<p>Not new.</p> <p>The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes.</p>	

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	final cleaning, surveillance and repopulation of restricted zones) for listed (a) diseases			Articles 10,11 and 13 Directive 2002/60/EC – Articles 10, 11 and 13 Directive 2003/85/EC – Articles 36, 44, 59-62 and 71 Directive 2004/95/EC – Articles 29, 21, 45, 48 and 49 Directive 2006/88/EC – Article 37		
Article 70(3)	Surveillance and disease control measures in wild animals for listed (a) diseases			Directive 92/35/EEC – Articles 2 and 4(5) Directive 92/119/EEC – Article 6 Directive 2000/75/EC – Article 4(5) Directive 2001/89/EC – Articles 15, 16 and 20 Directive 2002/60/EC – Articles 15 and 16 Directive 2003/85/EC – Article 85 Directive 2006/88/EC – Article 40	Partially new.  The empowerments are already used for some diseases and some species of wild animals (see the fifth column). Some examples: for AI (Decision 2006/563 concerning the measures for HPAI H5N1 in wild animals), rabies, , wild boar control measures for CSF, equidae in nature reserves, measures in wild aquatic animals.	Not new, although possible new elements. Some detailed provisions of existing Directives, technical Annexes or implementing Regulations or Decisions will be provided for under this empowerment, but also there is the future possibility added to extend measures to other wild animals and/or diseases.
Article 71(3)		Temporary special	Urgency procedure	Directive 92/35/EEC – Articles 4(5) and 12	Partially new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		disease control measures if measures not suited or disease appears to be spreading (a) diseases.	in 71.4	Directive 2000/75/EC – Article 8 Directive 2001/89/EC – Article 6 Directive 2002/60/EC – Article 6 Directive 2003/85/EC – Articles 17, 20, 35, 43, 45 and 85 Directive 2005/94/EC – Articles 32-34, 39-41, 46 and 47 Directive 2006/88/EC – Article 42 Commission Regulation (EC) No 2006/415 (AI) Decision 2006/563/EC (AI)	The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	The requirements to be set out under this empowerment are currently set out in detailed provisions of both existing Directives and their technical Annexes. For example Commission Regulation (EC) No 2006/415 concerning HPAI H5N1 and Decision 2006/563 concerning the measures for HPAI H5N1 in wild animals.
Article 72(2)	Detailed rules for control measures to be taken by operators and pet keepers in case of a suspicion of listed (b) or (c) diseases			Directive 2006/88/EC – Article 28	New.  The proposed empowerment follows the logic of Article 28 of Directive 2006/88/EC, but with more emphasis on prevention and overall better health status in the Union. There will be a change in the logic for terrestrial	Possible new elements  More emphasis on prevention and overall better health status in the Union. Immediate measures to limit the spread of (possibly) present disease.  This provides the possibility to lay down rules (only if relevant after a risk

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 73(3)	Investigation of disease of the suspicion of listed (b) or (c) diseases			Directive 78/52/EEC – Articles 6(1), 14(1) and 23  Directive 2006/88/EC – Articles 28 to 30	animals, compared to aquatic animals.	<p>assessment) to control diseases other than those for which immediate measures are necessary.</p> <p>If the Commission doesn't lay down additional rules, there are no Union rules in place, which means no change to the current situation and national rules apply.</p>
					<p>New. The proposed empowerment will follow the logic of Directives 78/52/EEC and 2006/88/EC as stated, but with more emphasis on prevention and overall better health status in the Union, for diseases other than those for which immediate measures are necessary.</p>	<p>Possible new elements</p> <p>Rules made under this empowerment will follow the contents of the rules which are currently laid down in Directives 78/52/EEC and 2006/88/EC. More emphasis on prevention and overall better health status in the Union. This provides the possibility to lay down rules (if non-existent, only if relevant after impact assessment) for diseases other than those for which</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 74(3)	Control measures and restricted zones for listed (b) and (c) diseases			Directive 78/52/EEC – Articles 6(1), 14(1) and 23 Directive 2006/88/EC – Article 38	Partially new. The proposed empowerment will follow the logic of Directives 78/52/EEC and 2006/88/EC as stated, but with more emphasis on prevention and overall better health status in the Union, for diseases other than those for which immediate measures are necessary.	immediate measures are necessary. If the Commission doesn't lay down additional rules, there are no Union rules in place, which means no change to the current situation and national rules apply.  Possible new elements More emphasis on prevention and overall better health status in the Union. This provides the possibility to lay down rules (if non-existent, only if relevant after impact assessment) for diseases other than those for which immediate measures are necessary. If the Commission doesn't lay down additional rules, there are no Union rules in place, which means no change to the current

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 76(2)	Criteria for official confirmation of listed (b) and (c) diseases			Directive 78/52/EEC – Articles 6(2), 14(2) and 23 Directive 2006/88/EC – Article 38	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	situation and national rules apply. Not new. Such requirements are already used for some diseases. Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.
Article 79	Control measures to be taken in outbreaks of listed (b) and (c) diseases			Directive 78/52/EEC – Articles 6(3)-12, 14(3)-20 and 23-26 Directive 2006/88/EC – Article 39	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Partially new. Such requirements are already used. Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment but in some cases new elements envisaged.
Article 80(4)	Disease control measures for wild animals for			Council Decision 89/455/EC (rabies) Directive 2006/88/EC –	Partially new. The proposed empowerment is only new in	Possible new elements The concept is not unknown. Currently used for example

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	listed (b) and (c) diseases			Article 40	the case where the contents are currently set out in the body of the basic acts.	for rabies control and to control listed diseases (exotic and non-exotic) in wild aquatic animals.  If the Commission doesn't lay down additional rules, there are no Union rules in place, which means no change to the current situation and national rules apply
Article 81(2)		Temporary special disease control measures if measures not suited or disease appears to be spreading for listed (b) and (c) diseases.	Urgency procedure in 81.3	Directive 89/662/EC – Article 9  Directive 90/425/EC – Article 10	Not new.	Not new.  As now, this empowerment only provides the possibility to lay down temporary rules to control diseases if due to the health risk this is necessary for any urgency reason that may arise. Such measures can be laid down in accordance with the existing Union legislation, e.g. the safeguard provisions for movements within the Union.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
<b>Part IV</b>						
Article 84		Information from operators for the purposes of registration of establishments for terrestrial animals and germinal products  Types of establishments that may be exempted		Obligation for holdings being under regular official veterinary checks - Directive 90/425/EEC - Article 3  Implicit in other "trade" and disease control directives  Directive 64/432/EEC Article 14  Regulation (EC) No 1760/2000 – Article 5 (cattle holdings)  Regulation (EC) No 21/2004 – Articles 7 and 8 (sheep and goats holdings)  Directive 2008/71/EC Article 3(1)(a)(pigs holdings)  Directive 2008/71/EC Article 3(2) and Decision 2006/80/EC (derogation for	Partially new.  Currently such obligations are laid down in the national legislation transposing EU Directives. Some of these details being explicitly empowered to the Commission is a new aspect.	Not new.  No significant changes currently envisaged.



