

Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof

2014/0032(COD) - 08/06/2016 - Final act

PURPOSE: to ensure a harmonised approach to trade in breeding animals and their germinal products and their imports into the Union and to the official controls necessary to be performed on breeding programmes carried out by breed societies and breeding operations.

LEGISLATIVE ACT: 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')

CONTENT: the Regulation establishes **new rules on the conditions applicable to breeding, trade in and entry into the Union of breeding animals, and their germinal products**. It will apply to the breeding, trade in and entry into the Union of pureblood animals of the bovine, porcine, ovine, caprine and equine species and hybrid breeding pigs and their germinal products.

The new Regulation constitutes a more comprehensive single legal framework that takes into account the "state of the art" in animal breeding **while preserving valuable animal genetic resources**. It does not deal with issues relating to cloning

The revised rules relate in particular to the following aspects:

The approval or recognition and listing of breeding organisations: breeders associations and organisations and private undertakings, may apply to the competent authorities for recognition as a breed society.

The competent authorities shall evaluate the applications and recognise as a breeding operation any applicant that complies with the requirements set out.

Where the competent authority which has recognised a breed society refuses to approve a breeding programme submitted by that breed society, the latter shall have the possibility of submitting a modified version of that breeding programme within 6 months after that refusal. If no modified version of the breeding programme has been submitted, the competent authority shall withdraw recognition.

Approval of breeding programmes: the competent authority shall evaluate breeding programmes submitted by a breed society or a breeding operation and approve them provided that:

- in the case of purebred breeding animals: (i) **the improvement of the breed**; (ii) the preservation of the breed, (iii) the creation of a new breed, (iv) the reconstruction of a breed;
- in the case of hybrid breeding pigs: (i) the improvement of the breed, line or cross, (ii) the creation of a new breed, line or cross.

However, where in a Member State one or more recognised breed societies are already carrying out an approved breeding programme on a given breed, the competent authority of that Member State should, in certain specific cases, **be allowed to refuse to approve a further breeding programme** for the same breed, even if that breeding programme complies with all the requirements necessary for approval.

Where there is a recognised need to maintain or promote the development of a breed on a certain territory, or in the case of an endangered breed, **the competent authority should itself have the possibility to carry out, on a temporary basis, a breeding programme for that breed**, provided that no breeding programme is already effectively in place for that breed.

Rights and obligations of breeders, breed societies and breeding operations: breeders shall have the right to participate in an approved breeding programme provided that:

- their breeding animals are kept on holdings located within the geographical territory of that breeding programme;
- their breeding animals belong, in the case of purebred breeding animals, to the breed, or, in the case of hybrid breeding pigs, to the breed, line or cross, covered by that breeding programme.
- breed societies and breeding operations shall have the right: (i) to define and carry out approved breeding programmes **autonomously**; (ii) **exclude breeders** from participating in a breeding programme where those breeders fail to comply with the rules of that breeding programme; (iii) **settle disputes** that may arise between breeders, and between breeders and the breed society or breeding operation, in the process of carrying out approved breeding programmes.

In addition, the new Regulation contains provisions on:

- **the entry in breeding books or registration** in breeding registers of breeding animals and offspring produced from germinal products that have entered the Union;
- **performance testing** and genetic evaluation of breeding animals;
- **the content and format of zootechnical certificates:** breeders who are participating in a breeding programme have the right to receive zootechnical certificates for their breeding animals covered by that breeding programme and for the germinal products of those animals;
- **official controls** adapted to the breeding sector;
- **administrative assistance** and cooperation and rules for enforcement by Member States;
- the performance of controls by the Commission in Member States and third countries.

In order to provide support to breed societies managing endangered breeds, where there is a recognised need, implementing powers are conferred on the Commission, enabling it to designate **European Union reference centres** charged with the specific task of promoting the establishment or harmonisation of methods used by those breed societies.

ENTRY INTO FORCE: 19.7.2016. The Regulation is applicable from 1.11.2018.

DELEGATED ACTS: the Commission may adopt delegated acts particular in order to supplement or amend the Annexes to the Regulation and in order to take account of technical developments, scientific

advances or the need to preserve valuable genetic resources. The power to adopt such acts is conferred on the Commission for a period of **five years from 19 July 2016** (which may be tacitly extended for the same period). The European Parliament or Council may raise objections to a delegated act within **two months** of the date of notification (which may be extended by three months). If Parliament or Council raise objections, the delegated act may not enter into force.