

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)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae⁽¹⁾, and in particular Article 4(2)(c) and (d), the second indent of Article 6(2) and the first subparagraph of Article 8(1) thereof,

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Directive 90/427/EEC lays down the zootechnical conditions governing intra-Union trade in equidae. It requires Member States to ensure that registered equidae being moved are accompanied by an identification document issued by the approved breeding organisations or breeders' associations referred to in that Directive.
- (2) Directive 2009/156/EC lays down the animal health conditions for the movement and the importation from third countries of equidae. It provides that registered equidae are to be identified by an identification document issued in accordance with Directive 90/427/EEC or by an international association or organisation which manages horses for competition or racing. Equidae for breeding and production are to be identified by a method established by the Commission.
- (3) Commission Regulation (EC) No 504/2008⁽³⁾, which is applicable since 1 July 2009, lays down rules on the identification of equidae born in or imported into the Union, and sets out an identification document (equine passport) for equidae which is a multipurpose document serving animal and public health as well as zootechnical and equestrian sport's needs. With the focus on the identification document as the constitutive element of the equine identification system, that Regulation only provides for the option to incorporate the information contained in the databases of numerous

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issuing bodies into a central database or to network their databases with that central database.

- (4) Member States have encountered difficulties in implementing the measures provided for in Regulation (EC) No 504/2008. Those difficulties mainly concern the method of identification of equidae by means of the identification document.
- (5) Investigations carried out by Member States have revealed that the identification document is the target of significant fraud. The main risk represents the illegal reintroduction into the food chain of equidae previously excluded from slaughter for human consumption and treated with medicinal products not authorised for food producing animals. Following the adoption of Commission Decision 2000/68/EC⁽⁴⁾, thousands of equidae have been irreversibly excluded from slaughter for human consumption. The lack of alternatives to the life-long keeping of redundant and unwanted equidae, which have been excluded from slaughter for human consumption, has led to neglect and abandonment with serious animal health and welfare consequences. This situation has been exacerbated by the current economic situation, which makes in many cases the keeping of equidae at the end of their productive life unaffordable. In certain Member States, the problems have reached such proportions that competent authorities have launched programmes for the slaughter of redundant equidae outside the food chain.
- (6) During recent years, fly-grazing has emerged as a new phenomenon affecting owners of grazed land, since legally they have become keepers of equidae and unintentionally acquired responsibilities under Regulation (EC) No 504/2008. The unclear status of these equidae may also be relevant for the correct application of Union rules in other areas.
- (7) It has become apparent that the information recorded in the database of the issuing body at the time of issuance of the identification document quickly becomes outdated. It is thus extremely difficult, if not completely impractical, for the competent authorities to verify, in the context of certification or an identity check, whether or not an identification document is authentic and the information it contains is current and plausible and was not subject to fraudulent alterations, primarily relating to the status of the animals as intended for slaughter, but also in order to use the more favourable animal health and welfare conditions for movement of registered equidae.
- (8) In most Member States the databases of the different passport issuing bodies are not connected with each other, and for legal and administrative reasons a single passport issuing body is not a readily available option. Therefore, the establishment of a central database is considered to be the most effective solution to exchange and synchronise data between the different actors under Directives 90/427/EEC and 2009/156/EC as much as necessary to manage identification documents of equidae with the view to provide not only the required animal health guarantees but also to enable the application of those provisions in Union legislation on animal welfare and public health that have a correct and reliable identification of equidae as a prerequisite.
- (9) An inquiry carried out by the Commission in the context of the horsemeat events of 2013 showed that 23 Member States have established a central database, and two

Member States have a single database for registered equidae and equidae for breeding and production respectively. Three Member States, representing about 20 % of the 6,7 million equidae in the Union, have no centralised database.

