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Derogations from the Animal By-Product controls under Regulation (EC) 1069/2009 and Commission Regulation (EU) 142/2011

Authorisations by the Secretary of State to enable derogations to be used in England

April 2011



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



Department of
the Environment
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The Scottish
Government



defra
Department for Environment
Food and Rural Affairs

Authorisations by the Secretary of State (Defra) as the Competent Authority for England under Regulation (EC) 1069/2009 and Commission Regulation (EU) 142/2011

Section A: Use of animal by-products and derived products for feeding purposes:-

Regulation 1069/2009 reference	Regulation 142/2011 reference	Title of Authorisation (links to actual authorisation on Defra Website)	Auth No.
N/R	Article 21; An X Ch II S4 Part II 4	Authorisation to supply other farms with colostrum for feeding purposes	A1
Article 16(c); Article 18(1)+(3)	Article 13; An VI Ch II S1	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to zoo animals	A2
Article 16(c); Article 18(1)+(3)	N/R	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to circus animals	A3
Article 16(c); Article 18(1)+(3)	N/R	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to reptiles and birds of prey other than zoo or circus animals	A4
Article 16(c); Article 18(1)+(3)	N/R	Authorisation to collect and use Category 3 material for feeding to wild animals	A5
Article 16(c); Article 18(1)+(3)	Article 13; An VI Ch II S1	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to dogs from recognised kennels or packs of hounds	A6
Article 16(c); Article 18(1)+(3)	Article 13; An VI Ch II S1	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to dogs and cats in shelters	A7
Article 16(c); Article 18(1)+(3)	Article 13; An VI Ch II S1	Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to maggots and worms for fishing bait	A8
Article 16(c); Article 18(2)+(3)	Article 14; An VI Ch II S4	Authorisation to feed zoo animals with Category 1 material comprising dead animals or parts of dead animals containing specified risk material and material derived from zoo animals	A9
Article 16(g) with Articles 12, 13 and 14	N/R	Authorisation to feed Category 3 material to pet animals	A10
N/R	An X Ch III	Authorisation of conditions for using aquatic animals and aquatic and terrestrial invertebrates (a) as feed for farmed fish or aquatic invertebrates and (b) as fishing bait for aquatic animals and aquatic invertebrates	A11

Section B: Application of animal by-products and derived products to land:-

Regulation 1069/2009 reference	Regulation 142/2011 reference	Title of Authorisation (links to actual authorisation on Defra Website)	Auth No.
Articles 13(f), 14(l) and 32(1)	Article 5(2) An II Ch II	Authorisation to apply certain Category 2 and 3 materials to land without processing	B1
Article 14(h)	N/R	Authorisation – determination of conditions for the use of eggshells applied to land	B2
Article 16(f) with Articles 12, 13 and 14		Authorisation to use Category 2 and 3 materials for the preparation and application to land of biodynamic preparations	B3
Article 32(1)(d)	Art 22(3); An XI Ch II S1 Point 3	Authorisation of the components for mixing with organic fertilisers or soil improvers	B4

Section C: Disposal of animal by-products:-

Regulation 1069/2009 reference	Regulation 142/2011 reference	Title of Authorisation (links to actual authorisation on Defra Website)	Auth No.
Article 12 Article 14(c)	Article 7	Authorisation to dispose of certain Category 1 petfood and Category 3 petfood and former foodstuffs in an authorised landfill	C1
Article 16(d); Article 19(1)(a)	Article 15; An VI Ch III S1	Authorisation to dispose of dead pet animals and equidae by burial	C2
Article 16(d); Article 19(1)(b), (2) and 4(b)	Article 15; An VI Ch III S1	Authorisation to dispose of certain Category 1 material and Category 2 and 3 material in remote areas by burial or other means	C3
Article 16(d); Article 19(1)(c)	Article 15; An VI Ch III S1	Authorisation to dispose of certain Category 1 material and Category 2 and 3 material by burial or other means where access is difficult due to geography, climate or natural disaster	C4
Article 16(d); Article 19(1)(e)	Article 15; An VI Ch III S1	Authorisation to dispose of certain Category 1 material and category 2 and 3 material by burning or burial following an outbreak of notifiable disease	C5
Article 16(d); Article 19(1)(f)	Article 15; An VI Ch III S3	Authorisation to dispose of bees and apiculture by-products on site by burning or burial	C6
Article 16(h) with Articles 12, 13 and 14		Authorisation to dispose on site of Category 2 and 3 material arising from surgical intervention on live animals	C7

