



Department
for Environment
Food & Rural Affairs

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

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

May 2011 (last updated: August 2022)



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Note: certain Authorisations refer to a requirement for the operator to have registered under article 23 of Regulation (EC) No 1069/2009 in order for the Authorisation to apply. Enquiries about registration should be made to the [Animal and Plant Health Agency](#).

Prior consent must be obtained from the competent authority before exercising Authorisations C3, C4, C5, D3, D5, D6 or D7. Enquiries about consent should be made to the [Animal and Plant Health Agency](#).

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

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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 as amended 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- (1) the colostrum is not sourced from cattle herds with officially TB free status either suspended or withdrawn, in order to prevent the transmission of health risks, and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 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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 (last updated 30 May 2012)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

Authorisation A3

(Authorisation A3 revoked May 2013)

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 as amended 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 non-wild 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 non-wild birds of prey other than zoo or circus animals in accordance with **Article 18(1)(c)** of Regulation (EC) No 1069/2009 for operators registered under Article 23 of that Regulation 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;
- Category 2 material, provided that it does not come from animals currently undergoing post-import isolation procedures in accordance with Annex VIII of Regulation (EC) No 798/2008, 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 (last updated 22 January 2013; 19 January 2017)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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. In addition operators intending to set up a feeding station for feeding Category 3 material to wild birds of prey are required to register under Article 23 of Regulation (EC) No 1069/2009 and should notify their local Animal and Plant Health Agency Field Services office accordingly.

This authorisation applies in England

Dated this 7 April 2011 (last updated 22 January 2013)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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. In particular;
 - feeding comprises carcass meat and bone material only, excluding the following offal: liver, kidney, respiratory tract including lung and trachea, heart, spleen, pancreas, gastro intestinal tract (including stomachs), omentum, udder and reproductive organs;
 - the hounds are regularly treated for Echinococcus sp. in accordance with the recommendations of a veterinary professional, and records are kept of such treatment for a period of at least two years and made available for inspection by the Competent Authority on request
 - where informed by the farmer that carcasses originate from holdings at higher risk of TB¹ operators carry out additional visual and tactile examination of lymph nodes in the head/throat and examination of the chest and lungs for signs of bovine tuberculosis (TB) in fallen cattle. Any suspicion of TB must be reported to the local Animal Plant Health Agency office without delay and the affected organs or parts of the carcass retained for examination and collection of samples by a veterinary inspector as required under The Tuberculosis (England) Order.
- **Category 3 material**, provided that the requirements of **Section 1, Chapter II, Annex VI** of Commission Regulation (EU) No 142/2011 are met.

¹ Defined as holdings currently under movement restrictions due to a bovine TB breakdown, or which have been released from such restrictions (i.e. breakdown closed) in the previous 12 months

This authorisation applies in England

Dated this 7 April 2011 (last updated 10 October 2017)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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 (last updated 30 May 2012)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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 (last updated 30 May 2012)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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 (last updated 30 May 2012)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 from premises that are not approved as petfood establishments under that Regulation, 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 (including tripes which must be cleaned and washed and free from visible contamination);
- (b) Eligible material under point (a) may be sold under this derogation only if unprocessed. Processing for the purposes of this derogation means changing the structure of the raw material in such a way that the final product does not resemble the characteristics of the raw product (e.g. by heating, smoking, curing, maturing, drying, marinating, extraction, extrusion or a combination of those). Permitted activities include, but not exclusively, washing, bagging, wrapping, packing and freezing. Prohibited activities include the mincing of poultry carcasses;
- (c) 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 and any food fit for human consumption;
- (d) The Category 3 material, once supplied, must be for personal use only, i.e. for feeding to own pets only, and must not be placed on the market for further sale;
- (e) The Category 3 material for feeding to their own pet animals must be collected by the person using it (or on their behalf by their personal representative) directly from the place where the material has been generated;
- (f) Indirect sale or supply to pet owners through third parties (including through couriers) is not allowed under this derogation;
- (g) Where Category 3 material is supplied from an abattoir or cutting establishment, the business operator must keep a record of each sale (including supply) of material, including the quantity sold and the purchaser's name and address. The record must be kept for 2 years and be made available for inspection by the Competent Authority on request.