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 85(3)	The obligation of types of transporters for terrestrial animals to provide the information for the purposes of registration			pigs holdings) Directive 64/432/EEC – Article 12 Directive 91/68/EEC – Article 8c(4) Link to: Regulation (EC) No 1/2005 - Article 10 and 11	Partially new. Currently such obligations are laid down in the national legislation transposing EU Directives. Some of these details being explicitly empowered to the Commission is a new aspect.	Not new. No significant changes currently envisaged.
Article 87		Information from transporters for the purposes of registration Types of transporters that may be exempted		Linked to the above	Partially new. Currently such obligations are laid down in the national legislation transposing EU Directives. Some of these details being explicitly empowered to the Commission is a new aspect.	Not new. No significant changes currently envisaged.
Article 89(3)	Detailed rules for the approval of establishments for terrestrial animals (incl.			Directive 64/432/EEC – Article 11(1) and Article 13(1) and (2) Directive 88/407/EEC – Article 5	Partially new. In general, the proposed empowerment will follow the logic of the rules laid down in existing legislation, some	Not new. The requirements to be set out under this empowerment are currently largely set out in both detailed provisions of

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	derogations from approval obligation, adding types of establishments to the list for approval and special rules for the cessation of activity for germinal products establishments)			Directive 89/556/EEC – Article 5(1) Directive 90/429/EEC – Article 5(1) Directive 91/68/EEC – Article 8a(1) and 8b(1 and 2) Directive 92/65/EEC – Articles 11(2) and 3 and 13, Annex C and Annex D Chapter I(I) and (III)	of which is currently set out in the body of the basic acts, and some of which is currently empowered to the Commission.	existing Directives and their technical Annexes. However, flexibility is provided with either derogations from existing system or adding other establishments to the approval obligation if the risks involved justify it. Possibility also to amend the requirements for the approval of establishments.
Article 91(3)		Information from operators for approval of establishment (terrestrial animals and germinal products)		Directive 64/432/EEC – Article 11(1) and Article 13(1) and (2) Directive 88/407/EEC – Article 5 Directive 89/556/EEC – Article 5(1) Directive 90/429/EEC – Article 5(1) Directive 91/68/EEC – Article 8a(1) and 8b(1 and 2) Directive 92/65/EEC – Articles 11(2) and (3) and	Partially new.  Currently such obligations are laid down in the national legislation transposing EU Directives. Some of these details being explicitly empowered to the Commission is a new aspect.	Not new.  No significant changes currently envisaged.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 92(2)	Detailed conditions for approval of establishments for terrestrial animals and germinal products			13 and Annexes C and D Chapter I(I) and (III) Directive 64/432/EEC – Article 11(1),(5) and (6) and Article 13(1) and (2) Directive 88/407/EEC – Article 5(1) and (3) Directive 89/556/EEC – Article 5(1) and 5(2a),(3) Directive 90/429/EEC – Article 5(1) Directive 91/68/EEC – Article 8a(1) and (5), Article 8b(1) and (2) Directive 92/65/EEC – Article 11(4) and 13(2) and Annexes C and Annex D Chapter I(I) and (III)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  The requirements to be set out under this delegation are currently set out in detailed provisions of both existing Directives and their technical Annexes.
Article 96(3)	Information in establishment and transport register, public availability			Directive 64/432/EEC – Articles 13(5) and (6), 14 Directive 88/407/EEC – Article 5 Directive 89/556/EEC – Article 5(2) Directive 90/429/EEC – Article 5(2) Directive 91/68/EEC – Article 8a(3) Directive	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Information to be kept in registers of establishments, transporters and their public availability are already laid down either in Articles or in technical Annexes of existing Directives. The intention is to continue with

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				92/65/EEC – Article 11(4) and 13(2)(d) Regulation (EC) No. 1760/2000 – Article 5 Regulation (EC) No. 21/2004 – Article 7 Directive 2008/71/EC – Article 3(1) Directive 2009/158/EC – Article 7 Also: Regulation No 1/2005 Article 13(3) and (4)		those rules and to add flexibility.
Article 96(4)		Format and operational procedures for register		Linked to the above obligation	Not new.	Not new.
Article 100(1)	Record keeping requirements for establishments and transporters for terrestrial animals and germinal products – derogations, additional info, time limit			Directive 64/432/EEC – Articles 11(2), 12(2), 13(1)(b) and (6) Directive 88/407/EEC – Annex A Chapter II(1)(o) and (2)(a) Directive 89/556/EEC – Annex A Chapter II(1)(b) and (2)(iii) Directive 90/429/EEC – Annex A Chapter II(2) Directive 91/68/EEC –	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Information to be kept in establishments is already laid down either in Articles or in technical Annexes of existing Directives or Regulations. The intention is to continue with those rules and to add flexibility.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 101				Articles 8a(2), 8b(1)(b), 8c(2) Directive 92/65/EEC – Article 12(3) Annex C (1)(d) and Annex D Chapter I(II)(1.2)(a) and (III)(1.2)(d) Directive 2008/71/EC – Article 4(1) Directive 2009/158/EC – Annex I Regulation (EC) No. 1760/2000 – Articles 7 and 10(c) Regulation (EC) No. 21/2004 – Article 5	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Requirements and tools currently broadly used. Some detailed provisions of existing Directives, the technical Annexes and existing Commission Decisions will be provided for under this empowerment. Some new elements, such as electronic keeping of
		Format and operation of establishment and transport record keeping, electronic keeping of records		Linked to the above		