Section D: Other Authorisations:-

Regulation 1069/2009 reference	Regulation 142/2011 reference	Title of Authorisation (links to actual authorisation on Defra Website)	Auth No.
N/R	Article 21(2); An X Ch II S4 Part I	Authorisation to place on the national market Category 3 milk, milk-based products and milk-derived products not processed in accordance with Commission Regulation (EU) No 142/2011	D1
Article 13(e)(ii)	An V	Authorisation to compost or transform into biogas certain Category 2 material following or without prior processing	D2
Article 15(1)(b)	Article 9; An IV Ch III G(3)	Authorisation to use processing methods approved before 4 March 2011 under Chapter II, Annex V of EU Regulation 1774/2002	D3
Article 15(1)(b)	Article 8; An IV Ch IV F(2) (e)	Authorisation to move fat derived from Category 1 and 2 materials to other plants for combustion	D4
Article 15(1)(c)	Article 10(3); An V Ch III S2 (1)	Authorisation to use alternative parameters for the transformation of animal by-products and derived products in biogas and composting plants	D5
Article 15(1)(c)	Article 10(3); An V Ch III S2 (2) and (3)	Authorisation to use other specific requirements for transformation of catering waste, mixtures of catering waste with other materials and certain derived products, in biogas and composting plants	D6
Article 15(1)(i); Article 32(1)	Article 22(1); An XI Ch I S2(c)	Authorisation to use different standardised process parameters for processed manure, derived products from processed manure and guano from bats to be placed on the market, provided it is demonstrated they minimise biological risks	D7
Article 16(b); Article 17(1) and (2)	Article 11 An VI Ch I	Authorisation to use Category 1, 2 and 3 material for diagnostic, educational or research purposes, and to transport, use and dispose of research and diagnostic samples	D8
Article 16(b); Article 17(2)	Article 12(1); An VI Ch I S2	Authorisation to transport, use and dispose of trade samples and display items for exhibitions and artistic activities	D9
Article 21(1)	An VIII Ch I S4	Authorisation to collect and transport manure between two points on the same farm, or between farmers and users within the UK, without a commercial document or health certificate	D10

Article 21(3)	An VIII Ch III 4	<u>Authorisation to allow a different commercial document to accompany animal by-products and derived products transported within the UK</u>	D11
Article 23(1)(a) + (4)	Article 20(4); An XIII Ch VI	<u>Authorisation to exempt certain operators (those handling/generating game trophies etc or handling/disposing of research and diagnostic samples for educational purposes) from the requirement to register</u>	D12
Article 40	Article 24(4); An XIII Ch V A	<u>Authorisation to allow plants handling hides and skins, including limed hides, to supply trimmings and splittings for the production of gelatine for animal consumption, organic fertilisers or soil improvers</u>	D13
Article 40	Article 24(4); An XIII Ch VII A	<u>Authorisation to not dry untreated feathers, parts of feathers and down sent directly from a slaughterhouse to a processing plant</u>	D14

Authorisation A1

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to supply other farms with colostrum for feeding purposes:

In accordance with **Article 21(2)** and **Point 4, Part II, Section 4, Chapter II, Annex X** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises the supply for feeding purposes of colostrum that does not comply with the conditions set out in **Point B6, Part I, Section 4, Chapter II, Annex X** of Commission Regulation (EU) No 142/2011, provided that:

- (1) the colostrum is not sourced from cattle herds with officially TB free status either suspended or withdrawn, in order to prevent the transmission of health risks, and
- (2) the supply is:
 - (a) from a farmer with a farm in England to a farmer with a farm –
 - (i) in England, or
 - (ii) in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such supply under **Point 4, Part II, Section 4, Chapter II, Annex X** of Commission Regulation (EU) No 142/2011; or
 - (b) to a farmer with a farm in England from a farmer with a farm –
 - (i) in England; or
 - (ii) in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such supply under **Point 4, Part II, Section 4, Chapter II, Annex X** of Commission Regulation (EU) No 142/2011.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A2

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to zoo animals:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 as read with **Article 13** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to zoo animals in accordance with **Article 18(1)(a)** of Regulation (EC) No 1069/2009 of:

- Category 2 material, provided that it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals, and that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met; and
- Category 3 material, provided that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A3

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to circus animals:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to circus animals in accordance with **Article 18(1)(b)** of Regulation (EC) No 1069/2009 of:

- Category 2 material, provided it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals; and
- Category 3 material

provided that the conditions of **Section 1, Chapter I, Annex VIII** of Commission Regulation (EU) No 142/2011 are complied with to ensure the control of risks to public and animal health.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A4

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to reptiles and birds of prey other than zoo or circus animals:

In accordance with **Articles 16(c) and 18** of Regulation (EC) No 1069/2009 the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to reptiles and birds of prey other than zoo or circus animals in accordance with **Article 18(1)(c)** of Regulation (EC) no 1069/2009 of:

- Category 2 material, provided it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals; and
- Category 3 material

Provided that, except for final users, the conditions of **Section 1, Chapter I, Annex VIII** of Commission Regulation (EU) No 142/2011 are complied with to ensure the control of risks to public and animal health.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A5

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material for feeding to wild animals:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 the Secretary of State authorises by way of derogation from **Article 14** of Regulation (EC) No 1069/2009 the feeding of Category 3 animal by-products to wild animals except for wild boar in accordance with **Article 18(1)(e)** of Regulation No 1069/2009, provided it is carried out in such a way to ensure that vermin and farmed animals cannot gain access to the material..

