



## **ANNOTATED AGENDA**

**Expert Group on Reg. (EU) 2016/429 - to discuss Delegated Acts on the identification, movement and certification of equine animals - E00930**

**27 October 2017, 10.00-18.00**

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

### **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:
  - 2.1. Categories of equidae;
  - 2.2. New obligation: Registration of establishments where equine animals are kept and of their movements between those establishments;
  - 2.3. Requirements for entry into the Union of equine animals;
  - 2.4. 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.
3. Miscellaneous.

## II. NOTES

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### 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)<sup>1</sup> and/or during further Commission work towards delegated acts under the EU Animal Health Law (AHL)<sup>2</sup>. This meeting is also 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.

These notes provide background information on the current situation, on what has been done or is planned at EU level concerning this area and to ask relevant questions to explore their various aspects. These notes are also including proposals drafted by the Commission of the particular pieces of the text which may be at the later stage used in the delegated acts under AHL, reflecting the conclusions from the previous meeting of the Expert Group of 4 April 2017. 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](mailto:alf-eckbert.fuessel@ec.europa.eu) and [ewa.camara@ec.europa.eu](mailto:ewa.camara@ec.europa.eu) (DG SANTE Unit G2, Animal Health and Welfare).

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<sup>1</sup> [http://ec.europa.eu/food/animals/health/regulatory\\_committee\\_en](http://ec.europa.eu/food/animals/health/regulatory_committee_en)

<sup>2</sup> 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)

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

### 2.1. Categories of equidae.

**Question:** Do we need more than equidae destined for a holding and equidae destined for slaughter?

*Current legal basis in Directive 2009/156/EC<sup>3</sup>*

<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 <sup>4</sup> , 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);

Based on the outcome of the discussion during the previous meeting of the Expert Group of 4 April 2017, where

- several Member States expressed the opinion that there should be as less as possible categories of equidae in the legislation, and exactly 'equidae for slaughter' and 'other equidae' (only definitions from point (b) 'equidae' and (d) 'equidae for slaughter' of Article 2 of Directive 2009/156/EC should be preserved in the future delegated act supplementing AHL),
- it appeared to be clear that there is a need to preserve a special category of horses with higher health status which would be allowed to apply lesser requirements (both animal health and welfare) for their frequent movements, and would allow to further regulate the introduction into the Union from TCs, largely for competitions and races,
- it was agreed that each particular category of equidae should always be linked with the animal health requirements for movement which will be fixed based on animal health guaranties to be fulfilled by each category, and
- it was reminded that the system of categories of equidae used in the Union will have an impact on the list of non-EU countries from which equidae are authorised for entry into the Union,

the Commission would like to suggest the following proposals:

<sup>3</sup> 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)

<sup>4</sup> 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)

I.	Definition of 'registered equidae'
(p)	<p>'registered equidae' means</p> <ul style="list-style-type: none"> <li>(i) purebred breeding horses, including ponies (<i>Equus caballus</i>), and donkeys (<i>Equus asinus</i>) which are <b>entered in the main section of a breeding book</b> maintained by a recognised breed society or in case of imports from third countries, by a breeding body listed in accordance with Article 24(2) of Regulation (EU) 2016/1012, as certified in the zootechnical certificate forming part of its identification document;</li> <li>(ii) horses, including ponies, registered with an international association or organisation which manages horses for competition or races and which has established animal health and welfare rules for the preparation of and participation in such events, and identified by means of an identification document issued or recognised by that association or organisation or one of its national branches.</li> </ul> <p>Rationale:</p> <ol style="list-style-type: none"> <li>1. The principle structure of current rules is maintained;</li> <li>2. The studbook horses must have been entered in the studbook main section and not only be eligible for entry into such studbook;</li> <li>3. The international organisation is qualified by certain animal health and welfare rules and the association with this organisation is documented on the identification document by a recognition mark;</li> <li>4. This definition is the starting point for specific movement rules;</li> <li>5. Is it necessary to include purebred donkeys in the definition of registered equidae?;</li> <li>6. Regulation 1/2005 on welfare during transport provides for specific rules for "registered equidae" which are necessary for the transport of competition and race horses.</li> </ol>
II.	Article on movement of equidae not intended for slaughter to another Member State
	<p style="text-align: center;"><i>Article ....</i></p> <p style="text-align: center;"><i>Movement of equidae not intended for slaughter to another Member State</i></p> <ol style="list-style-type: none"> <li>1. Equidae shall only be moved or transported to another Member State, either directly or undergoing an assembly operation, following the completion of a mandatory residence period on the establishment where they are habitually kept in the Member State of origin which shall last at least 30 days, except in case of registered equidae, where the residence period shall be at least 15 days.</li> <li>2. By way of derogation from paragraph 1, the residence period shall not apply to the movement of registered horses that meet the following requirements: <ul style="list-style-type: none"> <li>(a) the identification document includes a validation sticker issued by the competent authority for a period of not more than four years, renewable, documenting that the animal is habitually resident in an establishment recognised by the competent authority as an establishment of low health risk due to additional veterinary supervision and the implementation of biosecurity</li> </ul> </li> </ol>