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 103(2)	Inclusion of animal species in MSs' databases			N/A	New.	records, will be provided for.  New.  Provides flexibility, if the creation of a database is considered relevant for new species. Such rules should be based on the sound risk and/or impact assessment.  If the Commission doesn't lay down additional rules, there are no Union rules in place, which means no change to the current situation.
Article 114	Designation of authorities, I&R requirements, information in databases, documents, requirements for			Regulation (EC) No. 1760/2000 – Articles 3,4,5,6,8, 10(a) and (b) Regulation (EC) No. 21/2004 – Articles 3, 4, 5, 6, 8, 9, 11 Directive 2008/71/EC – Article 4(2), 5, 6(1), 7 and 8 Regulation (EC) No. 504/2008 – Article 3(3), 5, 8, 11, 13(1), 16, 17, 21, 23	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Identification and registration requirements laid down in existing legislation and added flexibility.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	other species requirements for pet animals			Directive 2009/156/EC – Articles 4(4) and 8 Directive 2009/158/EC – Article 18 Regulation (EC) No 998/2003 – Articles 4 and 19a(1) replaced by Regulation (EU) No. 576/2013 – Article 17, 18 and 21		
Article 115	Derogations from traceability requirements			Regulation (EC) No. 1760/2000 – Articles 4(1)(third subparagraph), 4(2)(second subparagraph), 6(1)(fourth subparagraph), 6(3), 10(a) and (b) Regulation (EC) No. 21/2004 – Articles 4(1)(first subparagraph), 4(2)(c), 4(3), 4(6)(second subparagraph), 6(4) and Article 9(3) (second and third subparagraph) Directive 2008/71/EC – Articles 3(2), 4(2), 5(2)(second subparagraph), 6(1)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Identification and registration requirements laid down in existing legislation and added flexibility.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 117		Technical specifications, formats etc. on traceability requirements, deadlines and exemptions		Regulation (EC) No. 504/2008 – Article 5(6)(second subparagraph), 6, 7, 11(2)(second subparagraph), 11(4), 12, 13(2), 14, 15(2), 16(2)  Regulation (EC) No. 1760/2000 – Articles 4,5, 6,10(a) and (b) Regulation (EC) No. 21/2004 – Articles 4(1) and (2), 6, 9, 10(2) and Annex Directive 2008/71/EC – Article 5(1), 6(1) Directive 2009/156/EC – Articles 4(4) and 8 Regulation (EU) No. 576/2013 – Annex II Regulation (EC) No. 504/2008 – Article 5(1), 11(2), 14(1), 21(1)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Identification and registration requirements laid down in existing legislation and added flexibility.
Article 119(1)	Traceability requirements for germinal products – supplementary rules, additional			Directive 88/407/EEC – Annex A Directive 89/556/EEC – Annex A Directive 90/429/EEC – Annex A and C Directive 92/65/EEC –	Partially new.  There are Commission empowerments in existing legislation, but which only apply to certain species and products.	Not new.  The content is known from existing legislation. The new structure will enable a consistent approach to laying down rules for



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	species			Annex D Directive 2009/158/EC – Articles, 8(1)(b) and 18 (for hatching eggs)		germinal products of other animal species.
Article 120		Traceability requirements for germinal products – technical specifications, formats, etc.		Linked to the above obligation	Partially new.  As above, this replicates the existing empowerment but with the possibility to lay down rules for germinal products of other animal species.	Not new.  Existing requirements and added flexibility.
Article 122(2)	Disease prevention measures for transport of terrestrial animals (cleaning, biosec, etc.)			Directive 64/432/EEC – Articles 4(2) and (3) and 12(1) and (3) Directive 91/68/EEC – Articles 4b(6), 8c (1) and (3) Directive 2009/156/EC – Article 7(1) Directive 2009/158/EC – Article 18	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  However, possible new elements: the scope could be expanded to other animal species and circumstances.
Article 128(1)	Movements of ungulates and poultry – risk mitigating and			Directive 64/432/EEC – Article 3, 4, 5, 6 Directive 91/68/EEC – Articles 3(1),(2),(3) and (5),	Partially new.  The proposed empowerment is only new in	Not new.  Existing legal requirements will be carried over and

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	prevention of spread			4, 4a, 4b(1) to (3), 4c(1) and (2), 5,6 Directive 92/65/EC – Articles 6(A), 7(A) Decision 95/410/EEC – Articles 1, 2 Directive 2003/85/EC – Article 64 Directive 2009/156/EC – Articles 4(1), 4(2), 4(5), 5, 6, 7(2) and (3) Directive 2009/158/EC – Articles 5, 9, 10, 11, 12, 13, 14, 15(1)(b)-(d), 19	the case where the contents are currently set out in the body of the basic acts.	some clarifications added.
Article 129(2)	Time of slaughter following movement of ungulates and poultry to another MS			Directive 64/432/EEC – Article 7 Directive 91/68/EEC – Article 4b(5) Directive 92/65/EC – Articles 6(A), 7(A) Decision 95/410/EEC – Article 1 Directive 2009/156/EC – Article 7(2) Directive 2009/158/EC – Article 18	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Requirements and tools currently broadly used. Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment.
Article 132	Details on assembly			Directive 64/432/EEC – Articles 5(2)(a), 5(3),	Partially new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	operations for ungulates and poultry and derogations			5(5), 6(1)(first indent, second subparagraph) and 7 and 11 Directive 91/68/EEC – Article 4b(4), 4c(3), 8a, 9(2) to (6) Directive 2009/156/EC – Article 7(1)	The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Requirements and tools currently broadly used. Certain detailed provisions of existing Directives and their technical Annexes will be provided for under this empowerment. Some detailed provisions of assembly operations to be clarified under this empowerment.
Article 133(2)	Requirements for movement of species other than ungulates and poultry			Directive 92/65/EEC – Articles 5, 8, 9, 10(1) to (4), 13(1)	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. The approach and requirements of Directive 92/65/EEC will be retained.
Article 134(2)	Rules for confined establishments for terrestrial animals			Directive 92/65/EEC – Articles 5, 6(A), 7(A), 13	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. Known as “centres, bodies, institutes”, a concept from Directive 92/65/EC. The concept is being continued in the new proposal.
Article 135(3)	Rules for			Directive 92/65/EEC –	Not new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	movements of animals kept for scientific purposes			Articles 1 to 4, 13 and Articles 21 to 23  Link with Directive 2010/63/EC on the protection of animals used for scientific purposes	Empowerments to lay down such rules already exist. The proposed empowerment would include the possibility to amend rules and to lay down more detailed requirements.	Basic requirements already exist in existing legislation. Empowerment provides the possibility to amend rules in Article 135 and to lay down more detailed requirements.
Article 136(4)	Conditions for CA derogations from movement measures for terrestrial animals for sporting/cultural events/near border movements/etc.			Directive 91/68/EEC – Article 3(4) Directive 2009/156/EC – Article 3 Directive 2009/158/EC – Article 21	Partially new.  Conditions for derogations are largely laid down in trade Directives at present, so the empowerment to the Commission is mostly new. Some flexibility is now available to be also used for other animal species if required.	Not new.  No significant changes envisaged.
Article 137	Conditions and derogations for circuses, exhibition, sporting events, zoos, pet shops, wholesalers and captive birds			Directive 92/65/EEC – Articles 6(A) and 7(A) Regulation (EC) No. 1739/2005 (on circus animals)	Partially new.  Empowerments for derogations for circuses and zoos are largely granted to the Commission at present in Directive 92/65/EEC. The proposal adds flexibility to extend derogations to more	Not new.  Approach known from Directive 92/65/EEC. Flexibility added.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	from this chapter				sectors, if required.	
Article 138		Other temporary derogations or supplementary rules for terrestrial animals.	Urgency procedure	Directive 90/425/EC – Article 10 Directive 89/662/EC – Article 9	Not new. Such empowerments already exist.	Not new. For use as a safeguard in case where urgent problems arise.
Article 141(1)	Animal health certification requirements for other species and categories of terrestrial animals and derogations			Directive 64/432/EEC – Article 5(2)(b) Directive 91/68/EEC – Article 12 Directive 92/65/EC – Articles 5 and 21 Directive 2009/156/EC – Articles 6, 8(1)(a) and(3) Directive 2009/158/EC – Article 20	Partially new. The proposed empowerment would cover elements that are set out in existing Directives and some that are in technical Annexes that the Commission are empowered to amend. In addition, certain provisions are new, notably the added flexibility for the low risk movements, and special rules for recognised biosecurity and surveillance.	Partially new. Certain elements are present in the existing legislation. However, a number of provisions are new, notably the added flexibility for the low risk movements, and special rules for recognised systems of biosecurity and surveillance.
Article 143(1)	Content, information and			Directive 64/432/EEC – Article 5(1), Annex F	Partially new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	requirements for animal health certification for terrestrial animals			Directive 91/68/EEC – Article 9(1), Annex E Directive 92/65/EC – Articles 4, 6(A), 7(A), 8, 9, 10(1) to (4), 11(2) and (3), 21, Annex E Decision 95/410/EEC – Article 3 Directive 2009/156/EC – Article 8(1) - Annex II and III Directive 2009/158/EC – Article 20(a), Annex F	The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Contents of animal health certificates laid down in current Directives to be kept in the future and if necessary corrected. More flexible approach for changes. The content will also be laid down for certificate that will be developed under the delegated act in Article 141 (for other species or for specific situations).
Article 143(2)		Model animal health certificates (terrestrial animals)		Linked to the above  And  Regulation (EC) No. 599/2004 – model health certificate for trade in live animals	Not new.  The Commission is already empowered to lay down and amend model animal health certificates based on the requirements laid down in accordance with the previous paragraph.	Not new.  Models of animal health certificates laid down in current Directives and Decisions to be kept in the future and if necessary corrected.
Article 144	Animal health certificates for particular types of movements of terrestrial			Directive 64/432/EEC – Article 5(2)(a) and 5(5)  Directive 90/425/EEC – Article 8 and 9 (rejected)	Partially new.  The proposed empowerment would cover elements that are set out in	Partially new.  Clarified certification rules for the movements through assembly operations and for

