



ANNOTATED AGENDA

Expert Group on identification, movement and certification of equine animals

4 April 2017, 10.00-18.00

Conference Centre Albert Borschette – Rue Froissart 36 – Bruxelles, CCAB-2A

I. DRAFT AGENDA

1. Introduction, opening: SANTE Unit G2.
2. Exchange of views on a content of Regulation (EU) 2016/429 of the European Parliament and of the Council ("Animal Health Law") and suggestions for a future Commission Delegated Regulation supplementing Animal Health Law as regards identification, movement and certification of equine animals, and in particular as regards:
 - a. Categories of equidae;
 - b. New obligation: Registration of establishments where equine animals are kept and of their movements between those establishments;
 - c. Understanding of 'a unique code' referred to in Article 114(1)(a) of Animal Health Law;
 - d. A physical means of identification or other method which unequivocally links the animal with the identification document;
 - e. The competent authority issuing a single lifetime identification document;
 - f. Rules on the information to be included in and specific provisions for a single lifetime identification document provided for in point (c) of Article 114(1) of Animal Health Law that has to accompany equine animals when they are moved;
 - g. Requirements for entry into the Union of equine animals.
3. Exchange of views on a draft Commission Delegated Regulation supplementing Regulation (EU) 2016/1012 of the European Parliament and of the Council as regards the content and format of zootechnical certificates issued for purebred breeding animals of the equine species contained in a single lifetime identification document.

Working Document SANTE/7097/2016 rev.3

4. Miscellaneous.

II. NOTES

This document has been established for information purposes only. It has not been adopted or in any way approved by the European Commission and should not be regarded as representative of the Commission Services either. The European Commission does not guarantee the accuracy of the information provided, nor does it accept responsibility for any use made thereof.

1. Aims of the Expert Group meeting

The purpose of the meeting is to provide for a focused exchange of views, experience and good practices among representatives of the competent authorities of the Member States (MS) responsible for animal health and animal breeding policy development and implementation in relation to equidae and of the stakeholders in equine sector. Our objective is that the exchanges during the meeting will help the MS to learn together for the best implementation of existing rules (and beyond). It will provide also feedback to the Commission on the perceived state of art of the EU policy (and beyond). As such, it will facilitate its improvement via further dedicated work. In addition, views and needs of the industry will be expressed and confronted.

In particular, outcomes from the discussions may be channelled towards, and used later on, in the context of the Animal Health and Welfare Section of the Standing Committee on Plants, Animals, Food and Feed (PAFF)¹, of the Standing Committee on Zootechnics (SCZ)², and/or during further Commission work towards delegated acts under the EU Animal Health Law (AHL)³ and/or under the EU Animal Breeding Regulation (ABR)⁴. Nevertheless, this meeting is neither a working group of the Standing Committee on PAFF or on Zootechnics, nor a dedicated meeting on delegated acts for the AHL. It is simply meant to cater for more thorough and technical discussions by experienced representatives of the MS and of the industry on a variety of issues related to equine animals, than could be done in either forum.

This meeting is covering legislation in two, animal health and animal breeding, areas which together gives rules for identification, movements and certification of equidae. Therefore, in the first part of the meeting our intention is to focus on the provisions in Directive 2009/156/EC⁵ currently in force and in upcoming Animal Health Law as well as its empowerments for Delegated Acts which are to supplement Animal Health Law providing detailed provisions on identification, movement and certification of equine animals.

Discussion dedicated to the animal health part will influence an animal breeding part by giving indication on the further proceeding with a draft Delegated Act supplementing Animal

¹ http://ec.europa.eu/food/animals/health/regulatory_committee_en

² http://ec.europa.eu/food/animals/committees/sc_zoo_en

³ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1)

⁴ Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66)

⁵ Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192 23.7.2010, p. 1)

Breeding Regulation relating to the content and format of zootechnical certificates issued for purebred breeding animals of the equine species contained in a single lifetime identification document.

These notes provide background information on the current situation, on what has been done or is planned at EU level concerning these both areas and to ask relevant questions to explore their various aspects. The participants of the meeting are asked to complement this effort by coming prepared and to scrutinise beforehand their rules, practices and experiences from these specific angles.

These notes frame the majority of the discussions during the meeting. They are not all-inclusive though. If the participants of the meeting feel that important element(s) have been omitted, feel free to raise those either during the meeting, before or after. Should you have any relevant documents, data etc. feel free to bring them along. Similarly, if you have any questions or want to send written comments, either before or after the meeting, please e-mail to alf-eckbert.fuessel@ec.europa.eu and ewa.camara@ec.europa.eu (DG SANTE Unit G2, Animal Health and Welfare).

