

行政院農業委員會動植物防疫檢疫局 函

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受文者：本局高雄分局

發文日期：中華民國110年9月22日

發文字號：防檢二字第1101451469號

速別：普通件

密等及解密條件或保密期限：

附件：如文（1101451469-A1~A2.pdf）

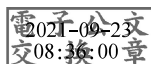
主旨：有關歐盟發布修訂源自其境內移至第三國，並於第三國境內卸載、儲存或重新裝載後再運回歐盟之動物源產品相關規範乙案，詳如說明，請查照。

說明：

- 一、依據駐歐盟兼駐比利時代表處經濟組110年9月14日比貿字第1100000587號函（附件1）辦理。
- 二、查歐盟於110年9月13日公告「Commission Implementing Regulation (EU) 2021/1469」（附件2），就源自歐盟境內移至（moved to）第三國，並在該國境內卸載（unloading）、儲存（storage）或重新裝載（reloading）後再運回（moved back）歐盟之動物源產品修訂相關規範並新增證明文件樣張（model certificate），該法規包含要求前揭第三國須符合「Commission Implementing Regulation (EU) 2021/404」附錄XXII之核可第三國清單並列入「Decision 2011/163/EU」之殘留物監控計畫等相關要求。
- 三、為確保我相關動物源產品輸歐貿易順暢，請依前揭歐盟法規相關規範辦理。

正本：本局基隆分局、本局新竹分局、本局臺中分局、本局高雄分局

副本：經濟部國際貿易局、駐歐盟兼駐比利時代表處經濟組、經濟部標準檢驗局、衛生福利部食品藥物管理署、行政院農業委員會畜牧處(含附件)、行政院農業委員會國際處、行政院農業委員會漁業署(含附件)、行政院農業委員會農糧署(含附件)、本局植物防疫組(含附件)、本局植物檢疫組(含附件)、本局動物檢疫組(含附件)



行政院農業委員會動植物防疫檢疫局高雄分局總收文



駐歐盟兼駐比利時代表處經濟組 函

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受文者：行政院農業委員會動植物防疫檢疫局

發文日期：中華民國110年9月14日
發文字號：比貿字第1100000587號
速別：普通件
密等及解密條件或保密期限：
附件：無

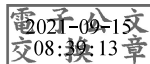
主旨：歐盟就源自其境內，復移至第三國並在第三國境內卸載、儲存或重新裝載，再運回歐盟之動物源產品新增衛生證明樣張及修訂相關規範事，請查參。

說明：

- 一、查歐盟110年9月13日第L321號公報公告 Commission Implementing Regulation (EU) 2021/1469，就源自歐盟境內，復移至第三國並在該國境內歷經卸載(unloading)、儲存(storage)或重新裝載(reloading)，再運回歐盟之動物源產品新增衛生證明樣張及修訂相關規範，包含要求該第三國須就欲輸銷之動物源產品列入 Commission Implementing Regulation (EU) 附錄XXII之核可第三國清單，並應列入殘留物監控計畫決定(Decision 2011/163/EU)。
- 二、本案修訂規範下載網址為：<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021R1469&from=EN>。

正本：行政院農業委員會動植物防疫檢疫局、衛生福利部食品藥物管理署、經濟部標準檢驗局

副本：經濟部國際貿易局



COMMISSION IMPLEMENTING REGULATION (EU) 2021/1469**of 10 September 2021**

amending Implementing Regulation (EU) 2020/2235 as regards the addition of a new model certificate for products of animal origin that originate in the Union, are moved to a third country or territory and moved back to the Union after unloading, storage and reloading in that third country or territory, amending Implementing Regulation (EU) 2021/404 as regards the list of third countries authorised for entry into the Union of products of animal origin originated in and returning to the Union from a third country or territory, and amending Implementing Regulation (EU) 2021/405 as regards the list of third countries or regions thereof authorised for entry into the Union of products of animal origin and certain goods originated in and returning to the Union from a third country or region thereof

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Articles 230(1), 238(3) and 239(3) thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 90, first paragraph, points (a) and (e), and Articles 126(3) and 127(2) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down rules on animal diseases that are transmissible to animals or to humans, including requirements for official animal health certification for various movements of animals, germinal products and products of animal origin including requirements for entry into the Union. Those requirements related to the entry into the Union of live animals, germinal products and products of animal origin are further specified in Commission Delegated Regulation (EU) 2020/692 ⁽³⁾.
- (2) Regulation (EU) 2017/625 lays down rules for the performance of official controls and other official activities performed by the competent authorities of the Member States to ensure compliance with the rules referred to in its Article 1(2), among others, rules on food safety at all stages of production, processing and distribution and animal health and welfare requirements and animal by-products.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

