Commission Regulation (EC) No 399/2008 of 5 May 2008 amending Annex VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards requirements for certain processed petfood (Text with EEA relevance)

COMMISSION REGULATION (EC) No 399/2008

of 5 May 2008

amending Annex VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards requirements for certain processed petfood

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption[(1)], and in particular Article 20(1)(a) and Article 32(1) thereof,

Whereas:

(1) Regulation (EC) No 1774/2002 lays down animal and public health requirements for the placing on the market of certain animal by-products and products derived therefrom not intended for human consumption.

(2) Annex VIII to Regulation (EC) No 1774/2002 lays down requirements for the placing on the market and importation into the Community of petfood, dog chews and technical products. Chapter II B(3) of that Annex provides that processed petfood other than canned petfood must undergo certain heat treatment during processing.

(3) The requirements for the importation into the Community of processed petfood other than canned petfood were amended by Commission Regulation (EC) No 829/2007[(2)]; the model health certificate for processed petfood other than canned petfood which has to accompany imported consignments was modified. According to the new health certificate set out in Chapter 3(B) of Annex X to Regulation (EC) No 1774/2002, the processed petfood must not be heat-treated if the ingredients of animal origin which are used have already been treated in accordance with the processing standards for their placing on the market in the Community. Those standards provide for adequate protection against risks for public and animal health.

(4) Article 28 to Regulation (EC) No 1774/2002 provides that the provisions in that Regulation applicable to the importation of certain products, including that processed petfood are to be no more favourable or less favourable than those applicable to the production and marketing of those products in the Community. Therefore, those provisions applicable for the importation of that processed petfood into the Community should also apply for the production of that processed petfood in the Community.

(5) Annex VIII to Regulation (EC) No 1774/2002 should therefore be amended.

Changes to legislation: *Commission Regulation (EC) No 399/2008 is up to date with all changes known to be in force on or before 27 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VIII to Regulation (EC) No 1774/2002 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 5 May 2008.

For the Commission

Androulla VASSILIOU

Member of the Commission