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) (Text with EEA relevance)

CHAPTER VII

DEATH OF EQUIDAE AND EQUIDAE INTENDED FOR SLAUGHTER FOR HUMAN CONSUMPTION AND MEDICATION RECORD

Article 37

Equidae intended for slaughter for human consumption and medication record

1 An equine animal shall be deemed to be intended for slaughter for human consumption except where it is, in accordance with this Regulation, irreversibly declared as not so intended in Part II of Section II of the identification document by:

a the signature of the owner on its own discretion, endorsed by the issuing body; or

b the signatures of the keeper and of the veterinarian responsible who acts in accordance with Article 10(2) of Directive 2001/82/EC; or

c the entry made by the issuing body, when issuing a duplicate identification document in accordance with Article 29 or 30 or a replacement identification document in accordance with Article 32.

2 Prior to any treatment in accordance with Article 10(2) of Directive 2001/82/EC or to any treatment by use of a medicinal product authorised in accordance with Article 6(3) of that Directive, the veterinarian responsible as referred to in Article 10(1) of Directive 2001/82/EC shall ascertain the equine animal's status as either:

a intended for slaughter for human consumption, which shall be the default case; or

b not intended for slaughter for human consumption as set out in Part II of Section II of the identification document.

3 Where the treatment referred to in paragraph 2 of this Article is not permitted for an equine animal intended for slaughter for human consumption, the veterinarian responsible as referred to in Article 10(1) of Directive 2001/82/EC shall ensure that in accordance with the derogation provided for in Article 10(2) of Directive 2001/82/EC the equine animal concerned is prior to the treatment irreversibly declared as not intended for slaughter for human consumption by:

a completing and signing Part II of Section II of the identification document; and

b invalidating Part III of Section II of the identification document in accordance with the instructions provided for in Part III of Section II.

4 After the measures provided for in paragraph 3 have been taken, the keeper of the equine animal shall lodge the identification document with an issuing body in the Member State where the holding of the equine animal is located, or provide the information online where such access to the database is established, within a maximum period of 14 days from the date of signature in Part II of Section II of the identification document.

5 By way of derogation from paragraph 4, a Member State may adopt measures to ensure that the veterinarian responsible notifies the measures carried out in accordance with paragraph 3 within 14 days from the date of the signature in Part II of Section II of the identification document:

a either directly to the issuing body referred to in paragraph 4 and provides the information necessary for the issuing body to update the database setup in accordance with Article 39; or

b directly to the central database set up in accordance with Article 39, where it is ensured that the information is incorporated in the database set up in accordance with Article 38 by the issuing body referred to in paragraph 4.

6 Where an equine animal is to be treated under the conditions referred to in Article 10(3) of Directive 2001/82/EC, the veterinarian responsible shall enter in Part III of Section II of the identification document the requisite details of the medicinal product containing substances essential or bringing added clinical benefit for the treatment of equidae listed in Regulation (EC) No 1950/2006.

The veterinarian responsible shall enter the date of last administration, as prescribed, of that medicinal product and shall, acting in accordance with Article 11(4) of Directive 2001/82/EC, inform the keeper of the date when the withdrawal period established in accordance with Article 10(3) of that Directive will lapse.