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A6

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to dogs from recognised kennels or packs of hounds:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 as read with **Article 13** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to dogs from recognised kennels or packs of hounds in accordance with **Article 18(1)(f)** of Regulation (EC) No 1069/2009 of:

- Category 2 material, provided that it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals, and that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met; and
- Category 3 material, provided that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A7

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to dogs and cats in shelters:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 as read with **Article 13** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to dogs and cats in shelters in accordance with **Article 18(1)(g)** of Regulation (EC) No 1069/2009 of:

- Category 2 material, provided that it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals, and that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met; and
- Category 3 material, provided that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A8

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and use Category 3 material and certain Category 2 material for feeding to maggots and worms for fishing bait:

In accordance with **Articles 16(c) and 18(1)** of Regulation (EC) No 1069/2009 as read with **Article 13** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the collection and use for feeding to maggots and worms for fishing bait in accordance with **Article 18(1)(h)** of Regulation No 1069/2009 of:

- Category 2 material, provided that it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals, and that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met; and
- Category 3 material, provided that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A9

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to feed zoo animals with Category 1 material comprising dead animals or parts of dead animals containing specified risk material and material derived from zoo animals:

In accordance with **Articles 16(c) and 18(2)(a)** of Regulation (EC) 1069/2009 as read with **Article 14(2)** of Commission Regulation No 142/2011, the Secretary of State authorises by way of derogation from **Article 12** of Regulation (EC) No 1069/2009 the feeding of Category 1 material comprising entire bodies or parts of dead animals containing specified risk materials at the time of disposal (as provided in **Article 8(b)(ii)** of Regulation (EC) No 1069/2009) and material derived from zoo animals for feeding to zoo animals provided that:

- (a) the operator responsible for feeding has been granted an authorisation under **Section 4, Chapter II of Annex VI** of Commission Regulation (EU) No 142/2011; and
- (b) the conditions in that Section are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A10

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to feed Category 3 material to pet animals:

In accordance with **Article 16(g)** of Regulation (EC) 1069/2009 the Secretary of State authorises by way of derogation from **Article 14** of Regulation (EC) No 1069/2009 the use of Category 3 material for feeding to pet animals provided the following conditions are complied with:

- (a) Only Category 3 material that is fit but not intended for human consumption may be used;
- (b) The Category 3 material, if it is obtained from abattoirs/cutting plants, must have been kept separate in the abattoir/cutting plant from other animal by-products which do not fit the description in point (a) above;
- (c) The Category 3 material, once supplied, must be for personal use only, i.e. for feeding to own pets only; and
- (d) The person using the Category 3 material for feeding to pet animals obtains it directly from the place where the material has been generated.

This authorisation applies in England

Dated this 7 April 2011 (updated 17 June 2011)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation A11

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation of conditions for using aquatic animals and aquatic and terrestrial invertebrates (a) as feed for farmed fish or aquatic invertebrates and (b) as fishing bait for aquatic animals and aquatic invertebrates:

In accordance with **Point 2 of Chapter III of Annex X** of Commission Regulation (EU) No 142/2011 the Secretary of state determines the conditions in respect of which aquatic animals and aquatic and terrestrial invertebrates which comply with **parts (f),(i),(j) and (l) of Article 10** of Regulation (EC) No 1069/2009 may be used as:

- feed for farmed fish or for aquatic invertebrates when the animal by-products for feeding have not been processed in accordance with **Point 1(c), Chapter III of Annex X**;
- fishing bait, including bait for aquatic invertebrates.

Such aquatic animals and aquatic and terrestrial invertebrates may be used for the above purposes provided that the operator complies with the following conditions to prevent unacceptable risks for the transmission of diseases communicable to humans or animals:

- a) the material for feeding or use as bait must be handled separately and stored away from food, animal feed and other animal by-products not authorised for this purpose in order to prevent cross-contamination;
- b) other farmed animals must not have access to the feeding material or bait; and
- c) where the material is to be used as feed or fishing bait for farmed fish, the bait must not be of the same species as the fish which it is intended to feed or catch; and
- d) unused feeding material and bait must be disposed of in accordance with the above regulations.

This authorisation applies in England

Dated this 17 June 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation B1

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to apply certain Category 2 and 3 materials to land without processing:

In accordance with **Article 13(f)** and **14(l)** of Regulation (EC) No 1069/2009 and **Article 5(2) and Chapter II, Annex II** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises that the following animal by-products:

- (a) Category 2 manure, digestive tract content separated from the digestive tract, milk, milk-based products and colostrum;
- (b) Category 3 raw milk, colostrum and products derived therefrom.

may be applied to land as organic fertilisers/soil improvers without processing, provided:

- i. the waiting period of at least 21 days referred to in **Article 11(1)(c)** of Regulation (EC) 1069/2009 is observed for all of the above animal by-products except for manure; and
- ii. any restrictions put in place by the Secretary of State in relation to a suspected or confirmed disease outbreak are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation B2

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation – determination of conditions for the use of eggshells applied to land:

In accordance with **Article 14(h)** of Regulation (EC) No 1069/2009 the Secretary of State determines the conditions in respect of which eggshells within that Article may be used.

