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Standing Committee on Zootechnics

29 November 2019

SUMMARY REPORT

A.01 Exchange of views as regards the rules on the use of the model zootechnical certificates as laid down in Commission Implementing Regulation (EU) 2017/717 and on the non-use of the model forms as provided for in Article 31(2) of the Animal Breeding Regulation.

The Commission reminded that only the models laid down in Regulation (EU) 2017/717 (based on Article 30(10) of Regulation (EU) 2016/1012) should be understood as a ‘model zootechnical certificate’.

All other documents which are authorised by the competent authority to be used in accordance with Article 31(2) of the Animal Breeding Regulation should be regarded as ‘non-model forms’.

The following conditions must be fulfilled in case of non-use of model forms:

- those documents must be authorised by the competent authority;
- those documents must contain the information set out in Annex V to Regulation (EU) 2016/1012;
- those document may only be issued by the breed society or breeding operation, or by a semen collection or storage centre, or an embryo collection or production team, approved for intra-Union trade in those germinal products in accordance with Union animal health law.

It was also reminded, following the discussion during the meeting of the Standing Committee on Zootechnics of 30 November 2018 (point A.02), that the competent authority may authorise the non-use of the model forms of zootechnical certificates for movement of breeding animals and their germinal products only within its territory. The acceptance of such non-model forms cannot be guaranteed on a territory of another Member State, but depends on the agreement between breed societies and breeding operations entering or registering breeding animals in the breeding book or breeding register.

One Member State, supported by another Member State, requested other Member States to include in a non-model form a statement that it is authorised by the competent authority in accordance with Article 31(2) of the Animal Breeding Regulation.

A.02 Exchange of views as regards the procedures for the extension of breeding programmes to a territory of other Member States.

Some Member States informed that they have refused, based on the grounds referred to in Article 10 of the Animal Breeding Regulation, an extension of geographical territory of some breeding programmes already. One Member State noted that this Article relates only to breed societies. Another Member State informed that based on the results of official controls it has withdrawn recognition of a breeding operation which had no breeding animals on the territory of this Member State.

Member States had no common position on the procedure for cooperation of the competent authorities as regards possible requests for additional information in the process of a notification of an extension of geographical territory of a breeding programme. One Member State requested a clarification related to competences to perform an official control of the extended breeding programme. The Commission explained that a competent authority may carry out official activities only at its territory and Article 48 of the Animal Breeding Regulation provides rules on cooperation of the competent authorities.

One Member State suggested an establishment of harmonised guidelines on how the competent authority should act while receiving a notification of an extension of geographical territory of a breeding programme. The Commission stated that it may be difficult to harmonise the approach because usually each case is different and depends on situation of particular Member State, however undertook to consult the legal unit in order to obtain an interpretation of Articles 10 and 12 of the Animal Breeding Regulation in this context.

There is no legal obligation for Member States to make publicly available information related to the extension of the breeding programmes to their territory or those carried out by breed societies and breeding operations recognised by them in other Member States. However, some Member States are already publishing on their websites lists of foreign breed societies and breeding operations which extended a geographical territory of their breeding programmes to the territory of those Member States. Some other Member States support this initiative but still explore possibilities for themselves.

One Member State was interested in possibilities of an extension of geographical territory of breeding programmes to a territory of a third country. The Commission confirmed that the Animal Breeding Regulation only regulates this aspect within the Union. Breeding activities carried out in a third country by a breed society or breeding operation recognised in a Member State would be technically very difficult to control and would depend on the agreement between the Member State and that third country. The Commission committed to send a written reply to the requesting Member State.

A.03 Information from the Commission on the procedure for notification by Member States of their national legislation based on the Animal Breeding Regulation.

The Commission reminded the Committee about Member States' obligation for notification to the Commission of their national legislation implemented in accordance with Articles 52 and 68 of the Animal Breeding Regulation.

The Commission also reminded about the procedure for such notification. Member States may decide that a notification is done in accordance with the procedure based on Directive (EU) 2015/1535. More information about this procedure is available at the Commission webpage: <http://ec.europa.eu/growth/tools-databases/tris/en/>.

A.04 Exchange of views on the practical implementation of Article 21(2) of the Animal Breeding Regulation - prohibition or limitation of the use of reproduction techniques or of the use of purebred breeding animals of the equine species for one or more reproduction techniques.

It was clarified that a natural service is a reproduction technique. This interpretation is based on Article 21(2) of the Animal Breeding Regulation providing that “(...) by way of derogation from paragraph 1 of this Article, a breed society may prohibit or limit the use of one or more reproduction techniques referred to in that paragraph (...)”. A natural service is listed in paragraph 1(a) of that Article.

Several Member States were of the opinion that a breed society may exclude from breeding a particular stallion. This exclusion concerns the offspring of that stallion which is not allowed to be entered in a breeding book. The examples given all related to stallions with genetic defects and possible welfare consequences for the offspring.

The Commission, supported by one Member State, informed that in case an animal complies with the requirements for entry in a breeding book laid down in Article 18 of the Animal Breeding Regulation (parents and grandparents of the animal in the breeding book and covering certificate) the entry in the main section of the breeding book cannot be refused, however such animal with genetic defects may be placed in a special lower class of the main section of this breeding book and the information on the genetic defect must be included at least in the zootechnical certificate.

A.05 Exchange of views on the practical aspects of the entry into the Union of breeding animals and their germinal products.

