

Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing
Council Directives 90/426/EEC and 90/427/EEC as regards methods
for the identification of equidae (Text with EEA relevance) (repealed)

CHAPTER II

IDENTIFICATION DOCUMENT

Article 3

General principles and obligation to identify equidae

- 1 Equidae referred to in Article 1(1) shall not be kept unless they are identified in accordance with this Regulation.
- 2 Where the keeper has no ownership of the equine animal he shall act within the framework of this Regulation on behalf of and in agreement with the natural or legal person having the ownership of the equine animal (the owner).
- 3 For the purpose of this Regulation, the system for the identification of equidae shall be comprised of the following elements:
 - a a single lifetime identification document;
 - b a method to ensure an unequivocal link between the identification document and the equine animal;
 - c a database recording under a unique identification number the identification details relating to the animal for which an identification document was issued to a person recorded in that database.

Article 4

Issuing bodies for identification documents for equidae

- 1 Member States shall ensure that the identification document referred to in Article 5(1) for registered equidae is issued by the following bodies (issuing bodies):
 - a the organisation or association officially approved or recognised by the Member State, or by the official agency of the Member State concerned, both as referred to in the first indent of Article 2(c) of Directive 90/427/EEC, which manages the stud book for that breed of animal, as referred to in Article 2(c) of Directive 90/426/EEC; or
 - b a branch with its headquarters in a Member State of an international association or organisation which manages horses for competition or racing, as referred to in Article 2(c) of Directive 90/426/EEC.
- 2 The identification documents issued by the authorities in a third country issuing pedigree certificates in accordance with the third indent of Article 1 of Decision 96/510/EC shall be deemed valid in accordance with this Regulation for registered equidae referred to in Article 1(1)(b).
- 3 The issuing body for the identification document referred to in Article 5(1) for equidae for breeding and production shall be designated by the competent authority.

4 The issuing bodies referred to in paragraphs 1, 2 and 3 shall act in accordance with this Regulation, in particular with the provisions in Articles 5, 8 to 12, 14, 16, 17, 21 and 23.

5 Member States shall draw up and keep up to date the list of issuing bodies and make this information available to the other Member States and the public on a website.

The information on the issuing bodies shall include at least the contact details necessary to comply with the requirements of Article 19.

In order to assist the Member States in making those up to date lists available, the Commission shall provide a website to which each Member State shall provide a link to its national website.

6 The lists of issuing bodies in third countries referred to in paragraph 2 shall be prepared and updated in accordance with the following conditions:

- a the competent authority of the third country in which the issuing body is situated guarantees that:
 - (i) the issuing body complies with paragraph 2;
 - (ii) in the case of an issuing body approved in accordance with Directive 94/28/EEC, it must comply with the information requirement referred to in Article 21(3) of this Regulation;
 - (iii) lists of issuing bodies are drawn up, kept up to date and communicated to the Commission;
- b the Commission shall:
 - (i) provide the Member States with regular notifications concerning new or updated lists that it has received from the competent authorities of the third countries concerned in accordance with point (a)(iii);
 - (ii) arrange for up-to-date versions of those lists to be made available to the public;
 - (iii) where necessary, include the matter related to the list of issuing bodies in third countries, without undue delay, on the agenda of the Standing Committee on Zootechnics for decision in accordance with the procedure referred to in Article 11(2) of Council Directive 88/661/EEC⁽¹⁾.

Article 5

Identification of equidae born in the Community

1 Equidae born in the Community shall be identified by means of a single identification document in accordance with the model identification document for equidae set out in Annex I (identification document or passport). It shall be issued for the lifetime of the equine animal.

The identification document shall be in a printed indivisible format and contain entries for the insertion of the information required under the following Sections thereof:

- a in the case of registered equidae, Sections I to X;
- b in the case of equidae for breeding and production, at least Sections I, III, IV and VI to IX.

2 The issuing body shall ensure that no identification document is issued for an equine animal unless at least Section I thereof is duly completed.

3 Without prejudice to Article 1(1) of Decision 96/78/EC, and notwithstanding the provisions of paragraph 1(a) and paragraph 2 of this Article, registered equidae shall be identified in the identification document according to the rules of the issuing bodies referred to in Article 4(1) or (2) of this Regulation.