Eggshells within that Article may be to applied to land as organic fertilisers/ soil improvers provided:

- (a) the record keeping requirements of **Article 17** and **Section IV, Chapter IV, Annex VIII** of Commission Regulation (EU) 142/2011 and the following conditions are complied with:
- (b) the eggs can be traced back to egg laying flocks which have been sampled by the operator and the Competent Authority under the requirements of the Salmonella National Control Programme (NCP) in laying flocks in the UK (or equivalent NCPs in countries other than UK); and
- (c) the eggs were laid by flocks which were negative for the Salmonella serovars for which a Community target for their reduction is set out in Regulation (EC) 1168/2006 and according to the testing protocol laid out in the Salmonella National Control Programme during the laying phase of the flocks and the flocks or the eggs produced by the flocks are not subject to any restrictions imposed under national or EU legislation; and
- (d) the eggshells have undergone a technical process to ensure that the egg residue in the end product has been reduced to at least 4%.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation B3

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use Category 2 and 3 materials for the preparation and application to land of biodynamic preparations:

In accordance with **Articles 16(f)** of Regulation (EC) 1069/2009 the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the use of Category 2 and 3 material for the preparation and application to land of biodynamic preparations as referred to in **Article 12(1)(c)** of Regulation (EC) No 834/2007.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation B4

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation of the components for mixing with organic fertilisers or soil improvers:

[The details of this Authorisation have not yet been finalised – we hope to provide these shortly]

This authorisation applies in England

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C1

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of certain Category 1 petfood and Category 3 petfood and former foodstuffs in an authorised landfill:

In accordance with **Article 7** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 12 and 14(c)** of Regulation (EC) 1069/2009 the disposal of the following Category 1 and 3 materials in an authorised landfill.

- (a) imported pet food or pet food produced from imported materials, from Category 1 material referred to in **Article 8(c)** of Regulation (EC) No 1069/2009;
- (b) Category 3 material referred to in **Article 10(f) and (g)** (including petfood and former foodstuffs) of Regulation (EC) No 1069/2009, provided that:
 - (i) such materials have not been in contact with any of the animal by-products referred to in **Articles 8 and 9 and Article 10(a) to (e) and (h) to (p)** of that Regulation;
 - (ii) at the time when they are destined for disposal, the materials:
 - referred to in **Article 10(f)** of that Regulation have undergone processing as defined in **Article 2(1)(m)** of Regulation (EC) No 852/2004; and
 - referred to in **Article 10(g)** of that Regulation have been processed in accordance with **Chapter II of Annex X** or in accordance with the specific requirements for petfood set out in **Chapter II of Annex XIII** of Commission Regulation (EU) No 142/2011; and
 - (iii) the disposal of such materials does not pose a risk to public or animal health.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C2

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of dead pet animals and equidae by burial:

In accordance with **Articles 16(d) and 19(1)(a)** of Regulation (EC) 1069/2009 as read with **Article 15** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 12, 13, 14 and 21** of Regulation (EC) No 1069/2009 the burial of dead pet animals and equidae:

- (a) on the premises on which such products originate;
- (b) in an authorised landfill, or
- (c) at a site which meets the requirements of **Point 1(c), Section 1, Chapter III, Annex VI** of Commission Regulation (EU) No 142/2011

provided that the conditions of **Points 3 and 4 of Section 1, Chapter III, Annex VI** of Commission Regulation (EU) No142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C3

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of certain Category 1 material and Category 2 and 3 material in remote areas by burial or other means:

In accordance with **Articles 16(d) and 19(1)(b)** of Regulation (EC) 1069/2009 as read with **Article 15** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 12, 13, 14 and 21** of Regulation (EC) No 1069/2009 the disposal by burial or burning on site or by other means of Category 1 material in **Article 8(a)(v) and (b)(ii)** of Regulation (EC) No 1069/2009, Category 2 material and Category 3 material, in remote areas provided the conditions of **Section 1, Chapter III, Annex VI** of Commission Regulation (EU) No 142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C4

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of certain Category 1 material and Category 2 and 3 material by burial or other means where access is difficult due to geography, climate or natural disaster:

In accordance with **Articles 16(d) and 19(1)(c)** of Regulation (EC) 1069/2009 as read with **Article 15** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 12, 13, 14 and 21** of Regulation (EC) No 1069/2009 the disposal by burial or burning on site, or by other means, of Category 1 material in Article 8(b)(ii) of Regulation (EC) No 1069/2009 and Category 2 and 3 material in areas where access is practically impossible or where access would only be possible under circumstances, related to geographical or climatic reasons or due to a natural disaster, which would pose a risk to the health and safety of the personnel carrying out the collection or where access would necessitate the use of disproportionate means of collection, provided the conditions of **Section 1, Chapter III, Annex VI** of Commission Regulation (EU) No142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C5

