

Department for Environment, Food and Rural Affairs

Notes for Guidance: Export Health Certificate for the entry into the European Union and Northern Ireland of ratites intended for slaughter 8443

August 2024

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No: 8443 NFG

EHC for entry into the EU or NI of ratites intended for slaughter.

NOTES FOR GUIDANCE (NFG) FOR THE CERTIFYING OFFICERS (CO) AND EXPORTERS

1. APPLICABLE LEGISLATION

[Council Directive 96/22/EC](#)

[Commission Decision 2011/163/EU](#)

[Regulation \(EU\) No 2016/429](#)

[Regulation \(EU\) No 2017/625](#)

[Commission Delegated Regulation \(EU\) 2020/692](#)

[Commission Delegated Regulation \(EU\) 2020/689](#)

[Commission Implementing Regulation \(EU\) 2020/2235](#)

[Commission Implementing Regulation \(EU\) 2021/404](#)

[Regulation \(EC\) No 2160/2003, 1177/2006](#)

[Implementing Regulation \(EU\) 2024/351 - Model EHC amending Implementing Regulation \(EU\) 2021/403](#)

[Commission Delegated Regulation \(EU\) 2022/2292](#)

[Commission Decision Implementing Regulation \(EU\) 2021/405](#)

[Commission Delegated Regulation \(EU\) 2023/905](#)

Any EU legislation referenced in the certificate must be complied with and EU legislation can be accessed on the following link. You should ensure you use the latest version: <https://eur-lex.europa.eu/homepage.html>

Please note that Official Control Regulations 2017/625 have repealed Regulation (EC) No 854/2004, 882/2004 and Directive No 96/23/EC. Please see link:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R0625&qid=1618307278325>

CONSOLIDATED LEGISLATION

Consolidated texts, which integrate the basic instruments of EU legislation with their amendments and corrections in a single, non-official document, are available. Each consolidated text contains a list of all legal documents taken into account for its construction.

You can search for consolidated texts by using the 'find results by document number' option on the European Commission website. Once you have selected the relevant legislation, click 'document information', and then scroll down to 'all consolidated versions' and select the most recent version.

<https://eur-lex.europa.eu/homepage.html>

Please note that the consolidated text may not contain the latest amendment to the legislation, as it takes several weeks for this to be updated.

Texts provided in this section are intended for information only. Please note that these texts have no legal value. For legal purposes please refer to the texts published in the 'Official Journal of the EU'.

IMPORTANT

These notes provide guidance to COs and exporters. The NFG should have been issued to you together with the relevant export certificate applicable for entry into the EU of ratites intended for slaughter.

The NFG should not be read as a standalone document but in conjunction with the veterinary certificate.

We strongly suggest that exporters obtain full details of the importing country's requirements from the veterinary authorities in the country concerned, or their representatives in the UK, in advance of each consignment.

[Please note, policies are being reviewed. NFG will be further amended to provide specific guidance. Traders should look at NFGs regularly for any updates]

A declaration by the master of the ship, as set out in Annex III of Commission Regulation (EC) No 403/2021, shall be attached to veterinary certificates for imports into the EU of terrestrial animals where the transport of those commodities includes transport by ship, even for part of the journey. You can find Master of the ship declaration here: <https://www.gov.uk/export-health-certificates/master-of-the-vessel-declaration-8466>

2. SCOPE OF THE CERTIFICATE

This certificate is for movements into the EU or NI of ratites intended for slaughter.

It may also be used for ratites transiting the EU to another third country.

This certificate is to be completed according to the notes for the completion of certificates provided for in Chapter 4 of Annex I to Implementing Regulation (EU) 2020/2235

3. CERTIFICATION BY AN OV

In **England, Scotland and Wales**, this certificate must be signed by a Government Veterinary Officer (e.g. APHA, FSA or FSS employed veterinary officers) or by an OV appointed by APHA on behalf of Ministers in Defra, the Scottish Government or the Welsh Government and who hold the appropriate Official Controls Qualification (Veterinary) (OCQ (V)) authorisation.

OVs must sign and stamp, with the OV stamp, the health certificate in ink of a different colour to that of the printing of the EHC. There is no requirement to sign and stamp in a specific colour.