- (10) It is therefore necessary to review the Union system for the identification of equidae in order to ensure it is safe but also user-friendly.
- (11) Imports of equidae into the territories listed in Annex I to Regulation (EC) No 882/2004 of the European Parliament and of the Council⁽⁵⁾ are subject to the conditions laid down in accordance with Directive 2009/156/EC and are authorised from third countries listed in the Annex to Commission Decision 2004/211/EC⁽⁶⁾. Typically, about 4 000 registered equidae and equidae for breeding and production are introduced each year into the Union under the conditions laid down in Commission Decision 93/197/EEC⁽⁷⁾.
- (12) When the customs procedures laid down in Regulation (EU) No 952/2013 of the European Parliament and of the Council⁽⁸⁾ are applied, it is necessary to refer in addition to Council Regulation (EEC) No 706/73⁽⁹⁾. Regulation (EEC) No 706/73 stipulates that as from 1 September 1973, Union rules are applicable in the Channel Islands and the Isle of Man in the matter of veterinary legislation.
- (13) Commission Decision 96/78/EC⁽¹⁰⁾ lays down criteria for the entry and registration of registered equidae in studbooks for breeding purposes. That Decision requires, amongst other things, that in order to be entered in the main section of a studbook of its breed an equine animal must be identified as foal at foot according to the studbook rules, which should at least require a covering certificate. In the interest of consistency of Union legislation and the ease of its application, the rules concerning the identification document should not compromise the application of the rules on the identification of equidae for the purpose of their entry in studbooks.
- (14) The methods for the identification of equidae laid down in this Regulation should also be in line with the principles established by breeding organisations approved in accordance with Commission Decision 92/353/EEC⁽¹¹⁾. In accordance with that Decision, it is for the organisation or association which maintains the studbook of the origin of the breed to establish principles governing the identification of equidae and on the division of the studbook into classes and on the lineages entered in the studbook.
- (15) To ensure a high quality of identification documents and record keeping for all equidae in the Union, Member States should ensure that those systems for the identification of registered equidae which have been entered or registered in studbooks established by approved or recognised breeding organisations or breeders' associations meet, as regards the issuing of identification documents, the conditions established for the designation by the competent authority of bodies issuing identification documents for equidae for breeding and production.
- (16) The definition of 'equidae', falling strictly within the scope of point (b) of Article 2 of Directive 2009/156/EC, should be in line with the taxonomy used in Union legislation, such as in the appendices to Council Regulation (EEC) No 3626/82⁽¹²⁾ and Commission Regulation (EU) No 206/2010⁽¹³⁾.

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- (17) As the definition of holding laid down in Council Directive 92/35/EEC⁽¹⁴⁾ includes nature reserves in which equidae live in freedom and is thus wider than that laid down in Directive 2009/156/EC, it is appropriate that the definition of holding laid down in this Regulation should also cover nature reserves in which equidae live in freedom.
- (18) Veterinary supervision necessary to provide the animal health guarantees required in accordance with Directive 2009/156/EC can only be ensured, where the holding as defined in that Directive is known to the competent authority. Similar requirements result from the application of Part A of Chapter II of Section I of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council⁽¹⁵⁾ in relation to equidae as food-producing animals. However, having regard to the frequency with which equidae are moved, it is not appropriate to establish a system whereby equidae should be traceable in real-time. Rather, identification details should be available to the competent authority and for this purpose a central database in each Member State is instrumental to manage information on equidae that are kept in that Member State.
- (19) Union legislation distinguishes between owners and keepers of animals. The term ‘keeper’ of animals is defined and used in Regulation (EC) No 1760/2000 of the European Parliament and of the Council⁽¹⁶⁾. By contrast, Directive 2009/156/EC refers to the owner or breeder of the animal. A combined definition of owner and keeper is provided for in Directive 92/35/EEC. As under Union and national legislation, the owner of an equine animal is not necessarily the person responsible for the equine animal, it is appropriate to clarify that primarily the keeper of the equine animal, who may or may not be the owner, should be responsible for the identification of equidae in accordance with this Regulation.
- (20) Under legislation in Member States or as a requirement of certain issuing bodies, information on the owner of the animal needs to be entered in the identification document and as a consequence in the database maintained by the issuing body. This information on ownership, and moreover on the change of ownership, may be provided in different formats of ownership certificates or registration cards, including the ‘carte d’immatriculation’ practiced successfully in a Member State.
- (21) Council Directive 2008/73/EC⁽¹⁷⁾ provides that Member States are to draw up, and keep up-to-date, lists of approved establishments in the veterinary and zootechnical fields and to make them available to the other Member States and to the public. In order to facilitate access by the other Member States and by the public to the lists of approved establishments, the lists should be made available electronically by Member States by means of internet-based information pages. The Commission should assist Member States in making those lists available to the other Member States and to the public by providing the internet address of a website, which should display national links to the internet-based information pages of the Member States.
- (22) In order to facilitate the exchange of information by electronic means between Member States, and to ensure transparency and comprehensibility, it is important that lists are presented following a uniform template throughout the Union. Commission Decision 2009/712/EC⁽¹⁸⁾ therefore sets out models of the layout of the aforementioned lists on the internet-based information pages established by Member States.