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of certain Category 1 material and Category 2 and 3 material by burning or burial following an outbreak of notifiable disease:

In accordance with **Articles 16(d) and 19(1)(e)** of Regulation (EC) 1069/2009 as read with **Article 15** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 12, 13, 14 and 21** of Regulation (EC) No 1069/2009 the disposal by burial or burning on site of Category 1 material, except for material in Article 8(a)(i) of Regulation (EC) No 1069/2009 (entire body parts and all body parts including hides and skins of animals suspected of being infected by a TSE in accordance with Regulation (EC) No 999/2001 or in which a TSE has been officially confirmed), Category 2 and 3 material, in the event of an outbreak of a notifiable disease, if transport to the nearest plant approved for processing or disposal of the animal by-products would increase the danger of propagation of health risks or, in case of a widespread outbreak of an epizootic disease, would mean that the disposal capacities of such plants were exceeded, provided the conditions of **Section 1, Chapter III, Annex VI** of Commission Regulation (EU) No142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C6

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose of bees and apiculture by-products on site by burning or burial:

In accordance with **Articles 16(d) and 19(1)(f)** of Regulation (EC) 1069/2009 as read with **Section 2 of Chapter II of Annex VI** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Articles 13, 14 and 21** of Regulation (EC) No 1069/2009 the disposal by burial or burning on site of bees and apiculture by-products provided the conditions of **Section 3, Chapter III, Annex VI** of Commission Regulation (EU) No142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation C7

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to dispose on site of Category 2 and 3 material arising from surgical intervention on live animals:

In accordance with **Articles 16(h)** of Regulation (EC) 1069/2009 the Secretary of State authorises by way of derogation from **Articles 13 and 14** of Regulation (EC) No 1069/2009 the disposal of Category 2 and 3 material (excluding material arising during the birth of animals, for example fetuses and placenta) arising from the surgical intervention on live animals on the farm of origin.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011 No 881

Authorisation D1

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to place on the national market Category 3 milk, milk-based products and milk-derived products not processed in accordance with Commission Regulation (EU) No 142/2011:

In accordance with **Article 21(2)** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Article 21(1)** of that Regulation the placing on the market of Category 3 milk, milk-based products and milk-derived products defined in **Articles 10(e),(f) and (h)** of Regulation (EC) No 1069/2009 that have not been processed in accordance with the requirements of **Part I, Section 4, Chapter II of Annex X** of Commission Regulation (EU) No 142/2011 provided they comply with the requirements of **Part II of Section 4**.

Milk processing establishments approved or registered in accordance with **Article 4** of Regulation (EC) No 853/2004 to supply milk, milk-based products and milk-derived products are authorised for the purposes referred to in **Point 3 of Part II of Section 4, Chapter II of Annex X** if they register for this purpose with the Animal Health and Veterinary Laboratories Agency.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D2

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to compost or transform into biogas certain Category 2 material following or without prior processing:

In accordance with **Article 13(e)(ii)** of Regulation (EC) No 1069/2009 and **Annex V** of Commission Regulation (EU) No 142/2011 the Secretary of State determines that the following Category 2 animal by-products may be composted or transformed into biogas without processing, unless the Secretary of State has put restrictions in place which prohibit such use because they present a risk for the spreading of a serious transmissible disease:

- manure, digestive tract and its content, milk, milk-based products, colostrum, eggs, and egg products.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D3

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use processing methods approved before 4 March 2011 under Chapter II, Annex V of EU Regulation 1774/2002:

In accordance with **Article 55** of Regulation (EC) No 1069/2009 and **Part G (3), Chapter III, Annex IV** of Commission Regulation (EU) No 142/2011 as read with **Article 9** of that Regulation the Secretary of State authorises, by way of derogation from **part G (1), Chapter III, Annex IV** of that Regulation the use of processing methods approved prior to 4 March 2011 in accordance with **Chapter III, Annex V** of EU Regulation No 1774/2002 (revoked on that date by Regulation (EC) No 1069/2009).

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D4

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to move fat derived from Category 1 and 2 materials to other plants for combustion:

In accordance with **Part F(2)(e), Section 2, Chapter IV, Annex IV** of Commission Regulation No 142/2011 as read with **Article 9** of that Regulation the Secretary of State authorises by way of derogation from the first sentence of **Part F(2)(e)**, that fat derived from Category 1 and 2 materials may be moved to other plants for combustion provided that the conditions of **sub-paragraphs (i) and (ii) of Part F(2)(e), Section 2, Chapter IV, Annex IV** of Commission Regulation (EU) No 142/2011 are complied with, i.e. that:

- i. the plant of destination is authorised for the combustion:
- ii. the processing of food or feed in an approved plant on the same premises takes place under strict conditions of separation.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D5

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use alternative parameters for the transformation of animal by-products and derived products in biogas and composting plants:

In accordance with **Article 10(3)** and **Point 1 of Section 2, Chapter III, Annex V** to Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Point 1, Section 1, Chapter I, Annex V** of that Regulation the use of alternative transformation parameters other than the standard ones for biogas and composting on condition that the operator has demonstrated that such parameters ensure adequate reduction of biological risks and the demonstration includes a validation carried out in accordance with **Point 1, Section 2, Chapter III of Annex V**.