measures;

- (b) a test for equine infectious anaemia carried out with negative result on a sample taken within 180 (365?) days prior to the intended movement is documented in the identification document.
3. For the movement or transport referred to in paragraph 1, the animals shall be accompanied by a health certificate providing the information set out in Annex xxxx, and their movement shall be documented in TRACES.
4. The health certificate referred to in paragraph 3 shall have a validity of 10 days, except in the case of registered horses that meet the requirements of points (a) and (b) of paragraph 2, where the validity shall be 30 days.

Rationale for the suggested wording:

1. The 15 days are currently in the animal health requirements as a period during which there was no contact with an equine animal suffering from an infectious or contagious disease.
2. For point 4, the extension to 30 days (from currently 10 days) would allow EU horses to travel within the EU for the same 30 days as currently provided for in the case of re-entry after temporary export.
3. TRACES should allow to insert the establishment of usual residence as the place of dispatch and destination.
4. Available reference documents: OIE Code Chapter 4.16.2. (HHP).

Article 4.16.2.

Criteria for the inclusion of horses in the high health status subpopulation

1. High health status

Each horse in the [subpopulation](#) is subjected to specific measures to establish its health status, and preserve its health status and that of the other horses in the [subpopulation](#).

These measures comprise a specific set of [laboratory](#) tests, treatments, isolation periods and [vaccinations](#) appropriate to the disease status of the country or region of usual residence and temporary import of the horse. Records of all treatments and [vaccinations](#), and results of tests and clinical examinations are documented in an individual passport that complies with Chapter [5.12](#).

2. Identification and traceability

Consistent with the provisions of Chapters [4.1](#), and [4.2](#), horses in the [subpopulation](#) are individually identified as follows:

- a. Each horse bears a permanent unique identifier, preferably a microchip.
  - b. Each horse is accompanied at all times by its individual passport that contains information on the horse's unique identifier.
  - c. Each horse has an attachment to its passport that identifies it as a member of the high health status [subpopulation](#).
  - d. Horses are registered in an international database that contains relevant information linked to the passport and the identifier to which [Veterinary Authorities](#) have access.
3. Management of the subpopulation
- a. In the course of each veterinary examination of a horse, its passport is checked, its identity verified and the details of any tests and treatments, including [vaccinations](#), are recorded and signed by the examining [veterinarian](#).

For certification purposes, the passport is examined, verified and signed by an [Official Veterinarian](#), in accordance with Article [5.2.2](#). For international movements of not more than

90 days, HHP horses should be accompanied by an [international veterinary certificate](#) in accordance with the [Terrestrial Code](#).

- b. The high health status of each horse in the [subpopulation](#) is maintained by ensuring compliance at all times with an international biosecurity plan approved by the [Veterinary Authorities](#) of the [importing](#) and [exporting countries](#), in accordance with the relevant recommendations of the OIE. This compliance is assured and validated through continual veterinary supervision of horses at the [establishment](#) of usual residence, during transport and at competition venues. This supervision is provided by [veterinarians](#) authorised for that purpose by a [Veterinary Authority](#). Non-compliance results in suspension of the high health status of the horse.
- c. An appropriate qualification period is required for entry or re-entry of a horse into the [subpopulation](#). The procedures for qualification should be described in the international biosecurity plan.
- d. A maximum period is set for each absence of a horse from its country of usual residence, as specified in the international biosecurity plan.