Member States' experiences varied. Consignments of germinal products arriving from third countries in some Member States were always accompanied by the zootechnical certificates while in other Member States only the first consignment of germinal products of a particular breeding animal had a zootechnical certificate while the subsequent deliveries have not.

The Commission reminded that the conventional rate of duty applies only to breeding animals but not to their germinal products. In addition, that third countries should issue zootechnical certificates based on the model forms laid down in Regulation (EU) 2017/717.

B.01 Exchange of views and possible opinion on a draft Commission Implementing Regulation amending Regulation (EU) 2017/717 laying down the model forms for the zootechnical certificates for breeding animals and their germinal products.

This Implementing Regulation will amend model zootechnical certificates for breeding animals and their germinal products laid down in Implementing Regulation (EU) 2017/717. Taking into account the experience gained since the date of application of Implementing Regulation (EU) 2017/717 it is necessary to update the model forms of the zootechnical certificates to facilitate issuing and printing of those zootechnical certificates and to enable a better verification of the identity of breeding animals.

The new model zootechnical certificates will also allow for more than one signature of issuing body (breed society/ breeding operation/ breeding body for animals and germinal product establishment for germinal products). Zootechnical certificates with two (semen/ oocytes) or three (embryos) signatures should be equally accepted as those with only one signature.

Some Member States requested for the simplification of the model form of zootechnical certificates for germinal products, in particular for semen. One Member State informed, based on the observations, that zootechnical certificates are rarely attached to consignments of semen.

There were several request for amendments of particular points in model zootechnical certificates:

- a reference to a model zootechnical certificate of equine animals to clarify that it is a part of a single lifetime identification document;
- name and address of consignee to clarify that it relates to place of destination of a consignment;
- the format of the date to ensure that it complies with the format currently used by breed societies/ breeding operations;
- requirement that zootechnical certificates are issued in the official language of the place of dispatch, similarly to the requirements provided for in Article 89(1)(c) of the Official Control Regulation.

The new model zootechnical certificates would allow certification of mixed semen and embryos produced with mixed semen or obtained by mating with more than one male. Some Member States confirmed that the use of mixed semen is a common practice in breeding of hybrid breeding pigs, mainly to obtain the final product. However, they were not aware of such practices in other species of breeding animals. The Commission informed that the request came from the industry that explained that the offspring obtained from mixed semen and from embryos produced with mixed semen, when qualified for entry into breeding books, is tested in order to establish the parentage.

The next revision of the document will be presented to Member States before the vote takes place.

One Member State stressed the importance of involving stakeholder in the process of consultations of the new model zootechnical certificates in order to ensure that they are implementable in practice.

Vote Postponed

B.02 Exchange of views and possible opinion on a draft Commission Implementing Decision laying down rules for the application of Directive 90/428/EEC and amending Decision 2009/712/EC as regards references to zootechnical legislation.

Article 3 of Directive 90/428/EEC on trade in equidae intended for competitions and laying down the conditions for participation therein, provides that the rules of competition may not discriminate equidae which are registered and/or originate in the Member State in which the competition is being held, compared to equidae registered and/or originate in another Member State. However, Article 4(2) of this Directive provides for derogations from this rule for competitions reserved for equidae

registered in a specific studbook for the purpose of permitting the improvement of the breed, for regional competitions with a view to selecting equidae and for historic or traditional events. In addition, for each competition or type of competition Member States shall be authorized to reserve, through the bodies officially approved or recognized for that purpose, a certain percentage of the prize money or profits for the safeguard, development and improvement of breeding. Member States shall inform on the use of this derogation in their country, including on the criteria for the distribution of these funds.

This Implementing Decision will lay down the rules on information to be provided by Member States in relation to equestrian competitions organised in accordance with Article 4(2) of Directive 90/428/EEC, i.e. the format and the frequency of submission, and the proportion of the prize money reserved under the said derogation from non-discrimination.

Taking into account that such rules are currently laid down in Decision 2009/712, for the sake of legal clarity, it is the intention to revise this Decision accordingly and to remove all references to zootechnical legislation.

One Member State, not being against the approach of Article 4(2) of Directive 90/428/EEC, questioned the need of reporting on the derogations from the rules on competitions and equestrian events laid down in Article 3 of this Directive. This Member State informed that it was not aware of any problems related to an access to equestrian competitions in the Union and such reporting is creating administrative burden.

However, two other Member States confirmed that they had problems in relation to the access to particular equestrian competitions in the past.

One Member State informed that it must clarify internally which competent authority is responsible for this area and therefore it was not able to give its opinion on this subject.

The Commission explained that such reporting is required by Directive 90/428/EEC while this Implementing Decision is only providing for the format and the frequency of submission of the reports. The reports published by Member States serve the public to access information on the competitions which are closed for the particular category of horses.

Vote Postponed

M.01 Availability of different language versions.

One Member State asked about the availability of language versions other than English version of the draft Commission Delegated Regulation supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of germinal product establishments and the traceability and animal health requirements for movements within the Union of germinal products of certain kept terrestrial animals.

The Commission informed that translation was finished and the draft Commission Delegated Regulation awaits its adoption by the Commission. This should happen at the beginning of December and after that the draft Commission Delegated Regulation will be sent to the Council.

M.02 New Organigram.

One Member State inquired if Zootechnics will stay within DG SANTE under the new Commission.

The Chairperson replied that this question should be addressed to the hierarchy.