This authorisation applies in England

Dated this 7 April 2011

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011 No 881

Authorisation D6

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use other specific requirements for transformation of catering waste, mixtures of catering waste with other materials and certain derived products, in biogas and composting plants:

In accordance with **Article 15(2)(a)(ii)** of the Regulation (EC) 1069/2009 and **Article 10(3)** and **Point 2, Section 2, Chapter III, Annex V** to Commission Regulation (EU) No 142/2011 the Secretary of State authorises by way of derogation from **Point 1, Section 2, Chapter III of Annex V** the use of *other* specific requirements in respect of:

- (1) catering waste and catering waste mixed with the materials in **Point 2(b) of Section 2, Chapter III, Annex V** of Commission Regulation (EU) No 142/2011;
- (2) Category 3 material, where Category 3 catering waste is:
 - (i) used as provided in **Point 2(a), Section 2, Chapter III, Annex V** of Commission Regulation (EU) No 142/2011; or
 - (ii) mixed in accordance with **Point 2(b)** of that Section.

The specific requirements that are authorised are attached at **Annex A**.

Where the only starting materials of animal origin being treated in an approved biogas or composting plant are the materials referred to in **Point 2(b), Section 2, Chapter III, Annex V** of Commission Regulation (EU) No 142/2011 or derived products referred to in **Article 10(g)** of Regulation (EC) No 1069/2009 the use of other specific requirements to those specified in **Chapter III** may be used provided the conditions of **Point 3, Section 2, Chapter III of Annex V** are complied with.

This authorisation applies in England

Dated this 7 April 2011

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Annex A to Authorisation D6

Part 1:

1.

(1) There shall be:

- (a) a reception area in which untreated animal by-products (including catering waste) are received;
- (b) an area in which vehicles and containers are cleansed and disinfected with adequate facilities for doing this; and
- (c) a clean area in which treated compost or digestion residues are stored.

(2) The clean area shall be adequately separated from the reception area and the area in which vehicles and containers are cleansed and disinfected so as to prevent contamination of the treated material. Floors shall be laid so that liquid cannot seep into the clean area from the other areas.

(3) The reception area shall be easy to clean and disinfect and shall have an enclosed and lockable place or container to receive and store the untreated animal by-products.

2. The animal by-products shall be unloaded in the reception area and either:

- (a) treated immediately; or
- (b) stored in the reception area and treated without undue delay.

3. The plant shall be operated in such a way that:

- (a) treated material is not contaminated by untreated or partially treated material or liquids arising from it; and
- (b) partially treated material is not contaminated with material which has not been treated to the same extent or liquids arising from it.

4. The operator shall identify, control and monitor suitable critical points in the operation of the plant to demonstrate that:

(a) the Animal By-Products (Enforcement)(England) Regulations 2011 and Regulation (EC) No 1069/2009 and Commission Regulation (EU) No 142/2011 are complied with;

(b) treated material is not contaminated by untreated or partially treated material or liquids arising from it; and

(c) partially treated material is not contaminated with material which has not been treated to the same extent or liquids arising from it.

5. Containers, receptacles and vehicles used for transporting untreated animal by-products shall be cleaned in the dedicated area before they leave the premises and before any treated material is loaded. In the case of vehicles transporting only untreated catering waste and not subsequently transporting treated material, only the wheels of the vehicle need be cleaned.

PART II Treatment systems and parameters for catering waste

1. Unless an approval specifically permits a different system, catering waste shall be treated by one of the systems specified in the table below. The system shall ensure that the material is treated to the following parameters:

Composting

<i>System</i>	<i>Composting in a closed reactor</i>	<i>Composting in a closed reactor</i>	<i>Composting in housed windrows</i>
Maximum particle size	40cm	6cm	40cm
Minimum temperature	60°C	70°C	60°C
Minimum time spent at the minimum temperature	2 days	1 hour	8 days (during which the windrow shall be turned at least 3 times at no less than 2 days intervals)

The time temperature requirements shall be achieved as part of the composting process.

Biogas

<i>System</i>	<i>Biogas in a closed reactor</i>	<i>Biogas in a closed reactor</i>
Maximum particle size	5cm	6cm
Minimum temperature	57°C	70°C
Minimum time spent at the minimum temperature	5 hours	1 hour

2. The approval shall normally specify one of the methods in the table, but the Secretary of State may approve a different system if she is satisfied that it achieves the same reduction in pathogens as those methods (including any additional conditions imposed on those methods) in which case the approval shall fully describe the whole system.