- (3) Commission Implementing Regulation (EU) 2020/2235 ⁽⁴⁾ lays down model animal health/official certificates and official certificates for the entry into the Union of animals, products of animal origin, composite products, germinal products, animal by-products, sprouts for human consumption and seeds intended for the production of sprouts for human consumption.
- (4) However, Implementing Regulation (EU) 2020/2235 does not include any model certificate to cover the entry into the Union of those products and goods which originate in the Union and which are moved to a third country or territory, and are then moved back to the Union from that third country or territory after unloading, storage and reloading. It is necessary therefore to amend that Implementing Regulation to provide for such type of model certificate and avoid undue trade disruptions in such cases.
- (5) Article 229 of Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin entering the Union must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.
- (6) Delegated Regulation (EU) 2020/692 supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin from third countries or territories or zones thereof, or compartments thereof in the case of aquaculture animals. Article 3, first paragraph, point (a) of Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope may only be permitted to enter into the Union if they come from a third country or territory, or zone or compartment thereof, listed for the particular species of animals, germinal products and products of animal origin in accordance with the animal health requirements laid down in that Delegated Regulation.
- (7) Commission Implementing Regulation (EU) 2021/404 ⁽⁵⁾ establishes the lists of third countries, territories or zones thereof, or in the case of aquaculture animals compartments thereof, from which the entry into the Union of those species and categories of animals and those categories of germinal products and products of animal origin that fall within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (8) Annex XXII to Implementing Regulation (EU) 2021/404 provides for the list of third countries authorised for the entry into the Union of consignments of animals, germinal products or products of animal origin originated in and returning to the Union after being transported through a third country or territory. That Annex should be amended to list the third countries or territories authorised for the entry into the Union of consignments of products of animal origin originated in the Union that, after storage in those third countries or territories, are moved back to the Union and to assign the specific conditions that need to be fulfilled in such cases.
- (9) Regulation (EU) 2017/625 also provides that consignments of certain animals and goods are only to enter the Union from a third country or region thereof which appears on a list drawn up by the Commission for that purpose.
- (10) Commission Delegated Regulation (EU) 2019/625 ⁽⁶⁾ supplements Regulation (EU) 2017/625 as regards the conditions for the entry into the Union of consignments of certain animals and goods intended for human consumption from third countries or regions thereof in order to ensure that they comply with the relevant requirements established in the rules referred to in Article 1(2)(a) of Regulation (EU) 2017/625 or with requirements recognised to be at least equivalent.

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/2235 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates and repealing Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/EC (OJ L 442, 30.12.2020, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1).

⁽⁶⁾ Commission Delegated Regulation (EU) 2019/625 of 4 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption (OJ L 131, 17.5.2019, p. 18).

- (11) Commission Implementing Regulation (EU) 2021/405 ⁽⁷⁾ lays down the lists of third countries or regions thereof from which the entry into the Union of products of animal origin and certain goods is permitted, supplementing the lists laid down in Implementing Regulation (EU) 2021/404. To allow the entry into the Union of products of animal origin that do not fall within the scope of Delegated Regulation (EU) 2020/692, Implementing Regulation (EU) 2021/405 should be amended to list the third countries or regions authorised for the entry into the Union of consignments of these products of animal origin and certain goods which originated from the Union that, after storage in those third countries or regions, are moved back to the Union and comply with the conditions laid down in Delegated Regulation (EU) 2019/625.
- (12) Implementing Regulations (EU) 2020/2235, (EU) 2021/404 and (EU) 2021/405 should therefore be amended accordingly.
- (13) In the interest of legal certainty, this Regulation should enter into force as a matter of urgency.
- (14) The measures provided for in this Regulation are in accordance with the opinion the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2020/2235 is amended as follows:

- (1) the following Article 30a is inserted between Articles 30 and 31:

'Article 30a

Model animal health/official certificate for the entry into the Union of products of animal origin and certain goods that originated in the Union, are moved to a third country or territory and moved back to the Union after unloading, storage and reloading in that third country or territory

The animal health/official certificate referred to in Article 1(3), point (b)(i), to be used for the entry into the Union of products of animal origin and certain goods that originated in the Union, are moved to a third country or territory and moved back to the Union after unloading, storage and reloading in that third country or territory, shall correspond to the model STORAGE-TC-PAO drawn up in accordance with the model set out in Chapter 53 of Annex III.;

- (2) Annex III is amended in accordance with Annex I to this Regulation.

