



Brussels, **XXX**
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[...] (2023) **XXX** draft

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

of **XXX**

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

(Text with EEA relevance)

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

of **XXX**

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

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002¹, and in particular the first subparagraph of Article 43(3) thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011² lays down public and animal health rules for placing on the market and export of animal by-products and derived products.
- (2) Article 12 of Regulation (EC) No 1069/2009 stipulates that Category 1 meat-and-bone meal (MBM) should be disposed of by incineration, co-incineration, combustion or landfill to prevent the re-entry and contamination of the feed chain.
- (3) In 2021 the competent authorities of Ireland indicated they were building plants for the combustion of meat-and-bone meal, and requested that during a transitional period traditional trade flows of MBM of Category 1 materials intended for disposal in the United Kingdom be authorised. The Commission granted the requested derogation until 31 December 2023 by Commission Regulation (EU) 2021/899³.
- (4) On April 2023, the competent authorities of Ireland informed the Commission about several delays in the foreseen planning and asked the Commission for extension of the transitional period from 1 January 2024 to 30 June 2025. The Commission supports the efforts of Ireland to establish its own combustion capacities for disposal of animal by-products. The transitional period should therefore be prolonged for 18 months starting from 1 January 2024. This period should be used as appropriate to finalize the ongoing projects for capacity building of combustion plants in Ireland.
- (5) Annex XIV to Regulation (EU) No 142/2011 should therefore be amended accordingly.

¹ OJ L 300, 14.11.2009, p. 1.

² Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

³ Commission Regulation (EU) 2021/899 of 3 June 2021 amending Regulation (EU) No 142/2011 as regards transitional measures for the export of meat-and-bone meal as a fuel for combustion (OJ L 197, 4.6.2021, p. 68).

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XIV to Regulation (EU) No 142/2011 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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,

For the Commission
The President
Ursula VON DER LEYEN

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ANNEX

In Annex XIV, Chapter V, to Regulation (EU) No 142/2011, point (a) in the third column of row 3 is replaced by the following:

- ‘(a) the competent authority of Ireland has authorised the export to the combustion plant in the United Kingdom not later than 30 June 2025, 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);’.