Composting plants

3. If the approval for a composting plant specifies one of the methods in the table, it shall specify which one and, in addition, shall have as a condition either that—

(a) measures shall be taken at source to ensure that meat was not included in the catering waste and that following treatment the material is stored for at least 18 days (storage need not be in an enclosed system), or

(b) following the first treatment, the material shall be treated again using one of the methods in the table and specified in the approval (not necessarily the same method as was used for the first treatment) except that, if the treatment is in a windrow, the second treatment need not be in a housed windrow.

Biogas plants

4. The approval for a biogas plant shall specify one of the methods in the table and in addition require that either —

(a) measures were taken at source to ensure that meat was not included in the catering waste; or

(b) following treatment the material is stored for an average of 18 days.

Authorisation D7

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use different standardised process parameters for processed manure, derived products from processed manure and guano from bats to be placed on the market, provided it is demonstrated they minimise biological risks:

In accordance with **Article 15(1)(i)** of Regulation (EC) 1069/2009 and **Article 22(1)** and **Section 2(c), Chapter I, Annex XI** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises the use of different standardised process parameters, as laid down in Annex A below, to those in **Section 2(b), Chapter I of Annex XI** for processed manure, derived products from processed manure and guano from bats other than those imported from third countries to be placed on the market provided this complies with the requirements of **Section 2(a), (c), (d) and (e), Chapter I, Annex XI** of Regulation (EU) No 142/2011.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Annex A to Authorisation D7

The Secretary of State authorises the use of other standardised process parameters than those referred to in point (b) of Section 2, Chapter I of Annex XI, provided the operator demonstrates that such parameters ensure minimising of biological risks.

That demonstration shall include a validation, which shall be carried out as follows:

- i. Identification and analysis of possible hazards including the impact of input material, based on a full definition of the processing conditions, and a risk assessment, which evaluates how the specific processing conditions are achieved in practice under normal and atypical situations.
- ii. Validation of the intended process:
 - (ii-1) by measuring the reduction of viability/infectivity of endogenous indicator organisms during the process, where the indicator is:
 - consistently present in the raw material in high numbers,
 - not less heat resistant to the lethal aspects of the treatment process, but also not significantly more resistant than the pathogens for which it is being used to monitor,
 - relatively easy to quantify and relatively easy to identify and confirm; or
 - (ii-2) by measuring the reduction of viability/infectivity, during exposure, of a well-characterised test organism or virus introduced in a suitable test body into the starting material.
- iii. The validation referred to in point (ii) must demonstrate that the process achieves the following overall risk reduction:
 - for thermal and chemical processes by reduction of *Enterococcus faecalis* by at least 5 log₁₀ and by reduction of infectivity titre of thermoresistant viruses such as *parvovirus*, where they are identified as a relevant hazard, by at least 3 log₁₀,
 - for chemical processes also by reduction of resistant parasites such as eggs of *Ascaris* sp. by at least 99,9 % (3 log₁₀) of viable stages. EN 26.2.2011 Official Journal of the European Union L 54/77.
- iv. Designing a complete control programme including procedures for monitoring the process.
- v. Measures ensuring continuous monitoring and supervision of the relevant process parameters fixed in the control programme when operating the plant.

Details on the relevant process parameters used in a plant as well as other critical control points shall be recorded and maintained so that the owner, operator or their

representative and the competent authority can monitor the operation of the plant. Information relating to a process authorised under this point must be made available to the Commission on request.

Authorisation D8

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to use Category 1, 2 and 3 material for diagnostic, educational or research purposes, and to transport, use and dispose of research and diagnostic samples:

In accordance with **Articles 16(b) and 17** of Regulation (EC) 1069/2009 and **Article 11** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises, by way of derogation from **Articles 12, 13 and 14** of Regulation (EC) 1069/2009 the use of Category 1, 2 and 3 animal by-products and derived products other than those imported from Third countries:

- for diagnostic and research purposes, including diagnostic and research samples for educational purposes, provided that the special rules on samples for research and diagnostic samples in **Section 1 of Chapter I, Annex VI** of Commission Regulation (EU) No 142/2011 are complied with. However, the handling and disposal of research and diagnostic samples for educational purposes other than those imported from Third countries do not have to comply with the conditions of **Points 1, 4 and 5 of Section 1, Chapter I, Annex VI** of Commission Regulation (EU) No142/2011, provided they comply with Article 17(1)(a) and (b) of Regulation (EC) No 1069/2009.

This authorisation applies in England

Dated this 7 April 2011 (updated 17 June 2011)

Note

If you wish to import research and diagnostic samples from third countries, you should [apply](#) to the Animal Health and Veterinary Laboratories Agency (AHVLA) [Specialist Service Centre for Imports](#). Similarly, if you wish to move research and diagnostic samples imported from third countries from one facility to another within England you should contact AHVLA.