This authorisation applies in England

Dated this 7 April 2011 (last updated: 16 October 2014; 18 November 2014)

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

** **“Pet animals”** are defined by Regulation (EC) No 1069/2009 as “any animal belonging to species normally nourished and kept but not consumed by humans for purposes other than farming” and so exclude e.g. chickens and pigs.

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 as amended 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:

(a) feed for farmed fish or aquatic invertebrates:

- Aquatic animals and aquatic invertebrates which are aquatic animals (as defined) may be used as feed for farmed fish or for aquatic invertebrates subject to processing in accordance with **Point 1(c), Chapter III of Annex X** of Commission Regulation (EU) No 142/2011;
- Other aquatic invertebrates and terrestrial invertebrates may be used as feed for farmed fish or for aquatic invertebrates without processing provided that the operator complies with the following conditions to prevent unacceptable risks for the transmission of diseases communicable to humans or animals:
 - 1) the material for feeding 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;
 - 2) other farmed animals must not have access to the feeding material ; and
 - 3) unused feeding material must be disposed of in accordance with the above regulations.

(b) fishing bait:

- Aquatic animals and aquatic and terrestrial invertebrates may be used as fishing bait, including bait for aquatic invertebrates, without processing provided that the operator complies with the following conditions to prevent unacceptable risks for the transmission of diseases communicable to humans or animals:
 - 1) the material for 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;
 - 2) other farmed animals must not have access to the bait;

- 3) where the material is to be used as fishing bait for farmed fish, the bait must not be of the same species as the fish which it is intended to catch; and
- 4) unused bait must be disposed of in accordance with the above regulations.

This authorisation applies in England

Dated this 17 June 2011 (last updated 22 January 2013)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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(I)** 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; and
- (b) Category 3 raw milk, colostrum and products derived therefrom

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

- 1) 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
- 2) 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 2013 SI 2013/2952

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 as amended 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 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 eggs have been crushed by compaction and the free flowing liquid content has been removed through pressure & drainage, or by centrifuging, to leave effectively only eggshell for application to land. The system/ method used must be able to satisfy the requirement that, the total fresh weight of the resulting batch of treated eggshells (which may retain a moisture content of approximately 25%, if measured by oven drying) must contain less than 4% by weight of free flowing liquid i.e. yolk & albumen, which has drained to the bottom of the batch, after 1 hour of standing. The business must have documentary evidence that the process conforms to this technical requirement.

This authorisation applies in England

Dated this 7 April 2011 (last updated 12 August 2014)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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) No 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 bio-dynamic preparations as referred to in **Article 12(1)(c)** of Regulation (EC) No 834/2007 by operators registered under Article 23 of Regulation (EC) No 1069/2009.

This authorisation applies in England

Dated this 7 April 2011 (last updated 15 May 2013)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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:

In accordance with **Article 32(1)(d)** of Regulation (EC) No 1069/2009 and **Article 22(3)** of Commission Regulation (EU) No 142/2011 the Secretary of State authorises, for operators registered under Article 23 of Regulation (EC) No 1069/2009, the following components to be used for mixing with organic fertilisers and soil improvers to be applied to land and which have been produced from:

- Meat and Bone Meal derived from Category 2 animal by-products;
- Processed Animal Protein derived from any Category 3 material except material referred to in **Article 10(n), (o) and (p)** of Regulation (EC) No 1069/2009

in accordance with the criteria set out in **Points 2 and 3, Section I, Chapter II of Annex XI** of Commission Regulation (EU) No 142/2011:

components for dry products:

(1) Wood shavings (not bark chippings), subject to the following conditions:

- a) Wood shavings should be screened and filtered to remove large pieces of wood, foreign bodies and to remove dust;
- b) The source wood should be from clean lumber and not be pre-treated with paint or preservatives etc;
- c) The product should not have a detrimental impact on the environment;
- d) End-users should consider the impact on soil nitrogen levels of the product itself versus the nitrogen used up by decomposing wood shavings;
- e) Minimum inclusion level >2% in final product.

