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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

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To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... amending and correcting Delegated Regulation (EU) 2019/2122 as regards certain categories of animals and goods exempted from official controls at border control posts

Delegations will find attached document C(2026) 573 final.

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

of 4.2.2026

amending and correcting Delegated Regulation (EU) 2019/2122 as regards certain categories of animals and goods exempted from official controls at border control posts

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Delegated Regulation (EU) 2019/2122¹ supplements Regulation (EU) 2017/625 of the European Parliament and of the Council² as regards certain categories of animals and goods exempted from official controls at border control posts, including non-commercial movements of pet animals from third countries accompanying international travellers.

The compliance checks to be performed at entry points on those non-commercial movements of pet animals from third countries are currently laid down in Regulation (EU) No 576/2013 of the European Parliament and of the Council³.

However, Regulation (EU) No 576/2013 was repealed pursuant to Article 270(2) of Regulation (EU) 2016/429 of the European Parliament and of the Council ('Animal Health Law')⁴ and shall cease to apply after 21 April 2026, upon the expiration of the transitional period provided for in Article 277 of that Regulation.

As a consequence, provisions of Regulation (EU) No 576/2013 on compliance checks on non-commercial pet animals entering into the Union from third countries must be transferred to Delegated Regulation (EU) 2019/2122 to ensure that no unacceptable risks to public and animal health are incurred where such animals enter the Union.

The existing criteria for specific checks on the non-commercial movement of pet animals into the Union, as set out in Regulation (EU) No 576/2013, are maintained in this Delegated Regulation, without imposing any additional obligations on the authorities designated by Member States to carry out those checks.

On another note, Article 7 of Delegated Regulation (EU) 2019/2122 sets out the different categories of goods which are exempted from official controls at border

¹ Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending Commission Regulation (EU) No 142/2011 (OJ L 321, 12.12.2019, p. 45, ELI: http://data.europa.eu/eli/reg_del/2019/2122/2023-09-21).

² Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/2025-01-05>).

³ Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/576/2024-03-26>).

⁴ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>).

control posts when included in passengers' personal luggage and intended for personal consumption or use.

Point (c) of that Article is intended to apply only to products of animal origin and composite products. However, the general term 'goods' as used in that point (c) inadvertently includes other commodities such as animal by-products, which should not be exempted as they can pose a serious risk for animal health, or plants, plant products and other objects, which are already addressed under point (d) of the same Article. This overlap creates a contradiction between the two provisions.

To solve this inconsistency, Article 7, point (c), of Delegated Regulation (EU) 2019/2122 should be corrected to replace the broad term 'goods' with the more precise reference to 'products of animal origin and composite products', to avoid any legal or interpretative ambiguity.

As a result of the above referred correction, the title of Part 2 of Annex I to Delegated Regulation (EU) 2019/2122, laying down the "list of 'goods' which are not exempted from official controls at border control posts provided for in Article 7, point (c)", should be corrected accordingly.

And the list of Part 2 of Annex I to Delegated Regulation (EU) 2019/2122, should be corrected to delete the entry for petfood of the common nomenclature code 0511, considering that Article 7, point (c), of that Delegated Regulation does not provide any exemption from checks at the border control posts for such a commodity, and its inclusion in the list is therefore redundant.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission had meetings and exchanges with the Expert Groups on Animal Health and Veterinary Import Controls Legislation. The draft delegated regulation will also be made available to the European Parliament and the Council.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This Delegated Regulation is to be adopted pursuant to Regulation (EU) 2017/625, in particular Article 48, point (d) and (f), and Article 53(1), point (d)(iv), and Article 77(1), point (k) thereof.

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

of 4.2.2026

amending and correcting Delegated Regulation (EU) 2019/2122 as regards certain categories of animals and goods exempted from official controls at border control posts

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)¹, and in particular Article 48, points (d) and (f), Article 53(1), point (d)(iv), and Article 77(1), point (k), thereof. Whereas:

- (1) Regulation (EU) No 576/2013 of the European Parliament and of the Council², lays down, among others, rules for compliance checks on non-commercial movements of pet animals into the Union from third countries or territories. That Regulation was repealed by Article 270(2), first subparagraph, of Regulation (EU) 2016/429 of the European Parliament and of the Council³ as from 21 April 2021. However, Article 277 of Regulation (EU) 2016/429 provides that, notwithstanding that repeal, Regulation (EU) No 576/2013 is to continue to apply until 21 April 2026 in respect of non-commercial movements of pet animals, in place of Part VI of Regulation (EU) 2016/429.
- (2) Commission Delegated Regulation (EU) 2019/2122⁴ lays down the conditions under which non-commercial movements of pet animals into the Union may be exempted from official controls at border control posts.

