



COMMISSION DELEGATED REGULATION (EU) 2026/252

of 2 February 2026

**amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council
as regards emergency slaughter of domestic ungulates outside the slaughterhouse**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽¹⁾, and in particular Article 10(1), second subparagraph, point (e), thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. In particular, Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004, lays down requirements for the use for human consumption of meat of domestic ungulates that have undergone emergency slaughter outside the slaughterhouse. Section I, Chapter VI, point 1, of Annex III to Regulation (EC) No 853/2004 requires that only otherwise healthy animals that have suffered an accident that prevented their transport to the slaughterhouse for welfare reasons may be subject to emergency slaughter.
- (2) Experience gained by the Commission has demonstrated that some competent authorities of Member States interpret these requirements more strictly than others, leading to a non-uniform implementation of these requirements in the Union. In particular, 'otherwise healthy animals' and an 'accident' are not defined or described in Union rules leading to a problematic difference in interpretation by Member States. For example, Member States applying a strict approach interpret 'otherwise healthy animals' as animals not having a general infection, excluding emerging metabolic diseases such as hypocalcaemia from emergency slaughter, or interpret 'accident' as a physical one only (e.g. broken leg). Other Member States apply a broader interpretation, considering any incident, not causing a public health risk for the meat as allowed for emergency slaughter and resulting in the use of the meat for human consumption. It is therefore necessary to amend Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004 to ensure a harmonised application of the use of meat from emergency slaughter for human consumption, while securing a high level of consumer protection with regard to food safety.
- (3) In addition, Chapter I of Annex I to Council Regulation (EC) No 1/2005 ⁽²⁾ lays down the technical rules for the fitness for transport of animals and, in certain cases, prohibits the transport of live domestic ungulates to the slaughterhouse. In those cases where the rules related to emergency slaughter in Annex III to Regulation (EC) No 853/2004 do not allow the use of the meat, the only way to avoid suffering during transport is by euthanising the animal, e.g. by killing without complying with the requirements in Chapter IV of Section I of Annex III to Regulation (EC) No 853/2004. This results in classifying such meat as unfit for human consumption, although it may not pose a public health risk. This causes unnecessary economic loss and leads to waste while the meat of the animal might not represent a public health risk. Where their meat is otherwise fit for human consumption, it is in line with the objectives of Regulation (EC) No 853/2004 to align the conditions for the possibility to use the meat of animals having undergone an emergency slaughter to those prohibiting the transport of animals in Annex I, Chapter I to Regulation (EC) No 1/2005.

⁽¹⁾ OJ L 139, 30.4.2004, p. 55, ELI: <http://data.europa.eu/eli/reg/2004/853/oj>.

⁽²⁾ Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1, ELI: <http://data.europa.eu/eli/reg/2005/1/oj>).

- (4) Articles 43 and 45 of Commission Implementing Regulation (EU) 2019/627 ⁽³⁾ lay down measures to be taken in cases of non-compliance with certain requirements for live animals, and for fresh meat. Compliance with these requirements guarantees that the meat is fit for human consumption including in case of emergency slaughtered animals. Ante-mortem inspection, as defined in Article 17(c) of Regulation (EU) 2017/625 of the European Parliament and of the Council ⁽⁴⁾, must be carried out before any slaughter and provides an indication if live animals and fresh meat are expected to comply with these requirements.
- (5) If the transport of the animals to the slaughterhouse is not possible for animal welfare reasons and the results of ante-mortem inspection of the animals are considered to be satisfactory, the meat of such animals having undergone an emergency slaughter should be allowed for human consumption under certain conditions. Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004 should, therefore, be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004, points 1 and 2 are replaced by the following:

- ‘1. An animal must be unfit for transport to a slaughterhouse in accordance with the technical rules on fitness for transport laid down in point 2 of Chapter I of Annex I to Council Regulation (EC) No 1/2005 ^(*).
2. The official veterinarian must carry out an ante-mortem inspection of the animal, verifying in particular compliance with the requirements for:
 - (a) live animals to be accepted for slaughter for human consumption in accordance with Article 43 of Implementing Regulation (EU) 2019/627;
 - (b) fresh meat to be fit for human consumption in accordance with Article 45 of Implementing Regulation (EU) 2019/627 when possible to verify by ante-mortem inspection.

^(*) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1, ELI: <http://data.europa.eu/eli/reg/2005/1/oj>).

⁽³⁾ Commission Implementing Regulation (EU) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No 2074/2005 as regards official controls (OJ L 131, 17.5.2019, p. 51, ELI: http://data.europa.eu/eli/reg_impl/2019/627/oj).

⁽⁴⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

Article 2

This Regulation shall enter into force on the twentieth day following that of 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, 2 February 2026.

For the Commission
The President
Ursula VON DER LEYEN