(2) Limestone chips/ grit/ prills, subject to the following conditions:

- a) Must be 2-5mm in diameter;
- b) Minimum inclusion level >2% in final product.

(3) Inorganic fertiliser prills, subject to the following conditions:

- a) Must be 2-5mm in diameter;
- b) Minimum inclusion level >2% in final product.

components for liquid products:

- (1) **For all processed blood** - hydrated lime (calcium dihydroxide solution in water) or 1-1.5% solutions of caustic soda to sufficient quantity to produce pH levels of 9-10 in final product.
- (2) **For organic fish meal suspension** – Duramine blue FCF 250% diluted to a 2.5% stock solution (25kg in 1000 litres of water), then 10mls of this stock solution to be added per litre of the organic fishmeal suspension.

Note:

The Animal and Plant Health Agency (APHA) will consider other materials for use as a component, subject to the necessary acceptance criteria being met. For further information please contact the Lead Veterinary Officer, National Feed Audit, APHA, Kendal Rd, Harlescott, Shrewsbury, SY1 4HD (Telephone: 01785 231900).

This authorisation applies in England

Dated: 30 May 2012

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

Authorisation B5

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 as amended implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation to apply to land digestion residues from the transforming into biogas of Category 1/2 glycerine obtained from the biodiesel process:

In accordance with **Article 9 (c) and Annex IV, Chapter IV, Section 3, point 2(b)(iii)** of Regulation (EU) No 142/2011 the Secretary of State authorises the application to land of digestion residues produced by transforming into biogas glycerine derived from Category 1 and 2 animal by-products which have been used in the biodiesel production process, provided that those animal by-products were previously processed in accordance with processing method 1 (pressure sterilisation) as set out in **Chapter III, Annex IV** of Regulation (EU) No 142/2011.

This authorisation applies in England

Dated this 6 September 2013

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

Authorisation B6

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 as amended implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation of conditions for the spreading to land of Category 3 cooked shellfish shells with soft tissue and flesh attached:

In accordance with **Article 14(h)** of Regulation (EC) No 1069/2009 the Secretary of State authorises that Category 3 crushed shells from cooked shellfish (including crustaceans and molluscs) with soft tissue and flesh attached, which do not show any signs of disease communicable to humans or animals (in this document referred to as “**shellfish shells**”), may be applied to land as organic fertilisers or soil improvers without additional processing or treatment¹, provided that the following conditions are complied with to ensure the control of risks to public and animal health:

- 1) The shellfish shells must originate from shellfish cooked² in a fishery products processing plant approved under **Article 4** of Regulation (EC) No 853/2004 and meeting the requirements of **Annex 1** of Commission Regulation (EC) No 2073/2005.
- 2) The shellfish shells must have as much soft tissue and flesh removed as is reasonably practicable to leave no more than 40% volatile solids³.
- 3) The shellfish shells must be crushed but not reduced to a powdered material.
- 4) When it is necessary to store the shellfish shells prior to spreading on land, they must be stored in a way that prevents access by animals and birds, including all farmed animals.
- 5) The crushed shellfish shell material must be injected or otherwise incorporated with soil such that animals and birds cannot access it e.g. by spreading the material on land and ploughing it in without undue delay.
- 6) Following application of the crushed shellfish shells to land, users must observe the waiting periods of:
 - a) at least 21 days before grazing or feeding farmed animals other than pigs with cut herbage from that land (**Article 11(1)(c)** of Regulation (EC) No 1069/2009);
 - b) at least 60 days before allowing pigs to have access to that land or to be fed cut herbage from such land (**regulation 5** of the Animal By-Products (Enforcement) (England) Regulations 2013)

Users of the shellfish shells will still need to comply with environmental conditions for land spreading waste and are advised to contact the Environment Agency as appropriate.