- (23) Regulation (EC) No 504/2008 provides that equidae are not to be kept unless they are identified in accordance with that Regulation. The Commission has had to respond to several complaints concerning domestic horse populations living outside holdings in conditions that were not compatible with those described as semi-wild in that Regulation. It is therefore necessary to clarify, that equidae living in the Union are to be identified and as a second step to provide for a derogation where that condition cannot be met.
- (24) Equidae living in the Union should be identified by a lifetime identification document that provides a narrative and a diagrammatical description of the equine animal and records the individual marks of that animal for the purpose of identity verification. These marks may be either inherited, such as more than three whorls, chestnuts, colour marks, rare eye pigment defects, specific muscle depressions, but also detail-rich structures of iris or retina, specific genetic markers (DNA profile) or they may be acquired, such as saddle sore depigmentation and scars, including those from castration of stallions, or a brand.
- (25) Identification documents should not be issued unless completed with the required identification details which are to be recorded in the database of the issuing body in accordance with this Regulation.
- (26) In addition, the certificate of origin, provided for in Directive 90/427/EEC, to be incorporated in the identification document should mention all necessary information to ensure that equidae which are moved between different studbooks are entered in the class of the studbook the criteria of which they meet.
- (27) In accordance with Commission Decision 96/510/EC⁽¹⁹⁾, the pedigree and zootechnical certificate for registered equidae must be in conformity with the identification document as laid down in Commission Decision 93/623/EEC⁽²⁰⁾. As Decisions 93/623/EEC and 2000/68/EC were repealed by Regulation (EC) No 504/2008, it is necessary to clarify that any reference to those Decisions should be construed as reference to this Regulation.
- (28) The bodies issuing identification documents for registered equidae should be the organisations or associations which maintain or establish studbooks for registered equidae that are officially approved or recognised by the competent authority of a Member State in accordance with Decision 92/353/EEC, or an official agency of the Member State which manages the studbook in which the equine animal is entered or registered for breeding purposes in accordance with Decision 96/78/EC. Furthermore, national branches of international organisations or associations, which manage horses for competition or racing and have their headquarters in a Member State should also be able to act as a body issuing identification documents for registered horses.
- (29) Member States should be afforded more discretion in relation to the issuing bodies that issue identification documents for equidae for breeding and production. It should be possible for those identification documents to be issued by the competent authority for the holding where the equine animal is kept at the time of its identification or an issuing body designated and supervised by that competent authority.