The OV should keep a copy of the signed certificate and any supporting documents for at least two years after signature or receipt/dispatch of the consignment, whichever is later. These can be electronic copies.

EHC in foreign language/s of the EU Member States (MSs).

EHC should be in English and the foreign language of the Border Control Post (BCP) of entry in the EU. The original copy of the required EHC must accompany the consignment to the BCP of entry.

Listing of the EU MS BCPs can be found here: https://ec.europa.eu/food/animals/vet-border-control/bip-contacts_en

The foreign language certificate as received from the APHA Centre for International Trade at Carlisle or via the Export Health Certificates Online system (EHCO) and bearing the same unique reference number as the English certificate, should be considered an official and accurate translations of the English, as published in EU legislation.

The (sub-) paragraphs / options and how they are numbered and formatted is identical in the English and foreign language editions and to the legislation published by the European Commission. Therefore, the same phrases/sentences in the foreign language versions as in the English version should be struck through and these deletions should be stamped and initialled in both versions. Both versions must also be signed (as opposed to being initialled) and stamped by the OV, the foreign language certificate is deemed to be a genuine and properly authorised translation of the English version.

This also applies to any instructions in the guidance notes to strike out certain paragraphs or to certify statements that the country is free of certain notifiable diseases etc.

Additional information can be found in the APHA Vet Gateway:

http://apha.defra.gov.uk/External_OV_Instructions/Export_Instructions/Certification_Procedures/index.htm

SIGNING AND STAMPING

When signing a certificate, the CO should ensure that the certificate contains no deletions or alterations, other than those which are indicated on the certificate to be permissible and any corrections to permitted entries, subject to such changes being initialled and stamped (in the margin) by the CO. Permissible deletions are normally indicated in the 'Notes' section at the end of the certificate, with the instruction 'Keep as appropriate' or 'delete if not applicable'.

- Where the certificate contains optional or contextual statements, the statements which are not relevant shall be crossed out, individually initialled, and stamped by the CO, or completely removed from the certificate.
- Permitted paragraphs and sections may be crossed out by applying a 'Z' across the section or paragraph rather than crossing out line by line.
- There is no requirement for a date and time to accompany each stamp. The date is only entered at the required entry field in Part I of the certificate, and at the end where the CO signs, stamps and dates that action.
- We are aware of some BCPs demanding that all handwritten information in Part 1 of the EHC is initialled and stamped, including handwritten scoring out of otherwise blank boxes. There is no legal requirement in EU legislation that all the hand-written information entered in the certificate must be signed and stamped. It is only in the case of correction, in any part of the certificate, or in the case of statements to be crossed out, that the certifier must add signature (or initials) and stamp. This has been confirmed by the European Commission. The Commission noted however, in the case of a hand-written certificate, it is expected that the same one person completes the document. If not, the BCP might suspect that empty boxes were completed by another person after the certificate has been signed by the official.

You should consider checking with the specific BCP regarding their preference when it comes to the stamping and initialling of handwritten scoring out of otherwise blank boxes in Part I of the EHC.

- **Clarification from the European Commission means that all pages (as opposed to sheets of paper) are signed and stamped once individually in place of fan stamping and in addition to any permitted alterations. There is no requirement to fan stamp.**
- COs are reminded to consult the NFG prior to the certification of each EHC. NFG will be updated with this new information in due course.

Further Information COs should make sure they are familiar with all relevant guidance and other documents relating to EHCs and that they discuss requirements with exporters in advance.

See <http://apha.defra.gov.uk/official-vets/Guidance/exports/ehc-online.htm>

You can also contact APHA's Centre for International Trade (CIT) on 03000 200 301.

PART I: DETAILS OF THE CONSIGNMENT

All boxes in Part I of the certificate must be completed. When a box is not applicable/optional, and not filled, please score it through.

Please use schedule to be attached to the certificate if there is not enough space to fill the information. See Section 'Addition of Schedules' below Section 9).

Please complete all the boxes in Part I of the certificate in accordance with the guidance laid down in Chapter 4 of Annex I to [Commission Implementing Regulation \(EU\) 2020/2235](#), Amended by [Implementing Regulation \(EU\) 2023/2744](#).

The Harmonised System (HS) Code is a commodity classification system used as a basis for customs tariffs and for international trade statistics.