This authorisation applies in England

Dated this 6 June 2014 (updated 27 June 2014)

Notes on the terms used in this Authorisation:

¹ “**processing**” means using the methods set down in **Annex IV, Chapter III** of Commission Regulation (EU) No 142/2011 and “**treatment**” means using other methods set out in Commission Regulation (EU) No 142/2011, such as composting and anaerobic digestion, as defined in **Annex V** of that Regulation.

² “**cooked**” means subjected to the application of heat for a given period of time to reduce to an acceptable level the risks to public health arising from the material, in accordance with the HACCP principles set out in Regulation (EC) No 852/2004. It must be done as part of the routine food production activities in the plant, under the controls detailed in Regulation (EC) No 853/2004.

³ “**volatile solids**” is a laboratory measure of the soft tissue content of a shellfish shell. The shell with its residual flesh is dried at 105°C until it reaches a constant weight. The dried residue is then ignited and the loss of the volatile solids is determined by the reduction in weight.

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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) for operators registered under Article 23 of Regulation (EC) No 1069/2009, 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) No 142/2011 are complied with.

This authorisation applies in England

Dated this 7 April 2011 (last updated 30 May 2012)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 (last updated 26th August 2022)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

** **Remote areas** for England are currently Lundy Island, the Isles of Scilly and Coquet Island

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 as amended 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 (last updated 13 December 2013)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

**Government guidance on the disposal of fallen stock in case of severe weather or other natural disasters has been provided to the National Fallen Stock Company and can be found at: <http://www.nfsco.co.uk/Fallen-Stock-Guidelines-in-the-event-of-severe-weather-and-natural-disasters.html>

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 as amended 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 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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 foetuses 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 2013 SI 2013/2952

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 as amended 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 and Plant Health Agency.

This authorisation applies in England

Dated this 7 April 2011

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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 for operators approved under Article 24 Regulation (EC) No 1069/2009, 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 (last updated 30 May 2012)

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 for operators approved under Article 24 Regulation (EC) No 1069/2009 and 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 (last updated 15 May 2013)

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

Annex A to Authorisation D6

(updated: 22 January 2013; 15 May 2013)

Part 1:

1. There shall be:

- (a) a **reception area** in which untreated animal by-products (including catering waste) are received. This 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;
- (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. This 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.

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

System	Composting in a closed reactor	Composting in a closed reactor	Composting in housed windrows
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 window shall be turned at least 3 times at no less than 2 day intervals)

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

Biogas

System	Biogas in a closed reactor	Biogas in a closed reactor
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.

Sampling

5. Plants operating to the standards in this Authorisation must test for Salmonella and E. Coli (or Enterococcaceae) in accordance with Annex V, Chapter III, Section 3 of Commission Regulation (EU) No 142/2011.

6. For 'Hub and Pod' systems where hygienisation/pasteurisation takes place at one site (the 'hub') prior to distribution to one or more sites ('pods') for composting or anaerobic digestion, Salmonella sampling must take place at the pod in accordance with Annex V Chapter III Section 3 of Commission Regulation (EU) No 142/2011.