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	animals - assembly operations, returned consignments, events			consignments) Directive 91/68/EEC – Articles 4c(3), 9(4) to (6)	existing Directives and some that are in technical Annexes that the Commission are empowered to amend. Nevertheless, the intention is to introduce clarified certification rules for the movements through assembly operations and for rejected consignments. At present this often causes practical problems for the Member States.	rejected consignments. At present this often causes practical problems for the Member States, as there is no precise provision as to what documentation should accompany the rejected consignment returning to the place of origin.
Article 146(4)	Requirements for checks and timeframes to issue an animal health certificate for terrestrial animals  Duration and validity of certificates for terrestrial animals			Directive 64/432/EEC – Articles 3(2)(a), 5(1), 5(2) and 5(3) Directive 91/68/EEC – Articles 4(1)(b), 9(1) to (6) Directive 92/65/EC – Articles 4, 12(4) and 13(1) Directive 2009/156/EC – Article 4(1) and 8 Directive 2009/158/EC – Articles 8(1)(a)(iii)(first indent), 10(c), 11(c), 12(c), 20(a) and (d)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new.  Requirements concerning details of the checks to be performed for the purposes of animal health certification are laid down in existing legislation. This will continue to apply.  <b>To distinguish from the official controls proposal:</b> This Commission proposal will define when checks for certification are needed and

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 148(3)	Content and information required in self-declaration (terrestrial animals)			Directive 92/65/EC – Articles 4, 7(A)(2)(c) and 13(1)	Partially new.  The proposed empowerment would cover elements that are set out in existing Directives and some that are in technical Annexes that the Commission are empowered to amend.	Partially new.  This exists for some animal species in accordance with Directive 92/65/EEC. However, flexibility may be added in the future to use this possibility for more movements, where the certification will not be necessary as a derogation is provided for in Article 141. In particular, for food producing animals, this can be combined with (already existing) food chain information document based on the hygiene Regulations.
Article 148(4)		Model self-declaration		Linked to the above	Not new.	Not new.



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		(terrestrial animals)			Model animal health declarations may be drawn up based on the requirements laid down in accordance with the previous paragraph.	This already exists for some animal species in accordance with Directive 92/65/EEC.
Article 151(1)	Notification of movements – types, data, procedures, emergency procedures, designation of regions (terrestrial animals)			Directive 90/425/EEC - Articles 4(2) and 20  Directive 64/432/EEC – Article 2 and Article 5(4) Directive 91/68/EEC – Article 2 and Article 9(7)	Not new.  Empowerments are already provided in the existing legislation.	Not new.  Existing TRACES system. The requirements for when and how to notify movements in the system follows the Commission proposal and the establishment of the system and operational details in accordance with the official controls proposal. Link also to official controls proposal, establishing the IMSOC system.  Designation of regions: Not new. Articles 2 of Directives
					Designation of regions: New. The designation of regions	

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
					was not previously empowered to the Commission	64/432/EEC and 91/68/EEC designation of regions
Article 151(2)		Notification of movements – format, deadlines (terrestrial animals)		Linked to the above Commission Decision 292/2004/EC Regulation (EC) No 599/2004 – Article 2	Not new.	Not new. Existing obligations to notify movements in TRACES.
Article 152(2)	Requirements for movements of terrestrial pet animals			Regulation (EC) No 576/2013 – Articles 4, 5, 6, 7, 8 and 9	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Regulation.	Not new. Existing requirements and the approach to be kept in the future.
Article 152(3)		Specific rules for pet animals		Regulation (EC) No 576/2013	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Regulation.	Not new. Existing requirements and the approach to be kept in the future.
Article 154(1)	Additional requirements for movements of			Directive 92/65/EEC – Articles 1, 3 and 21 to 23	Not new. Existing empowerments to	Not new. Possibility to lay down