It is the exporter's responsibility to ensure that the HS code is entered correctly and accurately reflects the product(s) being consigned.

Further information on HS Codes can be found online at:

<https://www.gov.uk/trade-tariff/sections> and <http://madb.europa.eu/madb/euTariffs.htm>

PART II: CERTIFICATION

II.1 Public health Attestation

The OV signing the export veterinary certificate must ensure that the additional health guarantees set out in Part II of the veterinary certificate have been complied with.

The animals described in the certificate must meet the public health requirements of Directive 96/22/EC concerning the prohibition on the use in stock farming of certain substances having a hormonal or thyrostatic action and of beta-agonists.

II.1.1 & II.1.2 – The national surveillance scheme implements Council Directive 96/22/EC (and 2017/625), which is transposed into national legislation by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015 and parallel legislation in Wales.

Said provisions fulfil the guarantees covering live animals provided by the residues plans submitted in accordance with Article 6(2) of Commission Delegated Regulation (EU) 2022/2292. The UK is listed in Annex -I to Commission Implementing Regulation 2021/405 for the concerned animals covered under this EHC.

The UK has a surveillance programme in place to monitor residues of authorised veterinary medicines, prohibited substances, and other contaminants in animals covered under this EHC.

The Directive and Regulations prohibit the routine administration of the hormones mentioned to livestock. Administration for therapeutic and zootechnical reasons is allowed. The paragraph can be certified on this basis but a written declaration from the owner / exporter to this effect should be obtained as part of due diligence.

II.1 (a) - This attestation on antimicrobial medicinal products is added which must be crossed out or deleted until 3 September 2026.

II.2 Animal health Attestation

II.2.1 & (a) – Enter the territory code. GB is listed for all of the relevant commodities. The relevant regulations are Implementing Regulations (EU) 2021/404 and 2021/405. These regulations have been amended by Implementing Regulations 2021/634 and 2021/606, adding the GB and the Crown Dependencies to the relevant lists.

II.2.1(b) - Avian Influenza (AI) is a notifiable disease in the UK. APHA also carries out year-round [avian influenza surveillance](#) in poultry and wild birds.

II.2.1(c) - See Section 4. Notifiable Disease Clearance below

II.2.2 - See Section 4. Notifiable Disease Clearance below.

II.2.3(a) - The first option may be signed. This can be signed on the basis that vaccination against AI is prohibited in GB. There is no current plan to apply vaccination against AI in the UK even in an outbreak situation.

II.2.3(b) - May be certified if the OV has personal knowledge of the establishment or after investigation of the movement and medicine records and a declaration received from the establishment owner.

II.2.4 - May be certified if the OV has personal knowledge of the establishment or after investigation of the movement records and received a declaration from the establishment owner. If the birds have been imported into the zone referred to in point II.2.1. then import certificates will need to be produced to confirm the health requirements needed to comply with this certificate.

II.2.5 - The establishment must be named and supplied with an approval number that appears on a list of establishments drawn up and published by the Commission. This name and unique approval number must be in Box I.11

II.2.5 (a) & (b) - Should be certified on the basis that the farm and animal establishments are registered and approved by APHA and receive regular animal health visits from a farm veterinarian. Frequency of such visitation is proportionate to the risk. Records of animals should be kept for 3 years.

II.2.5 (c), (d) & (e) - See Section 4 Notifiable disease clearance below for the most up to date health status of the zone.

II.2.6 (a) - This can be signed on the basis that vaccination against AI is prohibited in GB. There is no current plan to apply vaccination against AI in the UK even in an outbreak situation.

II.2.6(b) - One option may be certified after the OV has checked the establishment records. One option must be deleted. If the flock has been vaccinated against Newcastle disease, then the second option must be certified, and the table completed. The OV is advised to keep a copy of the records to support their certification.

II.2.6(c) - The clinical exam must be carried out within 24 hours of loading for dispatch to the EU. The OV must be familiar with signs of the diseases listed in Annex I to Commission Delegated Regulation (EU) 2020/692 relevant to poultry.

II.2.7 - May be certified on inspection of the establishment records and on receipt of a written declaration from the owner/exporter.

II.2.8 - May be certified on inspection of the establishment records and on receipt of a written declaration from the owner/exporter.