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 as amended 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 2013 SI 2013/2952

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:

- (a) 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.
- (b) Validation of the intended process:
 - (i) by measuring the reduction of viability/infecitivity 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) by measuring the reduction of viability/infecitivity, during exposure, of a well-characterised test organism or virus introduced in a suitable test body into the starting material.
- (c) 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 infecitivity 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.
- (d) Designing a complete control programme including procedures for monitoring the process.
- (e) 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 as amended 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 for operators registered under Article 23 of Regulation (EC) 1069/2009, 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, in accordance with Authorisation D12, the handling and disposal of research and diagnostic samples for educational purposes, other than those imported from Third countries, do not have to be registered or comply with the conditions of **Points 1, 4 and 5 of Section 1, Chapter I, Annex VI** of Commission Regulation (EU) No 142/2011, 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 (last updated 30 May 2012)

Note

If you wish to import research and diagnostic samples from third countries, you should [apply](#) to the Animal and Plant Health Agency (APHA) [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 2013 SI 2013/2952

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 as amended 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 for operators registered under Article 23 of that Regulation 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 (last updated 30 May 2012)

* Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

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 as amended 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 –
 - (i) in England, or
 - (ii) 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 –
 - (i) in England; or
 - (ii) 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 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

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 as amended 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; handling/disposing of research and diagnostic samples for educational purposes; transporting dry untreated wool and hair or; using small quantities of certain Category 2/3 material) from the requirement to register:

In accordance with **Article 20(4)** of Commission Regulation (EU) No 142/2011 as amended by Commission Implementing Regulation (EU) No 1097/2012, 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 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;
- (c) Operators transporting dry untreated wool and hair, provided they are securely enclosed in packaging, and directly dispatched to a plant producing derived products for uses outside the feed chain or to a plant carrying out intermediate operations, under conditions which prevent the spreading of pathogenic agents; and
- (d) Operators** carrying out the following activities and using less than 20 Kg per week of Category 2 and 3 animal by-products (except those used as feed for farmed animals), or products derived from them, for direct supply within England (and the rest of the UK under similar authorisations) to the final user, the local market or to local retail establishments, provided this does not pose a risk of spreading serious transmissible disease to humans or animals:
 - (i) Making home-made musical instrument strings or traditional bow strings / racquet strings from pig / avian gut;
 - (ii) Making drum skins from UK-sourced raw skins;
- (e) Users of organic fertilisers or soil improvers at premises where farmed animals are not kept; and
- (f) Operators handling and distributing organic fertilisers or soil improvers exclusively in ready-to-sell retail packaging of not more than 50 kg in weight for uses outside the feed and food chain.

- (iii) Making beeswax products;
- (iv) Making tallow candles;
- (v) Artistic use of ABPs e.g. making bird claw broaches, “lucky” rabbits’ feet;
- (vi) Using antlers, buffalo or sheep horn to produce walking sticks etc;
- (vii) Blowing eggs from ducks, geese, emus etc. for craft purposes;
- (viii) Curing horse tails for use on rocking horses;
- (ix) Carrying out domestic taxidermy operations.

This authorisation applies in England

Dated this 7 April 2011 (last updated: 13 December 2013; 18 November 2014; 19 January 2017)

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952

** Operators not covered by this list should contact their local Animal Health Office for consideration of the need to register their activity or to add it to this list as an exemption

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 as amended 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 2013 SI 2013/2952

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 as amended 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 2013 SI 2013/2952

Authorisation D15

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 as amended implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council

Authorisation for operators to take representative samples for transformation or composting after pasteurisation and before mixing with materials not of animal origin:

In accordance with **Article 10** and **Point 3, Section 3, Chapter III, Annex V** of Commission Regulation (EU) No 142/2011 as amended by Commission Regulation (EU) No 749/2011 the Secretary of State authorises operators to take representative samples after the pasteurisation referred to in **Point 1(a), Section 1, Chapter I of Annex V** or after the composting referred to in **Point 1 of Section 2, Chapter I of Annex V**, as applicable, and before the mixing with materials which are not of animal origin takes place, in order to monitor the efficiency of the transformation or composting of the animal by-products, as applicable.

This authorisation applies in England

Dated this 22 January 2013

*Enforced in England by the Animal By-Products (Enforcement) (England) Regulations 2013 SI 2013/2952