



EUROPEAN COMMISSION

Health and Food Safety Directorate General

sante.ddg2.g.5(2022)1367074

Standing Committee on Zootechnics

29 November 2021

CIRCABC Link: <https://circabc.europa.eu/w/browse/d80355d7-3121-4b98-a5e9-688ce21c416b>

SUMMARY REPORT

A.01 Rules of procedures of the Standing Committee on Zootechnics.

The Commission explained in detail each Article of “Standard Rules of Procedure for Committees”. There were no questions from Member States to this document.

A.02 Exchange of views as regards the rules related to a membership of breeders in breed societies (Article 13 of Regulation (EU) 2016/1012).

Article 13 of Regulation (EU) 2016/1012 provides for rights of breeders participating in approved breeding programmes. Where the rules of a breed society or breeding operation provide for membership, the breeders have the right to become a member. However, Regulation (EU) 2016/1012 does not provide for a membership as an obligation. Consequently, breeders participating in an approved breeding programme, both members and non-members, have right to services, as referred to in Article 13(2) of Regulation (EU) 2016/1012, provided by a breed society or breeding operation, including having their breeding animals entered in the main section of a breeding book and zootechnical certificates issued for their breeding animals. These services do not have to be free of charge. Different tariff rates for non-members and members are allowed. At the same time, in accordance with Article 13(3) of Regulation (EU) 2016/1012, where the rules of a breed society or breeding operation provide for membership, breeders that became a member also have the right to participate in the defining and development of the breeding programme.

Statement of the Austrian and German delegations:

“Germany and Austria have the different opinion, that Regulation (EU) 2016/1012 does neither stipulate nor prohibit a membership as an obligation. The breed societies are free to choose their legal personality and the form of agreements with breeders participating in their breeding programme. This could also be organised with an obligatory membership in the breed society.”

Statement of the Irish delegation:

“The rights of breeders were not explicit in previous legislation where societies were established based on a membership structure and the need for this system to continue for financial stability.”

A.03 Exchange of views as regards the procedures for the extension of a geographical territory of a breeding programme to a territory of another Member State – follow up (Article 12 of Regulation (EU) 2016/1012).

A translation, into one of the official languages of a Member State, of a breeding programme which geographical territory has been extended to a territory of another Member State, may be requested by the notified authority in accordance with Article 12(2)(b) of Regulation (EU) 2016/1012. If requested, that translation should be provided by the applying breed society or breeding operation. However, a translation of such breeding programme is not mandatory and the notified authority can choose not to request a translation.

One Member State informed that after requesting a translation of the breeding programme a notification for the extension of the geographical territory of a breeding programme has been withdrawn what resulted in lack of a breeding book where purebred breeding animals (a breed of equine animals) could be entered.

Rules for identification of equine animals, kept in the territory of a Member State to which a breeding programme of a breed society located in another Member State has been extended, are as follows:

- the code displayed by a transponder used in an electronic identifier must be the one of the country of birth of the equine animal and that transponder must be injected in the country of birth of the equine animal (Article 10 of Commission Implementing Regulation (EU) 2021/963);
- while the unique code could be the one of the breed society carrying out the cross border activity which is issuing a single lifetime identification document for the equine animal (Article 22(2) of Implementing Regulation (EU) 2021/963).

A.04 Exchange of views as regards the rules of issuing a single lifetime identification document for equine animals (Implementing Regulation (EU) 2021/963, and in particular Article 22).

In accordance with Article 110(1)(a) of Regulation (EU) 2016/429 (Animal Health Law) the competent authority is responsible for issuing of single lifetime identification documents. However, Article 108(5)(c) of Regulation (EU) 2016/429 and Article 28 of Regulation (EU) 2017/625 (Official Control Regulation) allow delegation of this task by the competent authority to delegated bodies, including breed societies.

The competent authority may delegate the task to the following issuing bodies:

- recognised breed societies which have established breeding books for purebred breeding animals of the equine species (or third parties designated by them - Article 8(4) of Regulation (EU) 2016/1012);
- organisations and associations managing horses for competition and races.

Note: Article 108(5), point (c) of AHL and Article 31(1) of Regulation (EU) 2017/625 (Official Controls Regulation/ OCR) do not prevent the competent authority of MS1, where the establishment of birth of an equine animal is located, from delegating the task of issuing and delivering the single life identification document (SLID) referred to in Article 114(1), point (c), of AHL, to breed societies recognised by, and with head of office located in, MS2, that carry out a breeding programme extended to the territory of MS1 and approved by MS1 in accordance with Article 12 of Regulation 2016/1012. In that case, those breed societies act as 'delegated bodies' within the meaning of

Article 2(25) of Implementing Regulation (EU) 2021/963. As such, they must comply with the obligations of delegated bodies laid down in Article 32 of the OCR.

