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#### COVER NOTE

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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 17 February 2021

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.: D069136/03 ANNEX

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Subject: ANNEX to the COMMISSION REGULATION (EU) .../... amending Regulation (EU) No 142/2011 as regards conditions for export of meat-and-bone meal as a fuel for combustion

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Delegations will find attached document D069136/03 ANNEX.

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Encl.: D069136/03 ANNEX



Brussels, **XXX**  
SANTE/7172/2020 ANNEX  
(POOL/G2/2020/7172/7172-EN  
ANNEX.docx) D069136/03  
[...](2021) **XXX** draft

ANNEX

**ANNEX**

**to the**

**COMMISSION REGULATION (EU) .../...**

**amending Regulation (EU) No 142/2011 as regards conditions for export of  
meat-and-bone meal as a fuel for combustion**

## ANNEX

In the table in Chapter V of Annex XIV to Regulation (EU) No 142/2011, a new row is added as follows:

3	Meat-and-bone meal of Category 1 materials.	<p>Meat-and-bone meal (MBM) of Category 1 material intended as a fuel for combustion shall only be exported from Ireland to the United Kingdom*, under the following conditions:</p> <ul style="list-style-type: none"><li>(a) the competent authority of Ireland has authorised the export to the combustion plant in the United Kingdom not later than 31 December 2023, provided such movements of MBM of Category 1 materials intended for disposal have taken place from that Member State prior to 1 January 2021 under the conditions laid down in Article 6(6), (7) and (8);</li><li>(b) the combustion plant of destination is authorised for the combustion of imported MBM of Category 1 materials in the import license issued by the United Kingdom;</li><li>(c) the MBM of Category 1 material<ul style="list-style-type: none"><li>- was obtained solely from the processing in accordance with the Processing method 1 (pressure sterilisation) 2, 3, 4 or 5 referred to in Chapter III of Annex IV,</li><li>- is marked in accordance with Chapter V of Annex VIII,</li></ul></li><li>(d) the consignment of MBM is sent in sealed containers directly from the processing plant or storage plant referred to in Article 24(1)(a) or (j)(ii) of Regulation (EC) No 1069/2009 to the combustion plant of destination;</li><li>(e) operators shall present consignments of MBM to the border control post of exit;</li><li>(f) the competent authority of the border control post of exit shall carry out official controls on the consignments referred to in point (e), in particular on the integrity of the seal.</li></ul>
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		<p>In case the integrity of the seal is compromised, the rules set out in Article 138(2)(d) and (g) of Regulation (EU) 2017/625** shall apply;</p> <p>(g) the competent authority at the border control post shall inform, via TRACES, the competent authority indicated in box I.4 of the commercial document of the arrival of the consignment at the point of exit and, where applicable, of the outcome of the verification of the seal and of any corrective action taken.</p> <p>The competent authority responsible for the processing plant of origin shall carry out risk based official controls to verify compliance with the first paragraph and to verify that, for each consignment of MBM, the confirmation of the control carried out at the exit point was received from the competent authority of the border control post, through TRACES.</p> <p>In case of non-compliance, the competent authority may prohibit such movements of a consignment of MBM of Category 1 material intended as a fuel for combustion in accordance with Article 138(2)(d) of Regulation (EU) 2017/625.</p>
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\* In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland / Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.

\*\* Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)(OJ L 95, 7.4.2017, p. 1).’