2. Description of items under point 2 of the draft agenda

a. Categories of equidae.

Legal base in Directive 2009/156/EC

<i>Article 2</i>	
(b)	'equidae' means wild or domesticated animals of the equine (including zebras) or asinine species or the offspring of crossings of those species;
(c)	'registered equidae' means any equidae registered as defined in Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae ⁶ , identified by means of an identification document issued by: (i) the breeding authority or any other competent authority of the country where the animal originated which manages the studbook or register for that breed of animal; or (ii) any international association or organisation which manages horses for competition or racing;
(d)	'equidae for slaughter' means equidae intended to be transported either directly or after transit through an approved marshalling centre, referred to in Article 7, to the slaughterhouse for slaughter;
(e)	'equidae for breeding and production' means equidae other than those mentioned in (c) and (d);

Potential questions to be discussed

- Are the categories of equidae provided for in Directive 2009/156/EC fit for purpose and do the requirements for movement and identification set out for each category are appropriate?

Note: Animal Breeding Regulation applies to domestic horses and donkeys only and does not consider breeding programmes carried out on kept in zoos zebras or African and Asian (wild) donkeys.

- Define the need for changes and their possible nature.
- How current and future legal situation matches the OIE concept of High health-High performance (HHP) horses⁷?

Note: The entry in a studbook does not make the horse a purebred breeding animal of the equine species and the registration with the FEI does not make an old horse a competition horse. There are needs for active "investment" in the animal which motivates owners to have a higher veterinary supervision on the horse (registration fee to FEI or registration fee to a breed society to take part in a breeding programme)

- Imports of registered horses – should it be closely linked to Animal Breeding Regulation (listed breeding body in third countries) to be recognised as purebred breeding animal or would it be enough to be in a studbook?

Note: Some type of categorisation of equidae is needed if future legislation is to make the level of care and investment in the health and welfare of the animal a condition for the entry into the Union, as it is in fact today.

⁶ Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p.55)

⁷ <http://www.oie.int/en/our-scientific-expertise/specific-information-and-recommendations/international-competition-horse-movement/high-health-high-performance-hhp-horses/>

b. New obligation: Registration of establishments where equine animals are kept and of their movements between those establishments.

Legal base in Directive 2009/156/EC

Article 2
(a) 'holding' means an agricultural or training establishment, a stable or, generally speaking, any premises or facilities in which equidae are habitually kept or bred, for whatever use;

Legal base in Directive 92/35/EEC⁸

Article 2 Definitions
'holding' means (an agricultural or training establishment, a stable or, generally speaking, any premises or facilities in which equidae are habitually kept or bred, for whatever use - definition in Directive 2009/156/EC) <u>and nature reserves in which equidae live in freedom</u>

Legal base in AHL

Article 4 Definitions
(27) 'establishment' means any premises, structure, or, in the case of open-air farming, any environment or place, where animals or germinal products are kept, on a temporary or permanent basis, except for: (a) households where pet animals are kept; (b) veterinary practices or clinics;
Article 84 Obligation of operators to register establishments
1. Operators of establishments keeping terrestrial animals shall, in order for their establishments to be registered in accordance with Article 93, before they commence such activities: (a) inform the competent authority of any such establishment under their responsibility; (b) provide the competent authority with the following information: (i) the name and address of the operator concerned; (ii) the location of the establishment and a description of its facilities; (iii) the categories, species and numbers or quantities of kept terrestrial animals which they intend to keep on the establishment, and the capacity of the establishment; (iv) the type of establishment; and (v) any other aspects of the establishment which are relevant for the purpose of determining the risk posed by it.
Article 93 Obligation of the competent authority concerning registration
A competent authority shall register: (a) establishments in the register provided for in Article 101(1), where the operator concerned has provided the information required in accordance with Article 84(1); The competent authority shall assign each establishment with a unique registration number.
Article 109 Member States' obligation to establish and maintain a computer database of kept terrestrial animals
1. The Member States shall establish and maintain a computer database for the recording of at least: (d) the following information related to kept animals of the equine species: (iv) the establishments where those animals are habitually kept;
Article 102 Record-keeping obligations of operators of establishments other than germinal products establishments
1. Operators of establishments subject to the requirement of registration in accordance with Article 93, or approval in accordance with Article 97(1), shall keep and maintain records containing at least the following information: (b) movements of kept terrestrial animals into and out of their establishment, stating as appropriate: (i) their place of origin or destination;

⁸ Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness (OJ L 157, 10.6.1992, p.19)

(ii) the date of such movements;

Potential questions to be discussed

- AHL provides for obligation to register in database of each establishment where equidae are kept. How the competent authorities are preparing to fulfil this requirement and what kind of problems are they facing or expecting?