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	wild terrestrial animals				lay down specific animal health requirements for the trade of different animal species (Directive 92/65/EEC)	animal health requirements for movements of wild animals (when animals are moved by humans), where health risks justify it.
Article 154(2)		Format and model of certificates for movement of wild terrestrial animals		Linked to the above	Not new.	Not new.  Model animal health certificates may be drawn up based on the requirements laid down in accordance with the previous paragraph.
Article 158	Movement of germinal products – detailed requirements			Directive 88/407/EEC – Articles 3,4 Directive 89/556/EEC – Article 3 Directive 90/429/EEC – Article 3 Directive 92/65/EC – Article 11(2) and (3) Directive 2009/158/EC – Articles 5,8, 15(1)(a)	Not new.  Existing empowerments to lay down specific animal health requirements for the different types of germinal products	Not new.  This mirrors the existing requirements for movement of semen, ova, embryos and hatching eggs in existing legislation.
Article 159(5)	Derogations from certification requirements for certain germinal			Directive 2003/85/EC – Articles 34, 63 Directive 2009/158/EC – Article 21	Partially new.  Certain empowerments are in the existing legislation. However, some of the	Partially new.  Certain elements would be carried over from the existing legislation.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	products				provisions would be new, notably added flexibility for low risk movements, and special rules for other risk mitigating measures in place, such as biosecurity and surveillance.	However, a number of provisions would be new, notably added flexibility for low risk movements, and special rules for other risk mitigating measures in place, such as biosecurity and surveillance.
Article 160(3)	Germinal products – contents of animal health certificates and animal health certification requirements for other germinal products			Directive 88/407/EEC – Articles 6(1), 17 Directive 89/556/EEC – Articles 6, 16 Directive 90/429/EEC – Articles 6(1), 17 Directive 92/65/EC – Articles 11 and 21 Directive 2009/158/EC – Articles 20 and 34	Not new. Empowerments to modify certificates are already in the existing legislation.	Not new. Contents of animal health certificates laid down in current Directives to be kept in the future and if necessary corrected. More flexible approach for possible changes.
Article 160(4)		Model animal health certificates for germinal products		Linked to the above Also: Decision 2011/630/EU Decision 2006/168/EC Decision 2012/137/EU Decision 2010/470/EU Decision 2010/471/EU	Not new.	Not new. Model animal health certificates may be drawn up based on the requirements laid down in accordance with the previous paragraph.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 162(2)	Animal health requirements, certification, notification, for movements of other species' germinal products			Decision 2010/472/EU Directive 92/65/EEC – Articles 1, 3, 11(5), 21 to 23	Not new. Legal basis and empowerments already existing in Directive 92/65/EC.	Not new. Legal basis already existing in Directive 92/65/EC.
Article 163(3)	Conditions for movement of germinal products for scientific purposes			Directive 92/65/EEC – Articles 1 to 4 and 13, 21 to 23 Link to Regulation (EC) No 1069/2009	Not new. The empowerments to the Commission are already in existing legislation..	Not new. No significant changes envisaged.
Article 164(3)	Detailed requirements for movements of products of animal origin (of terrestrial animals origin)			Directive 92/118/EEC – Articles 3, 4(1) and 5 Directive 2002/99/EC – Articles 3 and 4(2) and (3) Directive 2003/85/EC – Article 26, 27, 39 and 40	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Not new. Animal health requirements for products of animal origin. Requirements from existing Directives and their technical Annexes to be kept. Note: Complementary to the requirements of hygiene

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 165(5)	Derogations from animal health certification requirements for movements of products of animal origin (of terrestrial animals origin)			Directive 2002/99/EC – Article 4 Directive 2003/85/EC – Articles 34, 63	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of the basic acts.	Regulations.  Not new. Animal health requirements for products of animal origin. Possibility for a flexible approach.
Article 166(3)	Information/ contents for animal health certificate for products of animal origin (of terrestrial animals origin)			Directive 2002/99/EC – Article 5	Not new. The empowerment to the Commission is already in existing legislation.	Not new. Contents of animal health certificates, which are laid down under Directive 2002/99/EC, to be kept and if necessary corrected. More flexible approach for possible changes.
Article 166(4)		Model animal health certificates for products of animal origin (of terrestrial		Linked to the above	Not new.	Not new. Model animal health certificates may be drawn up based on the requirements laid down in accordance with the previous paragraph.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 173		animals origin) Information from operators for registration of aquaculture establishments Categories of aquaculture establishments that may be exempted		Directive 2006/88/EC – Article 4(1) and (4)	Not new.  Currently such obligations are laid down in the national legislation transposing EU Directive 2006/88/EC.	Not new.
Article 174(3)	Derogations from approval for aquaculture establishments and high risk types that must be approved			Directive 2006/88/EC – Article 4(1), (4) and 61(3)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive.	Not new.  In general, basic existing rules are kept. Flexibility is provided from existing legislation, either derogations from existing system or adding other establishments to the approval obligation if the risks involved justify it.  Possibility also to amend the requirements for the approval of establishments.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 178(3)		Information needed from operators to apply for approval of aquaculture establishments		Linked to the above	Not new.  Currently such obligations are laid down in the national legislation transposing EU Directive 2006/88/EC.	Not new.
Article 179(2)	Requirements for approval of aquaculture establishments			Directive 2006/88/EC – Articles 5, 9, 10 and 61(3)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive.. The intention is to continue with those rules and to add flexibility.	Not new.  Conditions for approval are laid down in Articles or in technical Annexes of the existing Directive. The intention is to continue with those rules and to add flexibility.
Article 184(1)	Information to be included in register of aquaculture establishments and public availability			Directive 2006/88/EC – Articles 6 and 61(2) and (3)	Partially new.  The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive. The intention is to continue with those rules and to add	Not new.  Requirements are laid down in Articles or in technical Annexes of the existing Directive. The intention is to continue with those rules and to add flexibility.



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 184(2)		Format and procedures of register of aquaculture establishments		Directive 2006/88/EC – Article 61(2) and Annex II,	flexibility. Not new. The empowerment to the Commission to amend the technical Annex already exists. .	Not new. Rules are laid down in technical Annexes of the existing Directive. The intention is to continue with those rules and to add flexibility.
Article 188(1)	Record keeping for aquaculture establishments etc. derogations, additional info, timings.			Directive 2006/88/EC – Articles 8, 59 and 61(3)	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive...	Not new. The intention is to continue with the existing rules and to add flexibility
Article 189		Record keeping for aquaculture establishments etc. – format, electronic, operation.		Directive 2006/88/EC – Articles 8, 59 and 61(3)And	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive..	Not new. Broadly corresponds to the existing requirements. Some new elements, such as electronic keeping of records, are provided for.
Article 191(2)	Specific disease prevention requirements for			Directive 2006/88/EC – Articles 13 and 61(2) and	Partially new. The proposed	Not new. Carrying over the