4 For registered equidae, the issuing body, as referred to in Article 4(1)(a) and (2) of this Regulation, shall complete in Section II of the identification document the information in the certificate of origin, as referred to in Article 4(2)(d) of Directive 90/427/EEC.

In accordance with the principles of the approved or recognised breeding organisation keeping the stud book of the origin of the breed of the registered equine animal concerned, the certificate of origin must contain full pedigree information, the section of the stud book referred to in Article 2 or 3 of Decision 96/78/EC and, where established, the class of the main section in which the equine animal is entered.

5 For the purpose of obtaining an identification document, an application shall be submitted by the keeper, or, where specifically required by law in the Member State where the animal is born, by the owner, within the time limits provided for in paragraph 6 of this Article and Article 7(1) for an identification document referred to in paragraph 1 of this Article, to the issuing body referred to in Article 4(1), (2) or (3), and all information necessary to comply with this Regulation shall be supplied.

6 Without prejudice to Article 13(1), equidae born in the Community shall be identified in accordance with this Regulation before 31 December of the year of birth of the equine animal or within six months following the date of birth, whatever date occurs later.

By way of derogation from the first subparagraph, Member States may decide to limit that maximum permitted period for identifying the equine animal to six months.

Member States making use of the derogation provided for in the second subparagraph shall inform the Commission and the other Member States.

7 The order of Sections and their numbering must remain unaltered in the identification document, except in the case of Section I that may be placed centrefold in the identification document.

8 The identification document shall not be duplicated or replaced, except as provided for in Articles 16 and 17.

Article 6

Derogation from the completion of Section I of the identification document

By way of derogation from Article 5(2), where a transponder is implanted in accordance with Article 11, or an individual, indelible and visible alternative mark is applied in accordance with Article 12, the information in points 3(b) to (h) of Part A of Section I and in points 12 to 18 in the outline diagram in Part B of Section I of the identification document need not be completed, or a photograph or print displaying details sufficient to identify the equine animal may be used instead of completing that outline diagram.

The derogation provided for in the first paragraph shall be without prejudice to the rules on identifying equidae laid down by the issuing bodies referred to in Article 4(1), (2) and (3).

Article 7

Derogations concerning the identification of certain equidae living under wild or semi-wild conditions

1 By way of derogation from Article 5(1), (3) and (5), the competent authority may decide that equidae constituting defined populations living under wild or semi-wild conditions in certain areas, including nature reserves, to be defined by that authority, shall be identified in accordance with Article 5 only when they are removed from such areas or brought into domestic use.

2 Member States intending to make use of the derogation provided for in paragraph 1 shall notify the Commission of the population and the areas concerned:

- a within six months of the date of entry into force of this Regulation; or
- b before making use of that derogation.

Article 8

Identification of imported equidae

1 The keeper or, where specifically required by law in the Member State where the animal is imported, the owner, shall apply for an identification document, or for the registration of the existing identification document in the database of the appropriate issuing body in accordance with Article 21, within 30 days of the date of completion of the customs procedure, as defined in Article 4(16)(a) of Regulation (EC) No 2913/92, where:

- a equidae are imported into the Community; or
- b the temporary admission defined in Article 2(i) of Directive 90/426/EEC is converted into permanent entry in accordance with Article 19(iii) of that Directive.

2 Where an equine animal, as referred to in paragraph 1 of this Article, is accompanied by papers that do not comply with Article 5(1) or lack certain information required in accordance with this Regulation, the issuing body shall on request of the keeper or, where specifically required by law in the Member State where the animal is imported, the owner:

- a complete those papers so that they meet the requirements of Article 5; and
- b record the identification details of that equine animal and the complementary information in the database in accordance with Article 21.

3 Where the papers accompanying the equidae as referred to in paragraph 1 of this Article cannot be amended to meet the requirements of Article 5(1) and (2), they shall not be considered valid for identification purposes in accordance with this Regulation.

Where the papers referred to in the first subparagraph are surrendered to or invalidated by the issuing body, that fact shall be recorded in the database referred to in Article 21 and the equidae shall be identified in accordance with Article 5.

(1) OJ L 382, 31.12.1988, p. 36.