Note: An organised riding tour will stay overnight on a pasture of a cattle farm, allowed or not?

Shuttle horses N vs S, for about 180 days? How, where and how often to register?

- What requirements should be met to consider the establishment as place of origin?
- Should all movements of equidae be registered or there should be any derogation for particular types of movements and/or types of equidae?

c. Understanding of 'a unique code' referred to in Article 114(1)(a) of Animal Health Law.

Legal base in AHL

Article 109	
<i>Member States' obligation to establish and maintain a computer database of kept terrestrial animals</i>	
1.	The Member States shall establish and maintain a computer database for the recording of at least: (d) the following information related to kept animals of the equine species: (i) their unique code as provided for in Article 114;
Article 114	
<i>Operators' obligations in respect of the identification and registration of kept animals of the equine species</i>	
1.	Operators keeping kept animals of the equine species shall ensure that those animals are individually identified by: (a) a unique code which is recorded in the computer database provided for in Article 109(1);

Legal base in Regulation (EU) 2015/262⁹

Recitals	
(61)	The Universal Equine Life Number (UELN) system has been agreed worldwide between the major horse-breeding and competition organisations. It has been developed on the initiative of the World Breeding Federation for Sport Horses (WBFSH), the International Stud-Book Committee (ISBC), the World Arabian Horse Organization (WAHO), the European Conference of Arabian Horse Organisations (ECAHO), the <i>Conférence Internationale de l'Anglo-Arabe (CIAA)</i> , the <i>Fédération Equestre Internationale (FEI)</i> and the <i>Union Européenne du Trot (UET)</i> and information on this system can be consulted on the UELN website ¹⁰ ;
(62)	The UELN system is suitable for the registration of both registered equidae and equidae for breeding and production and allows computerised networks to be brought in gradually to ensure that the animals' identity can continue to be verified in accordance with Article 6 of Directive 90/427/EEC in the case of registered equidae.
(63)	When codes are assigned to databases, those codes and the format of the recorded identification numbers of individual animals should in no way conflict with the established UELN system. Therefore, the list of assigned UELN codes should be consulted before any new code is assigned to a

⁹ Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (Equine Passport Regulation) (OJ L 59, 3.3.2015, p. 1)

¹⁰ <http://www.ueln.net>

database.

Article 2
Definitions

- (o) 'unique life number' means a unique 15-digit alpha-numeric code compiling information on the individual equine animal and the database and country where such information is first recorded in accordance with the coding system of the Universal Equine Life Number (UELN) and comprising:
- (i) a six-digit UELN-compatible identification code for the database referred to in Article 39; followed by;
 - (ii) a nine-digit individual identification number assigned to the equine animal;

Legal base in ABR

Chapter I of Part 1 of Annex II to Regulation (EU) 2016/1012

3. In addition to the rules set out in point 1(c) of this Chapter, a breed society that enters in its breeding book a purebred breeding animal of the equine species which has already been entered in a breeding book established by another breed society carrying out a breeding programme approved in accordance with Article 8(3), and, where applicable, Article 12 shall enter that purebred breeding animal under the identification number ascribed to it under Regulation (EU) 2016/429 which shall ensure the uniqueness and continuity of the identification of that animal and, except where a derogation has been agreed by the two breed societies concerned, under the same name, with an indication, in accordance with international agreements for the breed concerned, of the code of the country of birth.

Potential questions to be discussed

- What is the understanding of the competent authorities of particular Member States of 'a unique code' referred to in Article 114(1)(a) of AHL?
- Should the status quo of the current legislation be kept and 'a unique code' should be compatible with the UELN or the system for individual identification of equidae should be changed? If yes, what impact will it have on the equine sector? If yes, how different systems for identification of equidae could coexist?

d. A physical means of identification or other method which unequivocally links the animal with the identification document.