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	transport of aquaculture animals			(3)	empowerment is only new in the case where the contents are currently set out in the body of that Directive..	requirements of the existing Directive and Annexes
Article 196(2)	Derogations for movements of aquaculture animals intended for aquaculture or release into the wild			Directive 2006/88/EC – Articles 15(1), (2) and (4) and 61(2) and (3)	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive..	Not new. Carrying over the requirements of the existing Directive and Annexes.
Article 199(3)	Measures for movement of wild aquatic animals into aquaculture or to the wild			Directive 2006/88/EC – Articles 20 and 61(2) and (3)	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive..	Not new. Carrying over the requirements of the existing Directive and Annexes, and adding details.
Article 200(3)	Derogations for movements of aquaculture animals intended for human consumption which do not pose significant			Directive 2006/88/EC – Articles 18, 19 and 61(2) and (3)	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Directive.	Not new. Carrying over the requirements of the existing Directive and Annexes.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	risk					
Article 201(2)	Movement requirements for wild aquatic animals for human consumption			Link to Directive 2006/88/EC – Article 2(1) and Articles 18, 19 and 20	Partially new. Extending the empowerment to lay down animal health requirements for wild aquatic animals intended for human consumption, where this may be deemed necessary to protect animal health.	Possible new elements  If the Commission doesn't lay down additional rules, nothing applies, which means no change to the current situation.  Possibly subject to risk and/or impact assessment and to be seen in relation to the possible rules for the entry into the Union.
Article 202(2)	Movement requirements for aquaculture animals for other purposes			Directive 2006/88/EC – Articles 21 and 61(2) and (3)	Not new. The empowerment to the Commission to amend the requirements including technical Annexes already exists.	Not new.  Transposing the requirements of the existing Directive and Annexes.
Article 203(2)	Derogations and supplementary requirements for movements into confined			Directive 2006/88/EC – Articles 21 and 61(2) and (3)  Directive 92/65/EEC – Articles 2(1)(c), 13 and 21	Not new. The empowerments to the Commission to amend the basic requirements of Directives in respect of	Not new.  Carrying over the possibilities laid down in existing Directives.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	establishments			to 23	specific types of movements already exist.	
Article 204(3)	Conditions for movements for scientific purposes of aquatic animals			Directive 92/65/EEC – Articles 1 to 4, 13 and Articles 21 to 23  Directive 2006/88/EC – Articles 11(2) and 61(2) and (3)  Link with Directive 2010/63/EC on the protection of animals used for scientific purposes	Not new.  Empowerments to lay down such rules already exist. The proposed empowerment would include the possibility to amend rules and to lay down more detailed requirements.	Not new.  Basic requirements already exist in existing legislation. Empowerment provides possibility to amend rules in Article 204 and to lay down more detailed requirements.
Article 205	Movement of aquatic animals for exhibition, zoos, pet shops, ponds, commercial aquaria, wholesalers			Directive 2006/88/EC – Articles 21 and 61(2) and (3)	Not new.  Empowerments to lay down such rules already exist.	Not new.  In general carrying over the requirements of the existing Directive and Annexes.
Article 206		Derogations or supplementary rules in case of unsuitability of	Urgency procedure	Directive 90/425/EC – Article 10  Directive 89/662/EC –	Not new.  Empowerments to lay down such rules already exist.	Not new.  In case where urgent problems arise. A safeguard. Such a possibility

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		rules or spread of disease		Article 9		already exists.
Article 209(3)		Rules on obligation to ensure other aquatic animals are accompanied by an animal health certificate		Directive 92/65/EEC – Articles 21 and 61(2) and (3)	Not new. Empowerments to lay down such rules already exist.	Not new. Already existing possibility in current legislation. No change is envisaged in the near future.
Article 211	Requirements for animal health certificates for aquaculture animals and derogations from them			Directive 2006/88/EC - Articles 14 and 61(2) and (3) Directive 92/65/EEC – Article 21	Not new. Empowerments exist. Continuation of existing requirements.	Not new. Continuation of existing requirements.
Article 213(1)	Contents of animal health certificates for aquatic animals			Directive 2006/88/EC - Articles 14 and 61(3) Regulation (EC) No 1250/2008 Regulation (EC) No 1251/2008	Not new. Empowerments exist. Continuation of existing requirements	Not new. Contents of animal health certificates laid down in current Regulation (EC) No 1251/2008, implementing Directive 2006/88/EC to be kept and if necessary

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 213(2)		Model animal health certificates for aquatic animals		Linked to the above	Not new. Empowerments to lay down such model animal health certificates already exist.	corrected.  Not new. Model animal health certificates may be drawn up based on the requirements laid down in accordance with the previous paragraph. Replacing existing Regulation (EC) No. 1251/2008
Article 214	Certification requirements for rejection of consignment or movement to exhibition or event for aquatic animals			N/A	New. Empowerments to lay down such rules already exist.	New. Obligations related to movement rejections. Not regulated presently, this currently causes some practical problems in the Member States.  If the Commission doesn't lay down additional rules, nothing applies, which means no change to the current situation.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 216(4)	Provisions for checks of certification and timeframes for aquatic animals			<p>Directive 2006/88/EC - Articles 7, 14 and 61(3)</p> <p>Regulation (EC) No 1250/2008</p> <p>Regulation (EC) No 1251/2008</p>	<p>Not new.</p> <p>Currently in Commission acts, pursuant to Directive 2006/88/EC.</p>	<p>Not new.</p> <p>Requirements concerning the details of the checks to be performed for the purposes of animal health certification are laid down in existing legislation. This will continue to apply.</p> <p><b>To distinguish from official controls proposal:</b> This Commission proposal will define when checks for certification are needed and detail the content of those checks. While performing that task official veterinarians will need to comply with the procedural requirements laid down in the official controls Regulation.</p>
Article 218(3)	Information for self-declaration and contents (aquatic animals)			Directive 92/65/EC – Articles 4, 7(A)(2)(c) and 13(1)	<p>Partially new.</p> <p>The proposed empowerment is only new in the case where the contents</p>	<p>Not new.</p> <p>Something which exists for some animal species in accordance with Directive</p>

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
					are currently set out in the body of that Directive.	92/65/EEC. However, flexibility may be added in the future to use this possibility for more movements, where the certification will not be necessary (derogation provided for in Article 211). In particular, for food producing animals, this can be combined with (already existing) food chain information document based on the hygiene Regulations.
Article 218(4)		Model self-declaration documents (aquatic animals)		Linked to the above	Not new.	Not new.  Model animal health declarations may be drawn up based on the requirements laid down in accordance with the previous paragraph.
Article 221(1)	Empowerments for notification of movements – types, derogations, data			Directive 90/425 - Articles 4(2) and 20  Directive 2006/88/EC – Article 14(3) and (4), and	Not new.  Empowerment for notifications already in	Not new.  Existing TRACES system. The requirements when and how to notify movements in



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	needed, emergency procedures			61(3) Commission Decision 292/2004/EC	existing legislation.	the system is following the animal health proposal and the establishment of the system and operational details in accordance with the official controls proposal. Link also to official controls proposal, establishing the IMSOC system.  Designation of regions: Not new.  Articles 2 of Directives 64/432/EEC and 91/68/EEC apply for the designation of regions – no content change.
Article 221(2)		Format and deadlines for notification of movements		Linked to the above	Not new.	Not new.  Existing obligations to notify movements in TRACES.
Article 222(3)	Requirements for movements of aquatic pet			Regulation (EC) No 576/2013 – Articles 4, 5, 6, 7, 9, and 19	Partially new. The proposed empowerment is only new in	Not new.  Existing requirements and the approach to be kept in