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- (30) The competent authority responsible for the approval or recognition of organisations or associations establishing studbooks in accordance with the Annex to Decision 92/353/EEC should cooperate with the competent authority referred to in Regulation (EC) No 882/2004 to ensure, where necessary by way of cooperation across borders, that identification documents for equidae are issued and used in accordance with this Regulation.
- (31) Since all equidae born in or imported into the Union should be identified in accordance with this Regulation by means of a single identification document issued for their lifetime, special provisions are necessary in cases where the status of an animal as ‘equidae for breeding and production’ is changed into ‘registered equidae’ within the meaning of Directive 2009/156/EC. Given the far reaching consequences of such a change for the movement, trade in and importation into the Union from third countries of equidae as regards the applicable animal health rules laid down in Directive 2009/156/EC, but also as regards the animal welfare rules governing such movements in accordance with Council Regulation (EC) No 1/2005⁽²¹⁾, it is necessary for the competent authority to have a single point of access, namely a central database, to verify the identification details of equidae required for certification or official controls.
- (32) Member States should be able to establish specific regimes for the identification of equidae roaming in wild or semi-wild conditions in defined areas or territories, including nature reserves, for the sake of consistency with the definition of holding laid down in Directive 92/35/EEC. However, any such derogation from the general obligation to identify equidae should be granted only where those defined populations of equidae living under wild or semi-wild conditions are effectively separated from equidae in any form of domestic use and remain not only outside of human control for their survival and reproduction, but also outside of the scope of Council Directive 98/58/EC⁽²²⁾ which does not apply to animals living in the wild.
- (33) To verify the identity of an equine animal, the identification document should contain first of all a high quality description of the equine animal consisting of a narrative describing the equine animal and its marks, and a detailed outline diagram displaying the individual and distinguishing marks of the equine animal.
- (34) To ensure that equidae are correctly described in their accompanying identification documents, issuing bodies should endeavour to follow best practices and train the personnel entrusted with the description of the animals for example by following the guidelines provided by the *Fédération Équestre Internationale*⁽²³⁾ and of the *Weatherbys*⁽²⁴⁾.
- (35) The marks of an equine animal and the means of identification applied to it, which in combination are used for the purpose of identity verification, should not only establish an unequivocal link between the equine animal and its identification document, but should also show that this equine animal has undergone the process of identification in accordance with this Regulation so that not more than one identification document is issued in respect of a single animal. Electronic identifiers (‘transponders’) for equidae are already used widely at international level. That technology should be used to ensure a close link between the equine animal and its identification document, although

provision should be made for alternative methods to be used for the verification of the identity of the equine animal provided that those alternative methods deliver equivalent guarantees to prevent multiple issuing of identification documents.

- (36) Transponders used for the marking of equidae and the reading devices to display the code embedded in the transponder should comply with internationally agreed standards. Those standards provide for two different systems to ensure the uniqueness of the transponder code. The majority of Member States have implemented Regulation (EC) No 504/2008 in such a way as to use a three-digit alpha-numeric country code and to manage the distribution of the transponders through their competent authorities.
- (37) That system of ensuring the uniqueness of the transponder code should be integrated into the design of the databases maintained by issuing bodies and the central database implemented without compromising trade in and imports into the Union of equidae marked by a transponder displaying an alpha-numeric code of a different design.
- (38) Council Directive 90/425/EEC⁽²⁵⁾ provides for veterinary checks to be carried out on certain animals and products at their place of destination. In particular, it provides that the consignees appearing on the certificate or document provided for in that Directive must, at the request of the competent authority of the Member State of destination and to the extent necessary to carry out those checks, report in advance the arrival of animals and products from another Member State and, in particular, the nature of the consignment and the anticipated arrival date. That notification is not required for registered horses bearing an identification document provided for by Directive 90/427/EEC.
- (39) While equidae must always be accompanied by their identification documents in accordance with current Union legislation, provision should be made to derogate from that requirement when it is impossible or even impractical with the view to the retention of the identification document throughout the lifetime of the equine animal, or where such a document was not issued taking into account the slaughter of the animal before it reaches the required maximum age for identification.
- (40) Member States should also be permitted to allow a simplified identification document to be used for equidae being moved within their territory. Plastic cards with embedded computer chips ('smart cards') have been introduced as data storage devices in various areas. It should be possible to issue such smart cards as an option in addition to the identification document and to use them under certain conditions instead of the identification document accompanying registered equidae or equidae for breeding and production during movements within a Member State.
- (41) It is also necessary to provide for cases where the original identification document issued in accordance with this Regulation for the lifetime of the equine animal is lost, is no longer legible or contains incorrect information which are not the result of illegal practices. Those provisions should, as far as possible, exclude the unlawful possession of more than one identification document in order to describe correctly the equine animal's status as intended for slaughter for human consumption. Where sufficient and verifiable information is available, a duplicate identification document should be issued which is marked as such, and generally excludes the equine animal from slaughter for