It is for the competent authorities to decide on a case by case basis if it is appropriate to delegate such tasks. The delegation is subject to conditions referred to in Article 31(1) of the OCR. Among others, arrangements must be in place ensuring efficient and effective coordination between the delegating competent authorities and such breed societies (see Article 29(c) of the OCR). The delegating competent authority must comply with the obligations laid down in Article 33 of the OCR. Pursuant to Article 33(a) of the OCR, the delegating competent authority in MS1 is to organise audits or inspections of such delegated bodies, as necessary. This means that in addition to audits of activities, inspections of premises and facilities situated in MS1 can be carried out. Inspection of premises or facilities situated in MS2, if considered necessary, would require administrative cooperation between the concerned Member States.

Member States suggested a questionnaire to be sent out by the Commission to inquire information from Member States on the use of Article 108(5)(c) of Regulation (EU) 2016/429 and delegation of issuing of single lifetime identification documents by the animal health competent authority to delegated bodies, including breed societies.

Article 22 of Implementing Regulation (EU) 2021/963 preserves the prerogative of the competent authority to issue the single lifetime identification document for equine animals.

Article 22(1) of Implementing Regulation (EU) 2021/963 refers to a standard single lifetime identification document which is issued and delivered by the competent authority or a delegated body.

Note: ‘delegated body’ means the delegated body defined in point (5) of Article 3 of Regulation (EU) 2017/625, designated in accordance with Article 108(5)(c) of Regulation (EU) 2016/429 to ensure the practical application of the identification and registration system established for equine animals, including the issuing and delivery of single lifetime identification documents for equine animals. This body is referred to as ‘issuing body’ in Chapters 2 and 3 of Title IV of Commission Delegated Regulation (EU) 2019/2035.

Article 22(2) – (5) of Implementing Regulation (EU) 2021/963 refers to issuing and delivery of an extended single lifetime identification document:

- in the case issuing and delivery of a single lifetime identification document has been delegated to breed societies, organisations and associations referred to respectively in paragraphs 2 and 3 and they became delegated bodies, they issue and deliver the single lifetime identification document;
- in the case issuing and delivery of a single lifetime identification document has not been delegated to breed societies, organisations and associations referred to respectively in paragraphs 2 and 3 and they are not delegated bodies – the competent authority delivers the single lifetime identification document (received from breed societies).

In Article 22(2) of Implementing Regulation (EU) 2021/963 the breed society essentially provides a service for the competent authority, while at the same time it fulfils its obligations under Regulation (EU) 2016/1012, i.e. to issue zootechnical certificates as integral part of the single lifetime identification document.

Note: 'Issuing' is the physical preparation of a single lifetime identification document (completion with the required information, including a diagram, printing and binding, placing the document in an envelope). 'Delivery' means the checks on the issued single lifetime identification document, signature of those who are responsible under Regulation (EU) 2016/429, i.e. the competent authority or delegated body, in general the verification and endorsement of the single lifetime identification document by the competent authority or delegated body to ensure that only correctly completed documents are delivered.

The diagram in Part B of Section I of the single lifetime identification document should be signed by a qualified person that has physically identified the animal. The final Part B of Section I of the single lifetime identification document can be managed differently by different competent authorities (the original diagram with signature of the person who did it can be preserved in the single lifetime identification document or rewritten by the competent authority or delegated body). The stamp of the competent authority or delegated body confirms that the diagram in the single lifetime identification document had been prepared to the satisfaction of the competent authority or the delegated body .

In accordance with Article 69 of Delegated Regulation (EU) 2019/2035 and Article 26(2)(b) of Implementing Regulation (EU) 2021/963, a new unique code can only be assigned to the animal if for this animal a replacement single lifetime identification document is issued.

A.05 Exchange of views as regards the rules for issuing of the Zootechnical certificate for semen of breeding animals.

Article 31(1) of Regulation (EU) 2016/1012 allows the competent authority, by way of derogation from Article 30(2)(a), authorise that germinal products are to be accompanied by a zootechnical certificate issued, on the basis of the information received from the breed society or breeding operation, by a semen collection or storage centre, or by an embryo collection or production team, approved for intra-Union trade in those germinal products in accordance with Union animal health law.

Member States suggested a questionnaire to be sent out by the Commission to inquire information from Member States on the implementation of derogation referred to in Article 31(1) of Regulation (EU) 2016/1012.

Where a consignment is further divided, a new Part B of the zootechnical certificate for a particular part of the original consignment should be issued by the breed society or breeding operation, or, in the case authorisation is given, by a semen collection or storage centre, or by an embryo collection or production team.

Germany stated the following: “Information necessary for Part B is not available to the breed society or breeding operation. In result, a trader of germinal products has to notify the respective breed society or breeding operation in advance on how many doses of germinal products he intends to trade and to whom, so that these can be inserted into Part B of the zootechnical certificate. This results in a high bureaucratic effort with information that has no value for the breed society or breeding operation. The rules for zootechnical certificates should therefore be substantially reviewed and revised.”

It was also suggested that an amendment of Commission Implementing Regulation (EU) 2017/716 may be needed in order to require indication in the lists of breed societies and breeding operation if germinal product establishments, and which of them,

are authorised to issue zootechnical certificate on behalf of a particular breed society or breeding operation.