Legal base in AHL

Article 114

Operators' obligations in respect of the identification and registration of kept animals of the equine species

1. Operators keeping kept animals of the equine species shall ensure that those animals are individually identified by:
- (b) a physical means of identification or other method which unequivocally links the kept animal with the identification document provided for in point (c) of this paragraph and issued by the competent authority in accordance with Article 110;

Legal base in Regulation (EU) 2015/262

Article 18

Electronic methods of identity verification

1. The issuing body shall ensure that at the time it is first identified in accordance with Article 12, a transponder is implanted in the equine animal.
4. Issuing bodies referred to in Article 5(1)(a) and (b) may require that equine animals which were identified by use of an alternative method of identity verification provided for in Article 21 are to be marked by implantation of a transponder for the purpose of the entry or registration of equidae in studbooks or the registration of registered horses for competition purposes.

Article 21

Authorisation of alternative methods of identity verification

1. By way of derogation from Article 18(1), Member States may authorise suitable alternative methods

<p>of identity verification of equidae born in the Union, including marks, which meet the requirements of Article 4(1)(b) and ensure that the identity of the equine animal recorded in the identification document can be verified.</p> <p>2. Member States shall ensure that:</p> <p>(a) the alternative methods of identity verification of equidae are not used as the sole means of identity verification of the majority of equidae identified in accordance with this Regulation on their territory;</p> <p>(b) visible marks applied to equidae for breeding and production cannot be confused with those reserved on their territory for use by issuing bodies referred to in Article 5(1)(a) on registered equidae;</p> <p>(c) any authorised alternative method of identity verification or any combination of those methods deliver at least the same guarantees as the transponder implanted in accordance with Article 18;</p> <p>(d) the information on the alternative method of identity verification applied to an individual equine animal can be described in a format capable of being digitalised and stored in a searchable way in a database established in accordance with Article 38.</p> <p>3. Member States intending to make use of the derogation provided for in paragraph 1 shall make information on their authorised alternative methods of identity verification available to the Commission, the other Member States and the public on the website referred to in Article 6(1).</p>

Potential questions to be discussed

- Is there a need to improve the current situation in respect to electronic and alternative methods of identity verification? If yes, why and how?
- Is there a need to continue alternative methods?

e. The competent authority issuing a single lifetime identification document.

Legal base in Regulation (EU) 2015/262

<p>Article 5 Issuing bodies for equidae born in the Union</p>	
1.	<p>The identification document provided for in Article 7 shall be issued by one of the following issuing bodies:</p> <p>(a) for registered equidae referred to in point (e)(i) of Article 2 of this Regulation, by an organisation or association officially approved or recognised in accordance with Article 2(1) of Decision 92/353/EEC, or by an official agency of a Member State, which manages the studbook in which the equine animal has been entered or has been registered and is eligible for entry in accordance with Decision 96/78/EC;</p> <p>(b) for registered horses referred to in point (e)(ii) of Article 2, by a national branch of an international organisation or association, which manages horses for competition or racing, supervised by the competent authority of the Member State where it has its headquarters;</p> <p>(c) for equidae for breeding and production referred to in point (g) of Article 2, by:</p> <p>(i) the competent authority for the holding where the equine animal is kept at the time of its identification; or</p> <p>(ii) an issuing body designated and supervised by the competent authority referred to in point (i) to which that task was delegated.</p>

Legal base in AHL

<p>Article 114 Operators' obligations in respect of the identification and registration of kept animals of the equine species</p>	
1.	<p>Operators keeping kept animals of the equine species shall ensure that those animals are individually identified by:</p> <p>(c) a correctly completed single lifetime identification document.</p>
<p>Article 110 Obligation of the competent authority in respect of identification documents, movement documents and other documents for the identification and tracing of kept terrestrial animals</p>	

1.	Each competent authority shall: (a) issue identification documents in respect of kept terrestrial animals where those documents are required by point (c) of Article 114(1) and by rules adopted pursuant to Articles 118 and 120;
Article 4 Definitions	
(55)	'competent authority' means the central veterinary authority of a Member State responsible for the organisation of official controls and any other official activities in accordance with this Regulation or any other authority to which that responsibility has been delegated;
Article 108 Member States' responsibility for establishing a system for the identification and registration of kept terrestrial animals	
5.	Member States may when appropriate: (c) designate another authority or authorise another body or a natural person to ensure the practical application of the identification and registration system provided for in paragraph 1 of this Article, including the issuing of identification documents and the drawing-up of models as provided for in points (a), (b) and (c) of Article 110(1).

Potential questions to be discussed

- How the competent authorities of particular Member States are planning to implement provisions of AHL relating to 'competent authority responsible for issuing a single lifetime identification document'?
- Is the status quo of the current legislation going to be kept or the system for issuing single lifetime identification documents is going to be changed? If the change of the competent authority is planned what impact will it have on the equine sector?
- How will Member States ensure that the horse passport remains the multipurpose single lifetime identification document that it is today?

f. A single lifetime identification document.

