



C/2024/2399

8.4.2024

Judgment of the Court (Seventh Chamber) of 22 February 2024 (request for a preliminary ruling from the Oberverwaltungsgericht des Landes Sachsen-Anhalt — Germany) — Landkreis Jerichower Land v A.

(Case C-85/23, ⁽¹⁾ Landkreis Jerichower Land)

(Reference for a preliminary ruling — Public health — Health rules applicable to animal by-products and derived products not intended for human consumption — Regulation (EC) No 1069/2009 — Approval — Article 24(1)(i) — Concept of ‘storage of animal by-products’ — Interruption of a transport operation for up to eight hours)

(C/2024/2399)

Language of the case: German

Referring court

Oberverwaltungsgericht des Landes Sachsen-Anhalt

Parties to the main proceedings

Applicant: Landkreis Jerichower Land

Defendant: A.

Operative part of the judgment

Article 24(1)(i) of 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 (Animal by-products Regulation)

must be interpreted as meaning that the concept of ‘storage’ to which it refers includes the interruption of a transport operation, lasting from a few hours to eight hours, during which transport containers containing Category 3 animal by-products are transferred from one transport vehicle to another, before being transported to a processing plant, without those animal by-products being treated or transferred to other transport containers during that interruption.

⁽¹⁾ OJ C 179, 22.5.2023.