¹ OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>.

² Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 (OJ L 178, 28.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/576/oj>).

³ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>).

⁴ Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers'

- (3) As the measures provided for in Regulation (EU) No 576/2013 cease to apply upon the expiration of the transitional period provided for in Article 277 of Regulation (EU) 2016/429, in the interest of consistency, the rules for compliance checks on non-commercial movements of pet animals into the Union from third countries or territories should be integrated in Delegated Regulation (EU) 2019/2122, to align them with the conditions under which those pet animals may be exempted from official controls at border control posts. Delegated Regulation (EU) 2019/2122 should therefore be amended accordingly.
- (4) Article 7, point (c), of Delegated Regulation (EU) 2019/2122 is intended to apply only to products of animal origin and composite products. However, the term ‘goods’ in Article 7, point (c), of that Delegated Regulation includes other commodities such as animal by-products, which should not be exempted from official controls at border control posts as they can pose a serious risk to animal health, or plants, plant products and other objects, which are separately covered by point (d) of that Article. The existing wording of Article 7, point (c), of Delegated Regulation (EU) 2019/2122 is too broad and creates ambiguity about which goods are subject to an exemption from official controls at border control posts. Therefore, Article 7, point (c), of Delegated Regulation (EU) 2019/2122 should be corrected to replace the term ‘goods’ with the more precise wording ‘products of animal origin and composite products’. As a result, certain consequential corrections in Part 2 of Annex I to Delegated Regulation (EU) 2019/2122 are necessary.
- (5) Delegated Regulation (EU) 2019/2122 should therefore be amended and corrected accordingly.
- (6) Since the amendments and corrections to Delegated Regulation (EU) 2019/2122 are substantively linked to one another insofar as they concern the cases where, and the conditions under which, goods which form part of passengers’ personal luggage and pet animals are exempted from official controls at border control posts, it is appropriate to make those amendments and corrections in one single act.
- (7) As the transitional period related to the repeal of Regulation (EU) No 576/2013 ends on 21 April 2026, the amendments to Delegated Regulation (EU) 2019/2122 made by this Regulation should enter into force as a matter of urgency and apply from 22 April 2026,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2019/2122

Delegated Regulation (EU) 2019/2122 is amended as follows:

1. Article 1 is replaced by the following:

‘Article 1

Subject matter

This Regulation lays down rules for the cases where and the conditions under which certain categories of animals and goods are exempted from official controls at border

personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending Commission Regulation (EU) No 142/2011 (OJ L 321, 12.12.2019, p. 45, ELI: http://data.europa.eu/eli/reg_del/2019/2122/oj).

control posts, and the cases where and the conditions under which specific control tasks may be performed by customs authorities or other public authorities, insofar as those tasks are not already falling under the responsibility of those authorities, on passengers' personal luggage and non-commercial movements of pet animals into the Union.';

2. in Article 2, the following points are added:

- '9. 'pet owner' means a pet owner as defined in Article 4, point (13), of Regulation (EU) 2016/429;
10. 'authorised person' means an authorised person as defined in Article 4, point (15), of Regulation (EU) 2016/429;
11. 'travellers' point of entry' means a travellers' point of entry as defined in Article 2, point (2), of Commission Delegated Regulation (EU) 202./...* [C(2026)20].

* Commission Delegated Regulation (EU) 202./... of ... supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for non-commercial movement of pet animals (OJ L, ..., ..., ELI: ...)[C(2026)20].';

3. Article 11 is replaced by the following:

'Article 11
Pet animals

The following pet animals entering the Union during a non-commercial movement are exempted from official controls at border control posts other than official controls carried out in accordance with Article 15(2) of Regulation (EU) No 1143/2014 and official controls carried out to verify compliance with Article 57(1) of Regulation (EC) No 865/2006, provided that they meet the conditions laid down in Part VI of Regulation (EU) 2016/429 and, where applicable, in Delegated Regulation (EU) 202./.... [C(2026)20]:

1. pet animals of a species listed in Part A of Annex I to Regulation (EU) 2016/429 that:
 - (a) are moved from a third country or a territory listed in accordance with Article 17(1), point (a), of Delegated Regulation (EU) 202./... [C(2026)20], and at the request of the competent authorities, the customs authorities or other public authorities, on a risk-based and non-discriminatory basis, meet the following conditions:
 - (i) the pet owner or the authorised person:
 - presents the passports of the animals referred to in Article 20, point (a), of Delegated Regulation 202./.... [C(2026)20], which demonstrate compliance with the requirements of movement laid down in that Delegated Regulation, or presents the passports of the animals referred to in Article 11(1) of Delegated Regulation (EU) 202./.... [C(2026)20], where the conditions laid down in Article 20, point (b), of that Delegated Regulation are met;

- makes the animals available for the checks referred to in point (ii);
- (ii) the animals are subjected to documentary and identity checks;
- (b) are moved from a third country or a territory other than those listed in accordance with Article 17(1), point (a), of Delegated Regulation (EU) 202./.... [C(2026)20], and meet the following conditions:
 - (i) the pet owner or the authorised person:
 - on arrival, contacts the competent authorities, the customs authorities or other public authorities responsible for the checks at the travellers’ point of entry;
 - presents the animal health certificate referred to in Article 18(1) of Delegated Regulation (EU) 202./.... [C(2026)20], that demonstrates compliance with the requirements of movement laid down in that Delegated Regulation, or the passport referred to in Article 11(1) of Delegated Regulation (EU) 202./.... [C(2026)20], where the conditions laid down in Article 20, point (b), of that Delegated Regulation are met;
 - makes the animals available for the checks referred to in point (ii);
 - (ii) the animals are subjected to documentary checks and identity checks at the travellers’ point of entry on a systematic basis;
- (c) meet the conditions laid down in Article 15, point (b), of Delegated Regulation (EU) 202./.... [C(2026)20] as regards the movement of pet dogs by military personnel, law enforcement personnel or search-and-rescue teams through a point of entry into the Union other than a travellers’ point of entry, and are subjected to checks in accordance with the specific arrangements defined by the competent authority in the permit referred to in Article 15, point (b)(i), of that Delegated Regulation;
- (d) meet the conditions for the derogation provided for in Article 29 of Delegated Regulation (EU) 202./.... [C(2026)20], and are subjected to checks on a systematic basis and in accordance with the specific arrangements defined by the competent authority in the permit referred to in Article 29(1), point (a), of that Delegated Regulation; or
- (e) originate from and are returned to the Union following a refusal of entry of the animals, the pet owner or the authorised person by the competent authority of a third country or a territory, and meet the following conditions:
 - (i) the pet owner or the authorised person:
 - on arrival, contacts the competent authorities, the customs authorities or other public authorities responsible for the checks at the travellers’ point of entry;
 - presents the passport referred to in Article 11(1), of Delegated Regulation (EU) 202./.... [C(2026)20];

- where applicable, presents the animal health certificate issued by the competent authority of the Member State of origin or any other valid document, that accompanied the pet animals for the non-commercial movement to the third country or the territory;
 - where applicable, presents the official document issued by the competent authority or other public authority of the third country or the territory, that indicates the reasons for the refusal;
 - makes the animals available for the checks referred to in point (ii);
- (ii) the animals are subjected to documentary checks and identity checks at the travellers' point of entry on a systematic basis;
2. birds of avian species listed in Part B of Annex I to Regulation (EU) 2016/429 that:
- (a) are moved from a third country or a territory not referred to in Article 28 of Delegated Regulation (EU) 2021/2016 [C(2026)20], and meet the following conditions:
- (i) the pet owner or the authorised person:
- on arrival, contacts the competent authorities, the customs authorities or other public authorities responsible for the checks at the travellers' point of entry;
 - presents the animal health certificate referred to in Article 26(1) of Delegated Regulation (EU) 2021/2016 [C(2026)20], that demonstrates compliance with the requirements of movement laid down in that Delegated Regulation;
 - makes the birds available for the checks referred to in point (ii);
- (ii) the birds are subjected to documentary checks and identity checks at the travellers' point of entry on a systematic basis;
- (b) meet the conditions for the derogation provided for in Article 29 of Delegated Regulation (EU) 2021/2016 [C(2026)20], and are subjected to checks on a systematic basis and in accordance with the specific arrangements defined by the competent authority in the permit referred to in Article 29(1), point (a), of that Delegated Regulation; or
- (c) originate from and are returned to the Union following a refusal of entry of the birds, the pet owner or the authorised person by the competent authority of a third country or a territory, and meet the following conditions:
- (i) the pet owner or the authorised person:
- on arrival, contacts the competent authorities, the customs authorities or other public authorities responsible for the checks at the travellers' point of entry;