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- human consumption. In other cases, a replacement identification document should be issued, equally marked as such and excluding the equine animal from slaughter for human consumption, that in addition should define the animal as an equine animal for breeding and production.
- (42) Those procedures should also apply to equidae that are presented for identification after the established deadline for the first identification because fraudulent practices and the intention to obtain an additional identification document cannot be excluded.
- (43) In certain cases, where equidae are entered or registered for entry in studbooks maintained by breeding organisations in third countries, specific provisions are necessary that allow the equine animal to maintain its registration in that studbook and at the same time to ensure its exclusion from the food chain by appropriate entries in that identification document.
- (44) In accordance with Directive 2009/156/EC, the identification document is an instrument to restrict the movement of equidae in the case of an outbreak of a compulsorily notifiable disease on the holding where they are kept or bred. It is therefore necessary to provide for the suspension of the validity of that identification document for movement purposes in the event of an outbreak of certain diseases by an appropriate entry in the identification document.
- (45) In addition, Directive 2009/156/EC requires that registered equidae when they leave their holding are identified by means of an identification document, which must certify in particular that the equidae do not come from a holding which has been subject to certain prohibition orders. It is therefore appropriate to make the dedicated Section in the model identification document compulsory for all equidae and to reword it accordingly.
- (46) On the death of equidae other than by slaughter at a slaughterhouse, the identification document, if it accompanies the carcass pursuant to national legislation, should be returned to the issuing body by the authority supervising the processing of the dead animal in accordance with Regulation (EC) No 1069/2009 of the European Parliament and of the Council⁽²⁶⁾ or the cremation in low-capacity incinerators referred to in Chapter III of Annex III to Commission Regulation (EU) No 142/2011⁽²⁷⁾, and it should be ensured that the transponder, or any alternative methods used to verify the identity of equidae, cannot be recycled.
- (47) To prevent transponders from entering the food chain, meat from equine animals from which it has not been possible to remove the transponder at the time of slaughter should be declared unfit for human consumption in accordance with Chapter V of Section II of Annex I to Regulation (EC) No 854/2004. To ease the location of the implanted transponders, the place of implantation should be standardised and recorded in the identification documents.
- (48) In accordance with Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽²⁸⁾, live animals prepared for placing on the market for human consumption are defined as food. That Regulation provides for far-reaching responsibilities of

food business operators throughout all stages of the production of food, including the traceability of food-producing animals.

- (49) Equidae for breeding and production, as well as registered equidae, may become equidae for slaughter as defined in Directive 2009/156/EC at a certain stage of their lifetime. Meat of solipeds, synonymous for equidae, is defined in point 1 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council⁽²⁹⁾, which lays down specific hygiene rules for food of animal origin.
- (50) After the transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 have elapsed in accordance with Commission Regulation (EC) No 2076/2005⁽³⁰⁾, food chain information requirements for equidae have been implemented since 1 January 2010.
- (51) Regulation (EC) No 853/2004 provides that the slaughterhouse operator is to receive, check and act upon food chain information providing details on the origin, history and management of animals intended for food production. The competent authority may allow food chain information on domestic solipeds to be sent to the slaughterhouse at the same time as the animals, rather than being sent in advance. The identification document accompanying equidae for slaughter should therefore form a part of that food chain information.
- (52) Regulation (EC) No 854/2004 provides that the official veterinarian is to verify compliance with the food business operator's duty to ensure that animals accepted for slaughter for human consumption are properly identified.
- (53) Regulation (EC) No 853/2004 provides that food business operators are to check passports accompanying domestic solipeds to ensure that the animal is intended for slaughter for human consumption and if they accept the animal for slaughter they are to give the passport to the official veterinarian.
- (54) Given the specific situation of equidae which are born as animals of a food producing species, but which are not in all cases primarily bred for that purpose and are in the majority of cases not kept throughout their lives by food business operators as defined in point 3 of Article 3 of Regulation (EC) No 178/2002, it is necessary to provide for a procedure that ensures a seamless connection from the checks on the identification document for public health reasons to the management of that document in accordance with Directive 2009/156/EC. A central database in each Member State is therefore instrumental to verify certain details of and in an identification document before a decision is taken to accept that animal for slaughter for human consumption. In the case where the information as regards the exclusion from slaughter for human consumption in Section II of the identification document does not match the information recorded in the central database, the information contained in either of them which leads to the exclusion of the equine animal from slaughter for human consumption should prevail.
- (55) Council Directive 96/22/EC⁽³¹⁾ applies to farm animals, including domestic solipeds, as well as wild animals of those species which have been raised on a holding. Article 7 of that Directive allows trade in registered equidae to which veterinary medicinal products containing allyl trenbolone or beta-agonists have been administered for zootechnical