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	animals				the case where the contents are currently set out in the body of that Regulation..	the future.
Article 222(4)		Measures for the implementation of aquatic pet requirements		Linked to the above	Partially new. The proposed empowerment is only new in the case where the contents are currently set out in the body of that Regulation..	Not new. Existing requirements and the approach to be kept in the future.
Article 223(3)	Detailed requirements for movements of products of aquatic animal origin			Directive 92/118/EEC – Articles 3, 4(1), 5 and 15 Directive 2002/99/EC – Articles 3 and 4	Not new. Empowerment already in existing legislation	Not new. Animal health requirements for products of aquatic animal origin. Complementary to the requirements of hygiene Regulations.
Article 224(5)	Animal health certificates to accompany products of aquatic animal origin and derogations			Directive 2002/99/EC – Article 5	Not new. Empowerment already in existing legislation	Not new. Animal health requirements for products of aquatic animal origin. Possibility for a flexible approach.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 225(3)	Content for animal health certificates for products etc.			Directive 2002/99/EC – Article 5(2)	Not new. Empowerment already in existing legislation	Not new. Contents of animal health certificates laid down in Directive 2002/99/EC, to be kept and if necessary corrected. More flexible approach for possible changes.
Article 225(4)		Model animal health certificates for products aquaculture etc.		Directive 2002/99/EC – Article 5	Not new.	Not new. Model animal health certificates may be drawn up based on the requirements laid down in accordance with the previous paragraph.
Article 227(3)		Confirmation of national provisions by Commission		Directive 2006/88/EC – Articles 43 and 61(2) and (3)	Not new. Empowerment already in existing legislation.	Not new. Continue the existing approach provided for in the Directive.
Article 229(1)	Rules to apply to other animals			Directive 92/65/EEC – Articles 1,3,4	Partially new. The proposed empowerment expands the possible species that the	Not new. A similar, but clearer approach to be continued – no significant changes

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 229(2)		Detailed rules for the implementation of the measures		Directive 92/65/EEC – Articles 1,3,4	rules could be applied to  Partially new.  The proposed empowerment expands the possible species that the rules could be applied to	currently envisaged.  Not new.  Details from technical Annexes or implementing decisions to be laid down under this empowerment – no significant changes currently envisaged.
<b>Part V</b>						
Article 231(1)		List of third countries, territories who may import		Directive 88/407/EEC – Articles 8 and 10 Directive 89/556/EEC – Article 7 Directive 90/429/EEC – Article 7 Directive 92/65/EEC – Article 17(2) and (3) Directive 2002/99/EC – Article 8 Regulation 576/2013 – Article 13 Directive 2004/68/EC – Articles 3(1), 4 and 5 Directive 2006/88/EC – Article 23	Not new.  For existing lists of third countries, territories and regionalisation.  New.  For recognition of compartments.	Partially new.  Existing lists of third countries, territories and regionalisation. Compartmentalisation is a new component

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments	
				<p>Directive 2009/156/EC – Articles 12 (1)-(3) and 13 (Directive 2009/158/EC – Article 23</p> <p>And</p> <p>Decision 2004/211/EC (equidae)</p> <p>Regulation (EC) No. 798/2008 (poultry)</p> <p>Decisions 2005/64/EC and 2011/874/EU (dogs, cats, ferrets)</p> <p>Regulation (EC) No 1251/2008 (aquaculture animals and vector species)</p> <p>Regulation (EC) No 206/2010 (ungulates and bees)</p> <p>Regulation (EU) 139/2013 (captive birds)</p>			
Article 231(3)	Limiting the MSs possibility to determine the list of third countries			<p>Directive 92/65/EEC – Article 17(2), last subparagraph</p> <p>Directive 92/118/EEC – Article 10 (3)(a) third</p>	Partially new.  The proposed empowerment is only new where it provides for the possibility to lay down more details compared to the	Not new.  The content is not new. The possibility for keeping the “national lists of third countries and territories” until EU lists are established	

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
				subparagraph and (6)	current rules.	for certain animals or products (as provided for in Directives 92/65/EEC and 92/118/EEC) exists and it will continue to apply.
Article 233(1)		Suspension or withdrawal from the list of third countries by the Commission	Urgency procedure	Directive 2004/68/EC – Article 3(2)	Partially new. The concept is known and laid down in Directive 2004/68/EC. This proposed empowerment provides coherence by expanding the possibility beyond only the entry into the Union and transit of live ungulates.	Partially new. This proposal clarifies and specifies the conditions for the suspension and withdrawal from the list of the country or territory, or part of it. Clarity is added to the procedure. The notion of compartments is new.
Article 233(2)		Reinsertion to the list of third countries by the Commission		Directive 2004/68/EC – Article 3(2)	Partially new. The concept is known and laid down in Directive 2004/68/EC. This proposed empowerment provides coherence by expanding the possibility beyond only the entry into the Union and transit of live ungulates.	Partially new. This proposal clarifies and specifies the conditions for the suspension and withdrawal from the list of the country or territory, or part of it. Clarity is added to the procedure. The notion of compartments is new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 233(3)	Rules amending and supplementing the criteria for suspension or withdrawal			Directive 2004/68/EC - Article 13(1)(c)  Directive 2006/88/EC – Article 25(b)	Partially new.  A similar approach is used in Directive 2004/68/EC for the introduction into the EU of ungulates and in Directive 2006/88/EC for the introduction into the EU of aquaculture animals. This proposed empowerment provides coherence by expanding the possibility beyond only the entry into the Union and transit of live ungulates and of aquaculture animals.	Not new.  No significant changes currently envisaged.  Possible new element  Possibility to add criteria for compartments.
Article 235	Derogations for approval of establishments in 3 <sup>rd</sup> countries			Directive 88/407/EEC – Article 9 Directive 89/556/EEC – Article 8 Directive 90/429/EEC – Article 8 Directive 92/65/EEC – Article 17(3)(b)	Partially new.  This proposed empowerment provides coherence by expanding the possible scope of derogations.	Not new.  The approach known from the existing Directives, but the flexibility added in this proposal. No significant changes envisaged.
Article 236(1)	Animal health requirements for			Directive 88/407/EEC – Article 10	Partially new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	entry into the Union and rules for movement and handling after entry.			<p>Directive 88/407/EEC – Article 10</p> <p>Directive 89/556/EEC – Article 9</p> <p>Directive 90/429/EEC – Article 9</p> <p>Directive 92/65/EEC – Articles 16 to 19 and 21 to 23</p> <p>Directive 92/118/EEC – Articles 9 and 10</p> <p>Directive 2002/99/EC – Articles 7, 8 and 11</p> <p>Regulation (EC) 576/2013 – Articles 10 to 14</p> <p>Directive 2004/68/EC – Articles 6 to 11 and 13</p> <p>Directive 2006/88/EC – Article 25</p> <p>Directive 2009/156/EC – Articles 12(4) and (5), 13 to 17 and 19</p> <p>Directive 2009/158/EC – Articles 24-25 and 28-30</p>	<p>The concept of the empowerment already exists in a number of Directives and Regulations. However, the proposed empowerment will provide coherence by extending the possible scope of the requirements.</p>	<p>The existing requirements for the entry into the Union to be continued, but they should be aligned with the requirements for Intra-Union movements and flexible for that reason.</p>
Article 239(4)	Derogations from the animal health requirements and special rules for			<p>Directive 2002/99/EC – Article 9</p> <p>Regulation (EC) No 576/2013 – Articles</p>	<p>Partially new.</p> <p>The concept of the empowerment already exists</p>	<p>Not new.</p> <p>Flexibility provided. Should be in line with the intra-</p>



Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	certification requirements for entry into the Union. Requirements to be included in documents and declarations			10(1)(e), 11, 12 and 27 Directive 2004/68/EC – Articles 8 to 10 and 13 Directive 2009/156/EC – Articles 16 and 20 Directive 2009/158/EC – Articles 26 and 34	in a number of Directives and Regulations. However, the proposed empowerment will provide coherence by extending the possible scope of the requirements.	Union movement requirements.
Article 240(3)	Contents of animal health certificate			Directive 88/407/EEC – Articles 11 and 17 Directive 89/556/EEC – Articles 10 and 16 Directive 90/429/EEC – Articles 10 and 17 Directive 92/65/EEC – Articles 19 and 21 Directive 2002/99/EC – Article 9 and Annex IV Regulation (EC) No 576/2013 – Article 10(1)(e) Directive 2004/68/EC – Articles 11 and 13 Directive 2006/88/EC – Article 25 Directive 2009/156/EC – Articles 16 and 20 Directive 2009/158/EC –	Partially new. Empowerments are already in existing legislation. Possible circumstances for the certificate are expanded.	Not new. Link to animal health requirements laid down in Article 236(1) Existing animal health certificates based on the requirements for the entry into the Union to be continued, but they should be aligned with the intra-Union requirements for movements and flexible for that reason.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments	
				Articles 26 and 34  And  Regulation (EC) No 206/2010 (ungulates and bees) Decision 2004/211/EC (equidae) Regulation (EC) No. 798/2008 (poultry) Regulation (EU) 139/2013 (captive birds) Decisions 2005/64/EC and 2011/874/EU (dogs, cats, ferrets) Regulation (EC) No 1251/2008 (aquaculture animals and vector species)			
Article 240(4)		Model animal health certificates		Linked to the above	Not new.  Empowerments are already in existing legislation.	Not new.  A link to animal health requirements laid down in Article 236(1) and the contents of certificates in accordance with Article 240(3).  Existing animal health	

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
						certificates based on the requirements for the entry into the Union to be continued, but they should be aligned with the intra-Union requirements for movements and flexible for that reason.
Article 241(1)	Specific rules and supplementing requirements for certain animals and products			Directive 92/65/EEC – Articles 23 and 24 Directive 92/118/EC – Articles 10(3), 11, 13, 15 and 16 Regulation (EC) No 576/2013 – Articles 4, 5(5), 10, 11, 12, 13(1) and (3), 14, 16, 21(1), 25(1) and (2), 27, 30(1) and (2), 35(2), Directive 2002/99/EC – Articles 8(5) and 9(4) Directive 2004/68/EC – Articles 8 and 13 Directive 2009/158/EC – Articles 28 and 29 Regulation (EC) No 206/2009 (personal luggage)	Partially new.  The concept of the empowerment already exists in a number of Directives and Regulations. However, the proposed empowerment will provide coherence by extending the possible scope of the requirements.	Not new.  Flexibility provided for certain existing situations and movements from third countries and territories. Note that Animal Health Proposal provides for animal health requirements for entry and transit into the Union, while the official controls proposal provides for modified checks for such animals or their products.  Link to existing requirements for checks in Directives 97/78/EC and 91/496/EEC

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 241(2)		Model animal health certificates		Linked to the above	Not new. Empowerments are already in existing legislation.	Not new. But more flexibility provided.
Article 242(2)	Requirements for entry of disease agents			Directive 92/118/EC – Articles 9 and 15	New. This proposed empowerment provides the possibility to lay down more detailed rules, where this is appropriate and necessary.	Not new. General rules from Directive 92/118/EC currently apply – no significant changes envisaged.
Article 243(1)	Animal health requirements for the entry into the Union of plant material			Directive 91/496/EEC and Directive 97/78/EC Regulation (EC) No 136/2004 – Article 9 (hay and straw)	Partially new. The concept of the empowerment already exists in a number of Directives and Regulations. However, the proposed empowerment will provide coherence by extending the possible scope of the requirements.	Not new. Those requirements exist and have been used in the past. This proposal will offer a more coherent approach. No significant changes presently envisaged.
Article 243(3)		Assigning CN		Directive 2002/99/EC –	Not new.	Not new.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
		codes		Article 8(5) Decision 2007/275/EC Link with: Directives 91/496/EEC and 97/78/EC	Empowerment already in existing legislation.	The concept is known from the decisions specifying veterinary checks at the borders. This empowerment only provides a possibility to link that requirement and to lay down one, if this is not provided for in the framework of official controls proposal
Article 244(2)	Animal health requirements for means of transport, equipment			Directive 91/496/EEC and Directive 97/78/EC	Not new.  The concept of the empowerment already exists. However, the proposed empowerment will provide coherence by extending the possible scope of the requirements.	Not new.  Those requirements exist and have been used in the past (especially in relation to CSF and ASF in the neighbouring countries) This proposal will offer a more coherent approach.
Article 244(4)		Assigning CN codes		Directive 2002/99/EC – Article 8(5) Decision 2007/275/EC Link with: Directives 91/496/EEC and 97/78/EC	Not new  Empowerment already in existing legislation.	Not new  The concept is known from the Decisions specifying veterinary checks at the borders. This empowerment only provides a possibility to link that requirement and to

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
						lay down one, if this is not provided for in the framework of official controls proposal.
<b>Part VI</b>						
Article 248(1)		Adoption of Commission emergency measures	Urgency procedure (248.2)	Directive 90/425/EEC – Article 10 Directive 89/662/EEC – Article 9 Directive 2006/88/EC – Article 41 Regulation (EC) No 576/2013 – Article 36	Not new.  Empowerments are already in existing legislation.	Not new.  Carry over existing “safeguard” provisions for movements within the Union.  Note that there are references to the safeguard provisions in a number of “trade” directives.
Article 250(1)		Commission measures for suspension of entry into Union or special rules for entry	Urgency procedure (250.2)	Directive 91/496/EEC – Article 18 Directive 97/78/EC – Article 22 Directive 2006/88/EC – Article 41 Regulation (EC) No 576/2013 – Article 36	Not new.  Empowerments are already in existing legislation.	Not new.  Carry over existing safeguard provisions for the entry into the Union. Please note that there are references to the safeguard provisions in a number of “trade” directives.

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
Article 251(2)		Review of the measures by the Commission and adoption of national emergency measures	Urgency procedure (251.3)	Directive 91/496/EEC – Article 18 Directive 97/78/EC – Article 22	Not new. Empowerments are already in existing legislation	Not new. The articles in the existing legislation, in particular the two Directives governing veterinary checks at EU borders.
<b>Part VII</b>						
Article 252	Amendment of annexes			N/A - specific to this Regulation		
Article 259(2)	The date of repeal of identification and registration regulations and directive			N/A - specific to this Regulation		
Article 260(2)	The date of repeal of disease control directives			N/A - specific to this Regulation		
Article 261(2)	The date of repeal of pet			N/A - specific to this Regulation		

Relevant article of the Commission proposal	Delegated acts	Implementing acts	Urgency Procedure	Existing Legislation	Empowerments in the Commission proposal	Contents of requirements expected to be laid down on basis of proposed empowerments
	regulation					

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