If the proposed definition of "registered equidae/horses" is compared with OIE then:

- Point 1 is fulfilled with regard to listed diseases, because equidae cannot be moved from any establishment which is under health restrictions for listed diseases;
- Point 2 is fulfilled with the AHL requirements for the registration of establishments, the registration of equidae on establishments, the identification of equidae and the database that MS are to establish;
- Point 3 is currently not regulated in EU legislation but is relevant for simplified movement conditions

Proposed solution:

- (a) the registered horses are specifically recognised by the competent authority as being of a higher health status (sticker on the passport or similar, record in database);
- (b) an annual EIA test should be required (this is the only listed horse disease that we have in Europe);
- (c) conditions for animal health visits (Article 25(1) of AHL) may be laid down in Implementing Acts (Article 25(3)).

Consequences for imports:

- 1. Maintaining the category of registered horses would allow to accept a larger list of third countries that is necessary to maintain Europe as a centre of equestrian sports.
- 2. At the same time, making reference to Regulation (EU) 2016/1012 (Animal Breeding Regulation)<sup>5</sup> will require those countries to seek approval of breeding bodies, what is not so easy, and thus focus the introduction of registered horses to the sport.

<sup>5</sup> 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)

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

- Questions:**
1. Which establishments should be registered?
  2. Which movement into and off such establishments must be registered?
  3. How long must an equine animal be staying in particular premises before those premises must be registered under the AHL as establishments keeping equidae?

*Current Legal basis in Directive 2009/156/EC*

<b>Article 2</b>
(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;

*Current legal basis in Directive 92/35/EEC<sup>6</sup>*

<b>Article 2</b> <b>Definitions</b>
'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 basis in AHL*

<b>Article 4</b> <b>Definitions</b>
(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: <ol style="list-style-type: none"> <li>(a) households where pet animals are kept;</li> <li>(b) veterinary practices or clinics;</li> </ol>
<b>Article 84</b> <b>Obligation of operators to register establishments</b>
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: <ol style="list-style-type: none"> <li>(a) inform the competent authority of any such establishment under their responsibility;</li> <li>(b) provide the competent authority with the following information:           <ol style="list-style-type: none"> <li>(i) the name and address of the operator concerned;</li> <li>(ii) the location of the establishment and a description of its facilities;</li> <li>(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;</li> <li>(iv) the type of establishment; and</li> <li>(v) any other aspects of the establishment which are relevant for the purpose of determining the risk posed by it.</li> </ol> </li> </ol>
<b>Article 93</b> <b>Obligation of the competent authority concerning registration</b>
A competent authority shall register: <ol style="list-style-type: none"> <li>(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);</li> </ol> The competent authority shall assign each establishment with a unique registration number.
<b>Article 109</b> <b>Member States' obligation to establish and maintain a computer database of kept terrestrial animals</b>
1. The Member States shall establish and maintain a computer database for the recording of at least: <ol style="list-style-type: none"> <li>(d) the following information related to kept animals of the equine species:           <ol style="list-style-type: none"> <li>(iv) the establishments where those animals are habitually kept;</li> </ol> </li> </ol>
<b>Article 102</b>

<sup>6</sup> 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)

***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;
    - (ii) the date of such movements;

Because AHL requires registration in the central database of all establishments where equidae are habitually kept, during the previous meeting of the Expert Group of 4 April 2017 it was agreed that a definition of such an establishment is needed where a number of equidae kept and minimum period of keeping of the animals are specified. Taking into account the way equidae are kept and moved (frequent movement for a short period of time) the Commission would like to suggest the following proposal:

1. Reasoning:

In accordance with Article 4(5)(b) second subparagraph of Directive 2009/156/EC, "the competent authorities may derogate from these prohibition orders for hippodromes and racecourses, and shall notify the Commission of the nature of any derogations granted."

This possible derogation would suggest that hippodromes and racecourses are considered of a lesser health risk.

2. The AHL allows to lay down rules for establishment that may be exempted by the Member States from the registration requirement (Article 86) or exempted from certain requirements for record keeping (Article 107).

***AHL***

***Article 86***

***Implementing powers concerning the obligation of operators to register establishments***

1. (...)
2. The Commission shall, by means of implementing acts, lay down rules concerning the **types of establishments that may be exempted by the Member States from the registration requirement** in accordance with Article 85, on the basis of:
  - (a) the species, categories and numbers of kept terrestrial animals and germinal products on the establishment in question and the capacity of that establishment;
  - (b) the type of establishment; and
  - (c) the movements of kept terrestrial animals or germinal products into and out of the establishment.

