



# Entry into the Union of hay and straw

under the AHL

*Brussels, 17 June 2021*

# Entry into EU before 21 April (I)

- ✓ Commission Regulation (EC) No 136/2004 of 22 January 2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries:

**Recital 10:** Certain plant products posing a risk of spreading infectious or contagious diseases to animals should be subjected to veterinary checks. A list of such products should be drawn up together with a list of third countries or parts of third countries which may be authorised to export those products to the Community.



# Entry into EU before 21 April (II)

## ✓ Article 9

1. Member States shall submit the plant products listed in Annex IV, from the countries authorised and listed in Annex V, to the documentary checks referred to in Article 1(1) of this Regulation, and, as appropriate, to the laboratory checks referred to in Article 1(2) of this Regulation and other physical checks set out in Annex III to Directive 97/78/EC.
2. The requirements of Directive 97/78/EC and of this Regulation shall apply to all plant products listed in Annex IV to this Regulation which, in particular on account of their origin and subsequent destination, may give rise to the risk of spreading infectious or contagious animal diseases

# Entry into EU before 21 April (III)

## ✓ Annex IV:

✓ Plant products subject to veterinary checks:

1. Straw
2. Hay



## ✓ Annex V: list of third countries authorized for imports of hay and straw

✓ List of third countries authorized for entry of ungulates + Belarus, Serbia, Ukraine and South Africa

**Commission Regulation (EC) No 136/2004 is no longer in force since 21 April 2021**

# Entry into EU after 21 April (I)

- ✓ **Article 241(1)** of Regulation (EU) 2016/429 (AHL) provides for the obligation for MS to apply the requirements for the entry into the Union of plant material laid down in a Delegated Act from the Commission:
  - ✓ The Commission has no obligation, but it may lay down that Delegated Act;
  - ✓ The requirements must be established based on the criteria provided for in the same Article (risk-based) = an EFSA opinion is needed.

# Entry into EU after 21 April (II)

**Should the Commission act?**



# Entry into EU after 21 April (III)

- ✓ **Possibilities to develop rules:**
  - ✓ **Emergency measure** pursuant Article 261(1) of the AHL
  - ✓ **Request an EFSA opinion and develop a Delegated act** (pursuant Article 241(1) laying down animal health requirements for hay and straw)

# Proposed approach after 21 April



Emergency measure pursuant Article 261(1) of AHL

EFSA opinion

DA pursuant Article 241(1) of AHL

# Your views?



# Thank you for your attention



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