In the case non-compliance is established, in accordance with Article 47 of Regulation (EU) 2016/1012, the competent authorities shall:

- take any action necessary to determine the origin and extent of that non-compliance and to establish the responsibilities of the operators concerned;
- take appropriate measures to ensure that the operators concerned remedy the non-compliance and prevent further occurrences of it (e.g. suspend the issuing of zootechnical certificates by the breed society or the breeding operation).

One Member State indicated some particular technical problems with issuing zootechnical certificates by semen collection centres. This will be followed up by the Commission with this Member State bilaterally.

A.06 Exchange of views as regards legal right of entry of a purebred breeding animal in the main section of the breeding book.

In accordance with Article 18(1) of Regulation (EU) 2016/1012, breed societies shall, at the request of breeders, enter or register for entry in the main section of their breeding book any purebred breeding animals of the breed covered by their breeding programme, provided that those animals comply with the requirements set out in Chapter I of Part 1 of Annex II and, where applicable, that those animals are the offspring of breeding animals or result from the germinal products thereof, in accordance with the rules provided for in Article 21.

Where the main section of the breeding book is divided into classes, purebred breeding animals meeting the criteria for entry in the main section shall be entered by the breed society in the class that corresponds to the merits of those purebred breeding animals.

At the same time, genetic defects and genetic peculiarities in relation to the breeding programme affecting the breeding animal or the donors of the germinal products shall be indicated in the zootechnical certificate issued for that purebred breeding animal or its germinal products. Breeding animals cannot be refused entry into the main section of a breeding book based on their physical characteristics or the presence of genetic defects.

A.07 Format of the lists of breed societies and breeding operation published by Member States.

Lists of breed societies and breeding operation published by Member States should be in the formats as laid down in Implementing Regulation (EU) 2017/716.

The Commission requested verification by Member States of links published at: [Information submitted by EU countries, Norway and Switzerland \(europa.eu\)](#) and proceeding, if necessary, with corrections / submissions of new links to the Commission.

A.08 Exchange of views as regards the rules on performance testing and genetic evaluation.

The discussion focused on the practical implementation of provisions of Regulation (EU) 2016/1012 related to the methods for performance testing or genetic evaluation, and in particular if standards established by ICAR should be followed while

performance testing or genetic evaluation is carried out by breed societies and breeding operations.

In accordance with Article 27(5) of Regulation (EU) 2016/1012, breed societies/ breeding operations/ third parties may commit themselves to comply with the rules and standards established by ICAR or may participate in activities carried out by the European Union reference centres referred to in Article 29. The results of such commitments or the participation in such activities may be taken into account by the competent authorities when recognising those breed societies or breeding operations, approving their breeding programmes, authorising those third parties or carrying out official controls on those operators. This means that if breed societies decide to participate in the ICAR certification process verifying the compliance with ICAR rules or any similar certification process conducted by the European Union reference centre (Interbull), that the results of this certification or verification done by ICAR or Interbull may be taken into account by the competent authorities for recognizing those breed societies or during official controls.

In accordance with Part 1 of Annex III to Regulation (EU) 2016/1012, where breed societies or breeding operations, or third parties carry out performance testing or genetic evaluation, they shall establish and use methods for performance testing or genetic evaluation which shall be scientifically acceptable according to established zootechnical principles and shall take into account, where they exist:

- the rules and standards established by the relevant EURC;
- in the absence of those rules and standards, the principles agreed by ICAR.

A.09 Exchange of views as regards future European Strategy for Genetic Resources – follow up.

On 30 November 2021 an event “Launching of the European Genetic Resources Strategies (EGRS)” organised by the GenRes Bridge Project took place.

The EGRS is linked to the initiatives as follows:

- the EU's Green Deal (EU Biodiversity Strategy with Access and Benefit Sharing (ABS) (Regulation (EU) No 511/2014);
- FAO relevant initiatives on Genetic Resources;
- EU Common Agricultural Policy (CAP);
- F2F Strategy.

Areas where the Commission could possibly contribute to the ESGR:

- Establishment under Article 29(2) of Regulation (EU) 2016/1012 (ABR) of a EU Reference Centre for the preservation of endangered breeds or the preservation of the genetic diversity existing within those breeds;
- Collaboration between experts of ABR, ABS and other policies in fields related to animal breeding and animal genetic resources;
- Other EU support to the global strategy in general, and Animal Genetic Resources in particular.

On 5 March 2021 the Commission met with the small group of MS experts (those who expressed interest in participation) to discuss the subject.

SANTE/G2 is exploring possibilities of actions relating to reinforcement of implementation of EU legislation concerning endangered breeds, including a possibility establishment of EU Reference Centre for the preservation of endangered breeds.

Regulation (EU) 2016/1012 is covering only five species, what would limit the scope of that EU Reference Centre, but there are elements that could possibly be adapted:

- to facilitate breeding of endangered breeds and to strengthen cross-border activity;
- to lay down minimum criteria for classification of a breed as endangered breed (no harmonisation in this area for the moment, no EU wide classification).