***Article 107***

***Implementing powers concerning exemptions from the record-keeping requirements***

The Commission may, by means of implementing acts, lay down rules concerning the types of establishments and operators that may be exempted by Member States from the record-keeping requirements provided for in Articles 102, 103, 104 and 105, as regards:

- (a) establishments keeping, or operators handling or transporting, a small number of kept terrestrial animals or a small volume or number of germinal products;
- (b) species or categories of kept terrestrial animals or germinal products. When adopting those implementing acts, the Commission shall base those acts on the criteria laid down in Article 106(2).

.....



3. Conclusions:
- (a) All establishments keeping equidae and those that keep regularly equidae but on a temporary basis should be registered;
  - (b) It is necessary to avoid the situation with the "one-pig " holdings<sup>7</sup>;
  - (c) The registration of the establishments and the obligation to keep registers on the establishments should allow:
    - (i) an easy movement of equidae on national territory (practically only with the passport);
    - (ii) facilitate the movement across borders in general;
    - (iii) allow to maintain the concept of "tripartites" (currently Article 6 of Directive 2009/156/EC);
  - (d) It is necessary to determine the period after which a place/premises on which equidae are kept, may be temporarily, must be registered as an establishment keeping equidae.

In accordance with Article 102 of AHL, operators of establishments subject to registration are to keep records on the kept animals present and those moved into and off the establishment.

The participants of the Expert Group meeting of 4 April 2017 were willing to see in the future delegated act supplementing AHL some exemptions from this obligation for particular justified movements out of and into an establishment.

It is necessary to define the period necessary to register an establishment as an establishment keeping equidae.

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<sup>7</sup> Commission Decision 2006/80/EC of 1 February 2006 granting certain Member States the derogation provided for in Article 3(2) of Council Directive 92/102/EEC on the identification and registration of animals (OJ L 36, 8.2.2006, p. 50).

1. Reasoning:

- (a) The current Directive does not provide for a residence period but requires:

*Directive 2009/156*  
*Article 7*

1. (...)
2. The Member State of destination may, on a general or restricted basis, grant a derogation from some of the requirements of Article 4(5) for any animal bearing a special mark indicating that it is scheduled for slaughter, provided that the health certificate in accordance with Annex III mentions such derogation.

Where such derogation is granted, equidae for slaughter must be transported directly to the designated slaughterhouse and be slaughtered within **five days of arrival at the slaughterhouse**.

- (b) The Equine Passport Regulation requires:

*Regulation (EU) 2015/262<sup>8</sup>*  
*Article 27*

1. (...)
2. Irrespective of the issuing body which issued the identification document in accordance with Article 9(1), 14, 29 or 32, the keeper of an equine animal shall ensure that the identification document is lodged with the issuing body referred to in Article 5(1) appropriate for the category of equine animal in the Member State where the holding of the equine animal is located in order to provide the identification details referred to in Article 38(1) **within 30 days of:**
  - (a) issuing of the identification document in accordance with Article 9(1) by an issuing body outside the Member State where the holding is located;
  - (b) the introduction of the equine animal into the Member State where the holding is located from another Member State, with the exception of
    - (i) equidae participating in competitions, races, shows, training and hauling for a period not exceeding 90 days;
    - (ii) stallions based in the Member State for the breeding season;
    - (iii) mares based in the Member State for breeding for a period not exceeding 90 days;
    - (iv) equidae accommodated in a veterinary facility for medical reasons;
    - (v) equidae destined for slaughter within 10 days of their introduction.

2. Conclusion:

- (a) The starting point for any discussion on the minimum time allowed for an equid to reside on premises other than the establishment of usual residence without these premises being notified to the competent authorities as an establishment keeping equidae should be 5 days.
- (b) 5 days may not be the preferred option for the horse sector, because it would complicate extended rides with overnight stays at places that are not registered as establishment keeping equidae (for example a pasture of a cattle breeder). 30 days or more would allow the travelling of registered horses for 30 days, together with the derogations provided for in Article 27 of Regulation (EU) 2015/262.
- (c) Special provisions should be considered for seasonal "shuttle" horses travelling with the owner from one establishment of usual residence to a defined second establishment related to the seasonal residence of owners.

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<sup>8</sup> 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)

## 2.3. Requirements for the entry into the Union of equine animals

- Questions:**
1. Do we need different types of entry into the Union, such as temporary admission?
  2. Is current system under Directive 2009/156/EC appropriate or should it be changed? If yes, how?
  3. 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?