II.2.9 - May be certified on the basis of Notifiable Disease Clearance. See Section 4 below. Relevant notifiable diseases include AI and Newcastle disease.

II.2.10 - The certifying OV must perform a clinical inspection of the animals within the 24-hour period prior to loading for dispatch to the EU. The OV should ensure they check for

clinical symptoms of diseases relevant to as listed in Annex I to Commission Delegated Regulation (EU) 2020/692. This list refers to listed diseases in Annex to Regulation [2018/1882](#) which includes highly pathogenic AI, low pathogenic AI and Newcastle disease.

II.2.11(a) - The OV must ensure the animals cannot escape from the means of transport, the animals can be visually inspected in part of the means of the transport they are being kept in and that the escape of excrements/litter/feed is prevented or at least minimized as much as possible.

II.2.11(b) - May be certified on receipt of a written declaration from the owner/exporter and on inspection of establishment records.

II.2.11(c) - One option must be certified after the OV has checked the which containers are to be used. This can be backed up by an owner/exporter declaration.

II.2.11(d) - The crates or cages must be closed in a way that is tamper-proof.

II.2.11(e) - The following information must be included on the container.

The name and ISO code of the third country or territory of origin, the species of poultry concerned, the number of animals, the category and type of production for which they are intended, the name, address and registration number of the establishment of origin, the name of the Member State of destination.

II.2.12 - Enter the date of dispatch into the EU.

The certifying OV must ensure that the means of transport was cleaned and disinfected with an authorized disinfectant before loading in accordance with the relevant provisions of Retained EU Regulation No 1/2005. See [Section 7](#) on Animal Transport Attestation and [gov.uk](#) for further information on approved disinfectants. Every animal should be fit for the journey that is planned. A declaration from the owner / transporter must be sought.

II.2.13 - This guarantee is required only for consignments intended for a Member State which has been granted the status free from infection with Newcastle disease virus without vaccination in accordance with Article 66 of Commission Delegated Regulation (EU) 2020/680. One option may be certified if the OV has personal knowledge of the establishment or after investigation of the medicine records and a declaration received from the establishment owner.

4. NOTIFIABLE DISEASE CLEARANCE

Commodities of poultry or poultry meat can be exported into the EU from the territory code listed in column 2 of the table in Part 1 of Annex V to [Commission Implementing Regulation \(EU\) 2021/404](#). Ensure you are looking at the most up to date version of the Regulation. If the latest consolidated version does not include the latest amendment, this amendment needs to be looked at separately.

If the commodity to be exported is listed against GB-0, it can be exported to the EU from the whole territory of the UK. You will have to insert “GB-0” into the “territory code” box on the EHC.

If the commodity to be exported is listed against GB-1, it means that the UK is being regionalised because of a disease outbreak. All premises of origin (e.g. Flocks of origin, slaughterhouse, processing or storage premises as applicable) have to be located in GB-1. The OV must ensure that this information is correct. For up-to-date GB-1 and GB-2 areas please refer to the online interactive map where you have to check whether the premises of origin are all within the GB-1 area using the premises post codes. The interactive map can be found in the link below under “**COs Obtaining Clearance for AI**”.

<http://apha.defra.gov.uk/official-vets/Guidance/exports/ehc-online.htm>

Areas listed under GB-2 (and detailed as GB-2.1, GB-2.2 etc.) are restricted from exports between the “closing” and “opening” dates listed against those areas.

Some export certificates for animals and animal products will include statements that will require the OV to certify that specified areas or the entire country of origin are free from certain diseases.

Where it is possible for the CO (OV or Environmental Health Officer (EHO)) in Great Britain to obtain disease clearance themselves, the Centre for International Trade – Carlisle (CITC) will not issue a 618NDC notifiable disease clearance.

COs must check the following sources of disease information for the United Kingdom immediately prior to certification, to ensure disease freedom statements can be certified:

- the Notifiable Disease Occurrence List for Great Britain (ET171) available on the [Exports > Certification Procedures](#) page of the APHA Vet Gateway
- the UK Status for Non-Notifiable Diseases Relevant to Export Certification (ET152) available on the [Exports > Certification Procedures](#) page of the APHA Vet Gateway.