- where applicable, presents the animal health certificate issued by the competent authority of the Member State of origin or any other valid document that accompanied the pet animals for the non-commercial movement to the third country or the territory;
 - where applicable, presents the official document issued by the competent authority or other public authority of the third country or the territory, that indicates the reasons for the refusal;
 - makes the birds available for the checks referred to in point (ii);
- (ii) the birds are subjected to documentary checks and identity checks at the travellers' point of entry on a systematic basis;
3. birds of avian species listed in Part B of Annex I to Regulation (EU) 2016/429 that are moved from a third country or a territory referred to in Article 28 of Delegated Regulation (EU) 202./.... [C(2026)20];
4. pet animals of species other than birds listed in Part B of Annex I to Regulation (EU) 2016/429.;
4. the following Articles 11a and 11b are added:

Article 11a

Requirements for official controls on pet animals

The competent authorities, the customs authorities or other public authorities that have been designated to perform the checks referred to in Article 11, points (1) and (2), of this Regulation shall:

- (a) be fully informed of the rules laid down in Part VI of Regulation (EU) 2016/429 and in Delegated Regulation (EU) 202./.... [C(2026)20];
- (b) ensure that their staff receive appropriate and regular training enabling them to undertake their duties competently and perform the checks in a consistent manner;
- (c) keep records of the checks that have been carried out and of instances of non-compliance identified during those checks; and
- (d) document the outcome of the checks in the relevant section of the animal health certificate for each pet animal, when required in accordance with Article 18(2), point (k), and Article 26(2), point (j), of Delegated Regulation (EU) 202./.... [C(2026)20].

Article 11b

Measures to be taken in case of non-compliance of pet animals or pet animals not made available for official controls

1. Where the pet animal is not made available by the pet owner or the authorised person for the checks referred to in Article 11, points (1) and (2), of this Regulation, or where the outcome of those checks reveals that a pet animal does not comply with the conditions laid down in Part VI of Regulation (EU) 2016/429 or in Delegated Regulation (EU) 202./.... [C(2026)20], the competent authorities, the customs authorities or other public authorities that

have been designated to perform the checks shall decide, after consultation with the official veterinarian and, where necessary, with the pet owner or the authorised person, to:

- (a) isolate the pet animal under official supervision for the time necessary for it to comply;
 - (b) adopt any other administrative decision for the pet animal to comply;
 - (c) re-dispatch the pet animal outside the Union; or
 - (d) where the application of the measures referred to in points (a), (b) and (c) is not practical, order that the pet animal be killed in accordance with applicable national rules relating to the protection of pet animals at the time of killing.
2. Where the non-commercial movement of a pet animal into the Union is refused by the competent authorities, the customs authorities or other public authorities responsible for the checks referred to in Article 11, points (1) and (2), the pet animal shall be isolated under official supervision, pending the adoption of the measures provided for in paragraph 1, points (c) and (d).
 3. The measures referred to in this Article shall be applied at the expense of the pet owner or the authorised person.’

Article 2

Correction of Delegated Regulation (EU) 2019/2122

Delegated Regulation (EU) 2019/2122 is corrected as follows:

1. in Article 7, point (c) is replaced by the following:
 - ‘(c) products of animal origin and composite products other than those referred to in points (a) and (b) of this Article and other than those referred to in Part 2 of Annex I, provided that their combined quantity does not exceed the weight limit of 2 kg;’;
2. in Annex I, Part 2 is corrected as follows:
 - (a) the heading of the table is replaced by the following:
‘List of products of animal origin and composite products which are not exempted from official controls at border control posts provided for in Article 7, point (c)’;
 - (b) in the table, the entry for CN code ‘ex 0511’ is deleted.

Article 3

Entry into force and application

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 1 shall apply from 22 April 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4.2.2026

For the Commission
The President
Ursula VON DER LEYEN