### *Current legal basis in Directive 2009/156/EC*

<b>Article 2</b>
(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
<b>Article 19</b>
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 <b>species or categories of equidae</b> ;
(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 <b>re-entry into Community territory after being temporarily exported</b> , shall be established;

### *Current legal provisions in Decision 2004/211/EC<sup>9</sup>*

<b>Article 2</b> <b>Definitions</b>
'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 basis in AHL*

<b>Article 229</b>
<b>Requirements for entry into the Union of animals, germinal products and products of animal origin</b>
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 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.

<sup>9</sup> 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)

**Comparison between main requirements for temporary admission and permanent imports  
Decisions 92/260/EEC and 93/197/EEC**

Type of introduction	Temporary admission	Permanent imports	Remarks
Use after introduction	Breeding, sport, races, cultural events	Breeding, sport, races, cultural events, production, eventually slaughter	
Residence	40 d Including in EU and listed TCs	90 d Including EU	OIE: Glanders/Dourine: 6 months in country which was 6 months free EIA/ WEE/EEE 3 months in establishment no case
Pre-export quarantine	30 (40) days	30 (40) days Group E vector protected	
Health Requirements	Article 4 and 5 Article 15 <ul style="list-style-type: none"> <li>Country free of AHS and VEE for 2 years</li> <li>Holding free VS 6 months</li> <li>EVA, stallions, 6 months country or test or vaccination</li> </ul>	Article 4 and 5 Article 15 <ul style="list-style-type: none"> <li>Country free of AHS and VEE for 2 years</li> <li>Holding free VS 6 months</li> <li>EVA, stallions, 6 months country free or test or vaccination</li> </ul>	AHL <ul style="list-style-type: none"> <li>VS no longer listed disease</li> <li>EVA only for semen</li> <li>EEE/WEE – not listed for trade in horses</li> <li>Borna disease not listed</li> <li>Japanese enc. not listed for trade in horses</li> </ul>
CEM	-	Holding free for 60 days of clinical CEM	AHL <ul style="list-style-type: none"> <li>CEM not a listed disease</li> </ul>
Test	EIA: <ul style="list-style-type: none"> <li>None for group A</li> <li>3 months groups B and C</li> <li>30 days groups D and E</li> </ul>	EIA <ul style="list-style-type: none"> <li>30 days for group A, C and E</li> <li>21 days for Groups B and D</li> </ul>	
	Other tests within 10 days	Other tests within 21 days	

### **Conclusions on entry into the Union:**

1. With the current residence of 3 months in the third country of origin, required for imports, the minimum requirement of 6 months for glanders and dourine, as established by OIE, are not met.
2. If we continue with 3 months residence then we need a temporary admission to facilitate the sport.
3. If we lay down only a single type of entry, i.e. only permanent imports, but allow during the 3 months residence to travel in listed third countries, this would provide some more flexibility for the sport, but the listing of third countries or the withdrawal of a suspension of a third country are not always based on animal health reasons alone.
4. If we apply only the 40 days residence as currently for temporary admission we need stricter evaluation of the countries to prevent uncontrolled triangulation.
5. Residence must be considered also for equidae for slaughter.
6. A possibility could be to have only permanent imports with 3 months residence for equidae for slaughter and what is today breeding and production and 40 days residence for registered horses; this would avoid all the hustle with following up these horses during temporary admission.

### **2.4. A single lifetime identification document**

- Questions:**
1. What should be the content and the format of a single lifetime identification document based on AHL?
  2. 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?
  3. Do we need for AH-reasons the complicated mechanisms of duplicate and replacement document, the identification document to accompany the dead animal to the rendering plant, etc.?

- Note:**
1. Animal Breeding Regulation<sup>10</sup> makes explicit reference to the single lifetime identification document to be adopted under the AHL.
  2. The future Regulation on veterinary medicinal products will make reference to a single lifetime identification document.

#### *Current legal provisions 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

<sup>10</sup> Regulation (EU) 2016/1012 of the European Parliament and of the Council 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).

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 basis 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;

### **Conclusion on Identification Document**

1. The term "single lifetime identification document" suggest that there is a mechanism to replace the document in case of loss.
2. Since equidae will be first identified in the Member State where they are born, the Member States must make arrangements for the uniqueness of the Transponder Code.
3. From an animal health point of view the reliability of the identification of equidae must not exceed the requirements for the identification of cattle (TSE).
4. The veterinary medicines legislation will most likely not provide for a sufficient legal base to replicate all requirements for the identification document as it is now in 2015/262, therefore the rules on the identification document should envisage the needs also for the medication record and exclusion from the food chain.