For Great Britain:

In the absence of a specific Notifiable Disease Clearance (618NDC) from CITC: COs may certify that the UK has disease free status or region free status for those diseases mentioned in the health certificate, once they have checked the disease list(s) for the last occurrence of the disease and have ensured it complies with the time frames in the certificate.

In the event of a disease outbreak that affects a CO being able to obtain their own disease clearance, CITC will notify COs to make it clear which disease freedom statements should not be certified and where necessary, will issue a 618NDC notifiable disease clearance if the EHC can continue to be issued for certain regions that retain free status.

In the event of a disease outbreak after the EHC has been issued that affects the disease clearance, COs must not certify the EHC and must contact CITC immediately for advice on whether certification can still take place. If a disease outbreak affects the CO disease clearance procedures for this EHC, a 618NDC will be reinstated by CITC which will be issued with the EHC until a time when CO disease clearance can be reinstated.

NOTE: This does not apply to Transmissible Spongiform Encephalopathies (TSEs) or Bovine Tuberculosis (TB) freedom statements.

5. COLLECTION OF EVIDENCE

Certification Support Officers may not be utilised for gathering evidence relating to this model certificate

6. CONSIGNMENTS OR PARTS OF THE CONSIGNMENT ORIGINATING FROM NI, EU MEMBER STATES OR FROM A THIRD COUNTRY [WHEN APPLICABLE]

NI origin:

Consignments could potentially contain animals which have originated in NI. The certificate/documentation which the animal arrives into GB with may not contain sufficient information for the GB CO to sign the EU EHC.

Disease clearance for animals originating in NI can be completed using auto-clearance NDC found here:

<https://www.daera-ni.gov.uk/articles/notifiable-diseases-northern-ireland>

Where regional or local level disease clearance is required, this can be certified upon request on the basis of information from NI in the form of a declaration or a supporting health attestation.

Animal health statements which refer to the prohibition of certain vaccination programmes e.g. against FMD or CSF or ASF can be certified at a national level by the CO on the basis that NI also enforces a ban on such vaccinations in accordance with EU regulations.

Statements relating to implementation of a national system for identification and registration of livestock (cattle, sheep, goats, pigs, poultry) can be certified on the basis of the requirement to register all livestock animal births, moves and deaths on the DAERA database.

EU origin:

It is possible that some consignments may contain animals that are of EU origin and were imported into GB on a GB EHC. The GB EHC may not contain enough information to allow the CO to sign an EU EHC.

In such cases, the CO will need further information from the EU member state regarding particular attestations on the EHC that cannot be signed by the CO without support documentation. Thus, the GB exporter must request from the EU exporter an attestation or written declaration from an EU registered vet. The GB exporter may wish to obtain these directly from the EU vet who has inspected the animals before export from the EU.

This supporting information must be in writing and kept by the GB CO. The GB CO is not required to attach it as a supporting document to the EHC, unless requested by the EU BCP or told otherwise.

Third country origin:

It is also possible that some consignments may contain animals that have been imported to GB from non-EU countries and fulfilled a residency period in GB, and GB exporters intend to export then to the EU. In these cases, COs may obtain a copy of the EHC for the import of such animals from the Third Country to GB.

GB COs are not required to attach a copy of the Third Country EHC as a supporting document to the EHC, unless requested by the EU BCP or specifically instructed in the NFG.

It is the GB exporter's ultimate responsibility to obtain any necessary support documents (from the EU member state exporter/Third Country exporter), to enable GB COs to be able to certify the live animals in good time before the export to the EU.

7. ANIMAL WELFARE ATTESTATION

The OV must ensure Welfare of Animals at the Time of Killing (England) Regulation (WATOK 2015) and parallel legislation in Scotland and Wales is complied with at the slaughterhouse. WATOK 2015 regulation applies the provisions for the administration and enforcement of No 1099/2009 (EC).

8. ANIMAL HEALTH SCHEMES

Salmonella Control in Poultry Regulation (EC) No 2160/2003 on the control of Salmonella in poultry is currently implemented through the UK Salmonella National Control Programme that is enforced by the Control of Salmonella in Poultry Order Regulation 2007 (England), the Control of Salmonella in Poultry (Wales) Order 2008, the Control of Salmonella in Poultry (Breeding, Laying and Broiler Flocks) (Scotland) Order 2009, the Control of Salmonella in Broiler Flocks Order 2009, and the Control of Salmonella in Turkey Flocks Order.

