COMMISSION REGULATION (EU) 2021/1929

of 8 November 2021

amending Regulation (EU) No 142/2011 as regards conditions for exports of certain organic fertilisers and soil improvers containing Category 2 materials

(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 Article 32(3)(a) and the second 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 derived products, including organic fertilisers and soil improvers.

(2) Chapter V of Annex XIV to Regulation (EU) No 142/2011 provides for rules on exports of amongst others processed manure. Processed manure may be used as a component to exclude the subsequent use of organic fertilisers and soil improvers containing meat-and-bone meal (MBM) of Category 2 materials for feeding purposes. The rules on export of processed manure should be amended to allow the export of processed manure contained as mixing component in MBM of Category 2 materials.

(3) The export of certain organic fertilisers and soil improvers containing MBM of Category 2 materials should be authorised without the channelling referred to in Article 48(4) of Regulation (EU) No 1069/2009, where the use of such organic fertilisers and soil improvers for feeding purposes is excluded due to their composition or packaging. Organic fertilisers and soil improvers should be mixed with processed manure or other prescribed components to exclude the subsequent use for feeding purposes. The rules for the export of organic fertilisers and soil improvers containing MBM of Category 2 materials are to be set out in Chapter V of Annex XIV to Regulation (EU) No 142/2011.

(4) Annex VIII of Regulation (EU) No 142/2011 provides for labelling requirements for organic fertilisers and soil improvers placed on the Union market. In case of the export to third countries, labelling should be in one of the official languages of the third country of destination.

(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

Chapter V of 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).

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, 8 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Regulation (EU) No 142/2011, Annex XIV, Chapter V, the table shall be amended as follows:

(a) row 1 is replaced by the following:

'1	Processed manure; Organic fertilizers, compost or digestion residues from biogas transformation containing no other animal by-products or derived products than processed manure; Processed animal protein containing processed manure as a mixing component or meat-and-bone meal of Category 2 materials containing processed manure as a mixing component	The following derived products must comply at least with the conditions set out in points (a), (b), (d) and (e) of Section 2 of Chapter I of Annex XI: — Processed manure; — Organic fertilizers, compost or digestion residues from biogas transformation containing no other animal by-products or derived products than processed manure; — Processed manure as a mixing component in processed animal protein or meat-and-bone meal of Category 2 materials.'

(b) the following row 4 is added as follows:

'4	Organic fertilisers and soil improvers containing meat-and-bone meal of Category 2 materials	Organic fertilisers and soil improvers containing meat-and-bone meal of Category 2 materials referred to in points 1, 2, 3 and 5 of Section 1 of Chapter II of Annex XI that meet the requirements therein, which are packaged in ready-to-sell packages of not more than 50 kg in weight for use by the final consumer with a content of (a) not more than 90 % in volume of meat-and-bone meal of Category 2 material; (b) at least 10 % in volume of processed manure, processed urine, lime, mineral fertilisers, or any other mixing component referred to in point 3(b) of Section 1 of Chapter II to Annex XI.'