Article 2

Annex XXII to Implementing Regulation (EU) 2021/404 is amended in accordance with Annex II to this Regulation.

Article 3

The following Article 26a is inserted between Articles 26 and 27 of Implementing Regulation (EU) 2021/405:

'Article 26a

List of third countries authorised for the entry into the Union of products of animal origin and certain goods that originated from the Union, are moved to a third country or region thereof and moved back to the Union after unloading, storage and reloading in that third country or region thereof

⁽⁷⁾ Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118).

Consignments of products of animal origin and certain goods that originated from the Union, are moved to a third country or region thereof and moved back to the Union after unloading, storage and reloading in that third country or region thereof, shall only be authorised for the entry into the Union if they come from the third countries or regions thereof authorised for the entry into the Union in accordance with Annex XXII to Implementing Regulation (EU) 2021/404 and listed in Decision 2011/163/EU.

Article 4

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

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

Done at Brussels, 10 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex III to Implementing Regulation (EU) 2020/2235 is amended as follows:

- (1) in the list of certificates, a new category is added after the entry for 'TRANSIT-COMP', titled 'transit through the Union to a third country or territory, either by immediate transit or after storage in the Union of composite products':

products of animal origin and certain goods that originate in the Union, are moved to a third country or territory and moved back to the Union after unloading, storage and reloading in that third country or territory

STORAGE-TC PAO

Chapter 53: Model animal health/official certificate for the entry in to the Union of products of animal origin and certain goods that originate in the Union, are moved to a third country or territory and moved back to the Union after unloading, storage and reloading in that third country or territory';

(2) the following Chapter 53 is added after Chapter 52:

CHAPTER 53

MODEL ANIMAL HEALTH/OFFICIAL CERTIFICATE FOR THE ENTRY IN TO THE UNION OF PRODUCTS OF ANIMAL ORIGIN AND CERTAIN GOODS THAT ORIGINATE IN THE UNION, ARE MOVED TO A THIRD COUNTRY OR TERRITORY AND MOVED BACK TO THE UNION AFTER UNLOADING, STORAGE AND RELOADING IN THAT THIRD COUNTRY OR TERRITORY (MODEL STORAGE-TC-PAO)

COUNTRY				certificate to the EU		
Part I: Description of consignment	I.1 Consignor/ Exporter Name Address Country ISO country code	I.2 Certificate reference		I.2a IMSOC reference		
		I.3 Central Competent Authority		QR CODE		
		I.4 Local Competent Authority				
	I.5 Consignee/ Importer Name Address Country ISO country code	I.6 Operator responsible for the consignment Name Address Country ISO country code				
		I.7 Country of origin	ISO country code	I.9 Country of destination	ISO country code	
	I.8 Region of origin	Code	I.10 Region of destination	Code		
	I.11 Place of dispatch Name Registration/Approval No Address Country ISO country code	I.12 Place of destination Name Registration/Approval No Address Country ISO country code				
		I.13 Place of loading		I.14 Date and time of departure		
	I.15 Means of transport <input type="checkbox"/> Aircraft <input type="checkbox"/> Vessel <input type="checkbox"/> Railway <input type="checkbox"/> Road vehicle Identification	I.16 Entry Border Control Post				
		I.17 Accompanying documents Type Code Country ISO country code Commercial document reference				
I.18 Transport conditions	<input type="checkbox"/> Ambient		<input type="checkbox"/> Chilled		<input type="checkbox"/> Frozen	

I.19 Container number/Seal number					
Container No		Seal No			
I.20	Certified as or for				
<input type="checkbox"/> Products for human consumption					
I.21			I.22 <input type="checkbox"/> For internal market		
			I.23		
I.24	Total number of packages	I.25	Total quantity²	I.26	Total net weight/gross weight (kg)
I.27 Description of consignment					
CN code		Species			
		Cold store	Identification mark	Type of packaging	Net weight
			Nature of commodity	Number of packages	Batch No
<input type="checkbox"/> Final consumer	Date of collection/production		Approval or registration number of plant/establishment/centre		