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D9

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to transport, use and dispose of trade samples and display items for exhibitions and artistic activities:

In accordance with **Articles 16(b) and 17** of Regulation (EC) 1069/2009 and **Article 12** of Commission Regulation No 142/2011 the Secretary of State authorises by way of derogation from **Articles 12, 13 and 14** of Regulation (EC) 1069/2009 the transport, use and disposal of Category 1, 2 and 3 animal by-products and derived products as trade samples and display items for exhibitions and artistic activities other than those imported from Third countries, provided they comply with the conditions of **Section 2, Chapter I, Annex VI** of Commission Regulation (EU) No 142/2011.

This authorisation applies in England

Dated this 7 April 2011

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011 No 881

Authorisation D10

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to collect and transport manure between two points on the same farm, or between farmers and users within the UK, without a commercial document or health certificate:

In accordance with **Article 21** of Regulation (EC) 1069/2009 as read with **Section 4, Chapter I, Annex VIII** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from the **first subparagraph of Article 21(2)** of Regulation (EC) No 1069/2009 and **Section 1, Chapter I, Annex VIII** of Commission Regulation (EU) No 142/2011 the transport of manure between two points located on the same farm or between farms and users of manure within the UK, without a commercial document or health certificate provided that the transport is:

- (a) from a farmer with a farm in England to a farmer with a farm –
 - (iii) in England, or
 - (iv) in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such supply; or
- (b) to a farmer with a farm in England from a farmer with a farm –
 - (iii) in England; or
 - (iv) in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such supply.

and, where the manure leaves the premises (for example to be transported on public roads), provided that the operator complies with **Point 1, Section I of Annex VIII** of Commission Regulation (EU) No 142/2011

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 SI 2011/881

Authorisation D11

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to allow a different commercial document to accompany animal by-products and derived products transported within the UK:

In accordance with the **second subparagraph of Article 21(3)** of Regulation (EC) No 1069/2011 the Secretary of State authorises the transmission by way of the information required in the **first subparagraph of Article 21(3)** by way of an alternative system.

In addition to the above, in accordance with **Point 4, Chapter III, Annex VIII** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises that animal by-products and derived products transported within the UK may be accompanied by:

- (a) A different commercial document, in paper or in electronic form, provided that such commercial document contains the information referred to in point (f) of the Notes under **Point 6 of Chapter III of Annex VIII** of Commission Regulation (EU) No 142/2011;
- (b) A commercial document in which the quantity of the material is expressed in weight or volume of the material or in the number of packages.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 (SI 2011/881)

Authorisation D12

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to exempt certain operators (those handling/generating game trophies etc or handling/disposing of research and diagnostic samples for educational purposes) from the requirement to register:

In accordance with **Article 20(4)** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises by way of derogation from **Article 23(1)(a)** of Regulation (EC) No 1069/2009 that the following are exempt from the obligation under Article 23(1)(a) of Regulation (EC) 1069/2009 to notify with a view to registration:

- (a) Operators handling or generating game trophies or other preparations referred to in **Chapter VI of Annex XIII** of Commission Regulation (EU) No 142/2011 for private or non-commercial purposes;
- (b) Operators handling or disposing research and diagnostic samples for educational purposes.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 (SI 2011/881)

Authorisation D13

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to allow plants handling hides and skins, including limed hides, to supply trimmings and splittings for the production of gelatine for animal consumption, organic fertilisers or soil improvers:

In accordance with **Article 24(4) and Part A, Chapter V, Annex XIII** of Commission Regulation (EU) No 142/2011, the Secretary of State authorises plants handling hides and skins, including limed hides, to supply trimmings and splitting of these hides and skins for the production of gelatine for animal consumption, organic fertilisers or soil improvers provided that the requirements of the aforementioned **Part A** are complied with.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 (SI 2011/881)

Authorisation D14

The Secretary of State for the Department for Environment, Food and Rural Affairs, acting as the Competent Authority for England in respect of the following EU Regulations:

- 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 1774/2002
- Commission Regulation (EU) No 142/2011* of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation not to dry untreated feathers, parts of feathers and down sent directly from a slaughterhouse to a processing plant:

In accordance with **Point 1, Part A, Chapter VII, Annex XIII of Commission Regulation (EU) No 142/2011**, the Secretary of State authorises by way of derogation from the requirement in Point 1 to dry materials in the case of untreated feathers, parts of feathers and down sent directly from a slaughterhouse to a processing plant provided they comply with the provisions in the rest of **Part A**, that is:

- (a) all necessary measures are taken to avoid any possible spread of disease;
- (b) the transport takes place in waterproof containers and/or vehicles which must be cleaned and disinfected immediately after each use

and provided the materials are sent:

- (i) from a slaughterhouse in England to a processing plant –
 - in England, or
 - in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such a derogation under **Point 1, Part A, Chapter VII, Annex XIII** of Commission Regulation (EU) No 142/2011.
- (ii) to a processing plant in England from a slaughterhouse –
 - in England, or
 - in Wales, Scotland or Northern Ireland and the relevant competent authority has enabled such a derogation under **Point 1, Part A, Chapter VII, Annex XIII** of Commission Regulation (EU) No 142/2011

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2011 (SI 2011/881)