



2023/2613

24.11.2023

COMMISSION REGULATION (EU) 2023/2613

of 23 November 2023

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 1774/2002 ⁽¹⁾, and in particular the first subparagraph of Article 43(3) thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011 ⁽²⁾ 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) 2021/899 ⁽³⁾.
- (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.
- (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.

⁽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).

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, 23 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

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);’.
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