COUNTRY		Certificate model STORAGE-TC-PAO	
II. Health information		II.a Certificate reference	II.b IMSOC reference
Part II: Certification	II.1. Health attestation		
	I, the undersigned official veterinarian, hereby certify, that the consignment of products of animal origin or goods described in Part I:		
	II.1.1. originate from and has been produced in the Union and was eligible for placing on the market in the Union, and		
	II.1.2. was packed in the Union and, for products of animal origin, marked in the Union in accordance with Section I of Annex II to Regulation (EC) No 853/2004, and		
	II.1.3. is destined to the Union, and		
	II.1.4. has not been tampered and did not undergo any other handling than unloading, storage, re-loading, and transporting in ⁽¹⁾ and for products of animal origin has been stored and transported in accordance with the relevant requirements of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council.		
	II.2. Storage attestation		
	I, the undersigned official veterinarian, hereby certify, that the consignment of products of animal origin or goods described in Part I:		
	II.2.1. has been stored in an approved/registered establishment(s), and		
	II.2.2. has been reloaded in the approved/registered establishment under supervision of the competent authority.		
Notes			
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 purpose of this certificate, references to the Union in this certificate include the United Kingdom in respect of Northern Ireland.			
This certificate is intended for the entry into the Union of consignments of products covered by the certificates laid down in Articles 8 to 29 of Implementing Regulation (EU) 2020/2235 that originate from a Member State of the Union, are moved to a third country or territory listed in Annex XXII to Commission Implementing Regulation (EU) 2021/404 with the specific condition 'Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after storage' and are moved back to the Union from that third country or territory after being unloaded, stored and reloaded.			
This animal health/official certificate shall be completed according to the notes for the completion of certificates provided for in Chapter 4 of Annex I to Implementing Regulation (EU) 2020/2235.			
Part I:			
Box reference 1.7: Indicate the name and ISO country code of the country where the goods were produced, manufactured or packed (labelled with the identification mark).			
Part II:			
⁽¹⁾ Code of the zone in accordance with column 2 of the table set out in Part 1 of Annex XXII to Implementing Regulation (EU) 2021/404; only for zones listed with the specific condition 'Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after storage' in column 6 of that table.			
Official veterinarian			
Name (in capital letters)			
Date	Qualification and title		
Stamp	Signature'		

ANNEX II

Annex XXII to Implementing Regulation (EU) 2021/404 is amended as follows:

(1) in Part 1, the entries for the United Kingdom, Guernsey, the Isle of Man and Jersey are replaced by the following:

<p>GB United Kingdom</p>	<p>GB-0</p>	<p>Animals and germinal products falling within the scope of Commission Delegated Regulation (EU) 2020/692</p>		<p>Model certificates for movements within the Union</p>	<p>From a Member State to other Member States through the United Kingdom or its Crown Dependencies</p>			
			<p>Products of animal origin and certain goods covered by the certificates laid down in Articles 8 to 29 of Implementing Regulation (EU) 2020/2235</p>	<p>STORAGE-TC-PAO</p>	<p>Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after unloading, storage and reloading</p>			
<p>GG Guernsey</p>	<p>GG-0</p>	<p>Animals and germinal products falling within the scope of Delegated Regulation (EU) 2020/692</p>		<p>Model certificates for movements within the Union</p>	<p>From a Member State to other Member States through the United Kingdom or its Crown Dependencies</p>			
			<p>Products of animal origin and certain goods covered by the certificates laid down in Articles 8 to 29 of Implementing Regulation (EU) 2020/2235</p>	<p>STORAGE-TC-PAO</p>	<p>Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after unloading, storage and reloading</p>			

IM Isle of Man	IM-0	Animals and germinal products falling within the scope of Delegated Regulation (EU) 2020/692		Model certificates for movements within the Union	From a Member State to other Member States through the United Kingdom or its Crown Dependencies			
			Products of animal origin and certain goods covered by the certificates laid down in Articles 8 to 29 of Implementing Regulation (EU) 2020/2235	STORAGE-TC-PAO	Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after unloading, storage and reloading			
JE Jersey	JE-0	Animals and germinal products falling within the scope of Delegated Regulation (EU) 2020/692		Model certificates for movements within the Union	From a Member State to other Member States through the United Kingdom or its Crown Dependencies			
			Products of animal origin and certain goods covered by the certificates laid down in Articles 8 to 29 of Implementing Regulation (EU) 2020/2235	STORAGE-TC-PAO	Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after unloading, storage and reloading'			

- (2) in Part 3, the following entry is inserted after the entry for the specific condition 'From a Member State to other Member States through the United Kingdom or its Crown Dependencies', and before the entry 'Aqua – Russia to Russia':

'Consignments that originate in the Union and are moved to a third country or territory, and moved back to the Union after unloading, storage and reloading	Consignments of the commodities referred to in Part 1, column 4, originating in the Union that are moved to the zone referred to in Part 1, column 2, and are then moved back to the Union after unloading, storage and reloading in that third country or territory shall be permitted to enter the Union provided that they are accompanied by the model certificate "STORAGE-TC-PAO" laid down in Implementing Regulation (EU) 2020/2235 in addition to the documents accompanying the consignment for its export to the third country or territory.'
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