Legal base in Regulation (EU) 2015/262

Article 7 Format and content of identification documents issued for equidae born in the Union	
1.	Equidae born in the Union shall be identified by means of a single identification document for equidae issued for the lifetime of the equine animal in accordance with: (a) the model identification document set out in Part 1 of Annex I; (b) the additional requirements set out in Part 2 of that Annex.
2.	Issuing bodies shall ensure that the identification document contains a sufficient number of pages with form fields for the insertion of the information required under the following Sections specified in the model identification document set out in Part 1 of Annex I: (a) in the case of registered equidae, at least Sections I to IX; (b) in the case of equidae for breeding and production, at least Sections I to IV.

Legal base in AHL

Article 114 Operators' obligations in respect of the identification and registration of kept animals of the equine species	
1.	Operators keeping kept animals of the equine species shall ensure that those animals are individually identified by: (c) a correctly completed single lifetime identification document.
Article 118 Delegation of powers concerning identification and registration	

1.	The Commission shall adopt delegated acts in accordance with Article 264 concerning:
(b)	rules on the information to be included in:
(ii)	the identification documents provided for in point (c) of Article 114(1);
2.	The Commission shall be empowered to adopt delegated acts in accordance with Article 264 concerning:
(b)	specific provisions for the identification documents provided for in point (c) of Article 114(1) that have to accompany animals when they are moved;

Potential questions to be discussed

- What should be the content and the format of a single lifetime identification document based on AHL?
- Should the current content and the format of a single lifetime identification document provided for in Regulation (EU) 2015/262 either be preserved and/or improved or the idea of that identification document should be fundamentally reviewed? If the change is required, why and in what way?

Note: Animal Breeding Regulation makes explicit reference to the single lifetime identification document to be adopted under the AHL.

The future Regulation on veterinary medicinal products will make reference to a single lifetime identification document.

g. Requirements for entry into the Union of equine animals.

Legal base in Directive 2009/156/EC

Article 2	
(i)	‘temporary admission’ means the status of registered equidae originating in a third country and admitted into Community territory for a period of less than 90 days to be fixed in accordance with the procedure referred to in Article 21(2), depending on the health situation in the country of origin
Article 19	
In accordance with the procedure referred to in Article 21(2):	
(a)	it may be decided that importation from a third country or part of a third country is to be confined to particular species or categories of equidae ;
(b)	notwithstanding Article 15, the special conditions for the temporary entry into Community territory of registered equidae or equidae intended for special uses or their re-entry into Community territory after being temporarily exported , shall be established;

Legal base in Decision 2004/211/EC¹¹

Article 2	
Definitions	
‘importation’: shall mean the introduction onto Community territory of live equidae in accordance with the conditions specifically laid down for the particular type of importation, notably temporary admission, re-entry after temporary export and imports.	

Legal base in AHL

Article 229	
Requirements for entry into the Union of animals, germinal products and products of animal origin	
1.	Member States shall permit the entry into the Union of consignments of animals, germinal products and products of animal origin from third countries or territories only if those consignments fulfil the

¹¹ Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC (OJ L 073 11.3.2004, p. 1)

following requirements, unless such animals, germinal products or products of animal origin are covered by a derogation granted pursuant to Article 239(2):

- (a) without prejudice to Article 230(2), they come from a third country or territory listed in accordance with Article 230(1) for the particular species and category of animals, or germinal products or products of animal origin concerned, or from a zone or compartment thereof;
- (b) they come from establishments which are approved and listed, where such approval and listing is required by Article 233;
- (c) they fulfil the animal health requirements for entry into the Union laid down in Article 234(1) and in any delegated acts adopted pursuant to Article 234(2), where such requirements are laid down for the animal, germinal product or product of animal origin concerned;
- (d) they are accompanied by an animal health certificate and by declarations and other documents where required by Article 237(1) or by rules adopted pursuant to Article 237(4);

2. The operators responsible for the consignment in question shall present consignments of animals, germinal products and products of animal origin from third countries or territories for the purposes of official control as provided for in Article 3 of Directive 91/496/EEC and Article 3 of Directive 97/78/EC.

Potential questions to be discussed

- What types of entry into the Union should be considered?
- Is current system under Directive 2009/156/EC appropriate or should it be changed? If yes, how?
- What should be animal health requirements, comparing to the current situation, as regards particular types of entry into the Union of particular categories of equidae?