For consignments intended to be exported to Finland and Sweden, compliance with Commission Decision 2003/644 (EC) and Commission Decision 2004/235 must be certified. The OV must check the flock records to confirm that the appropriate tests have been carried out at the correct frequency with negative results of zoonotic salmonella species.

Concerning the results of testing, it should be described as positive ONLY if:

- In the case of breeding flocks, *S.hadar*, *S.virchow*, or *S.infantis* are detected.
- In the case of productive poultry, *S.enteritidis* or *S.typhimurium* are detected.

Poultry Health Scheme

A list of approved Poultry Health Scheme members can be found on the link below:

<https://www.gov.uk/government/publications/poultry-health-scheme-list-of-members>

Relevant text can be certified based on the establishment committing to the Poultry health scheme for the control and surveillance of specified non-zoonotic mycoplasma and salmonella bacterial species.

9. ADDITION OF SCHEDULES

When the space in Part I or Part II of the certificate is insufficient to accommodate full details of the consignment a schedule may be used. In the relevant section of the certificate the CO should annotate the certificate 'see attached schedule'. A new schedule should be created (typed or clearly written) containing the same information as that required in the certificate. The schedule must include the certificate reference number on each page and must be signed, dated and stamped by the CO in a colour other than the printed text on each page and under the last entry. The schedule forms part of the certificate. All pages of the certificate, including the schedule, must be sequentially numbered. Any blank spaces in the schedule or the certificate should be struck through with diagonal lines.

Further guidance is available here:
http://apha.defra.gov.uk/External_OV_Instructions/Export_Instructions/Certification_Procedures/index.htm

10. CERTIFIED COPIES OF EHCs

When completing export certification, the CO and, if applicable, FCCO must make photocopies of, or scan and save all documents they certify. OVs must retain copies of certification documents in accordance with RCVS Certification principles.

<https://www.rcvs.org.uk/setting-standards/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/supporting-guidance/certification/>

COs must retain copies of all export documentation for a period of two years. A certified copy of this EHC does not need to be returned to the APHA CITC. For the purposes of completing routine Quality Assurance checks on export certification, CITC may request certified copies of certification from COs.

Further details on Post Certifying Procedures, 'certified copies' of certification and the types of documents that should be retained by COs can be found on the [APHA Vet Gateway](#).

11 LEGAL STATEMENT

The existing EU legislation that the UK complied with prior to the end of the Transition Period has been incorporated into our domestic law as "assimilated EU law" under the EU (Withdrawal) Act 2018. References in our guidance and certification to such EU instruments should be taken to be references to this "assimilated EU law". The EU standards that this legislation includes continue to remain in force, without substantive amendment, as part of UK domestic law (apart from corrections to make the EU legislation fully operable).

12. DISCLAIMER

This certificate and NFG are provided on the basis of information available at the time and may not necessarily comply fully with the requirements of the importing country. It is the exporter's responsibility to check the certificate against any relevant import permit or any

advice provided by the competent authority in the importing country. If these do not match, the exporter should contact APHA in Carlisle.

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PB 8443 NFG

Version History

EHC

Published 30 August 2024

Part II:

II.1 (a) - Attestation about the administration of antimicrobial medicinal products is added.

Notes - Footnote 12 is added.

Published 31 July 2024

Part II:

II.1.2: Amended from residue plans to control plans in accordance with Commission Delegated Regulation (EU) 2022/2292 and Commission Decision Implementing Regulation (EU) 2021/405

Notes -

(4), (6) and (7): Column number in Annex V to Implementing Regulation (EU) 2021/404 amended

NFG

Version 5: Published 30 August 2024

Applicable Legislation: Commission Delegated Regulation (EU) 2023/905 added

Part II: II.1 (a) - Guidance is added about the attestation related to antimicrobial medicinal products.

Version 4: Published 31 July 2024

Applicable Legislation: Implementing Regulation (EU) 2024/351, Commission Delegated Regulation (EU) 2022/2292 and Commission Decision Implementing Regulation (EU) 2021/405 added

Part I: Commission Implementing Regulation (EU) 2020/2235, amended by Implementing Regulation (EU) 2023/2744 added

Part 2: II.1.1 and II.1.2: amended