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- purposes to take place before the end of the withdrawal period, provided that the conditions governing the administration are fulfilled and that the type and date of treatment are entered on the certificate or passport accompanying these animals.
- (56) Point (b) of Article 2 of Regulation (EC) No 470/2009 of the European Parliament and of the Council⁽³²⁾ defines food producing animals as ‘animals bred, raised, kept, slaughtered or harvested for the purposes of producing food’. Article 16 of that Regulation provides that only pharmacologically active substances which are classified in accordance with Article 14(2)(a), (b) or (c) of that Regulation may be administered to food-producing animals within the Union provided that such administration is in accordance with Directive 2001/82/EC of the European Parliament and of the Council⁽³³⁾.
- (57) Article 6 of Directive 2001/82/EC provides that a veterinary medicinal product may not be the subject of a marketing authorisation for the purpose of administering it to one or more food-producing species unless the pharmacologically active substances which it contains are included in Annex I, II or III to Regulation (EEC) No 2377/90. The rules laid down in those Annexes are now set out in Commission Regulation (EU) No 37/2010⁽³⁴⁾. However, by way of derogation a veterinary medicinal product containing pharmacologically active substances not included in Annex I, II or III to Regulation (EEC) No 2377/90 may be authorised for particular animals of the equidae family that have been declared, in accordance with Union animal health legislation as not being intended for slaughter for human consumption. Such veterinary medicinal products must neither include active substances that appear in Annex IV to Regulation (EEC) No 2377/90 nor be intended for use in the treatment of conditions, as detailed in the authorised Summary of Product Characteristics, for which a veterinary medicinal product is authorised for animals of the equidae family. Consequently, provisions should be made that an equine animal may be excluded from slaughter for human consumption on the discretion of the owner of the animal.
- (58) Article 10(2) and (3) of Directive 2001/82/EC provides for specific derogations for equidae from Article 11 of that Directive, relating to the treatment of food-producing animals with medicinal products that have an established maximum residue limit for species other than the target species or are authorised for a different condition, provided that those equidae are identified in accordance with Union legislation and specifically marked in their identification document as not intended for slaughter for human consumption or as intended for slaughter for human consumption following a withdrawal period of at least 6 months after they have been treated with substances listed in Commission Regulation (EC) No 1950/2006⁽³⁵⁾.
- (59) In accordance with Directive 2001/82/EC, Member States are to ensure that the owners or keepers of food-producing animals can provide proof of purchase, possession and administration of veterinary medicinal products to such animals for 5 years after their administration, including when the animal is slaughtered during the 5-year period. It is therefore necessary for the application of that legislation that the slaughter of an equine animal is promptly inserted in the central database of the Member State where the holding of the animal is located.

- (60) In order to maintain control over the issuing of identification documents, a minimum set of relevant data relating to the issuing of such documents should be recorded in a database maintained by the issuing body.
- (61) The Universal Equine Life Number (UELN) system has been agreed worldwide between the major horse-breeding and competition organisations. It has been developed on the initiative of the World Breeding Federation for Sport Horses (WBFSH), the International Stud-Book Committee (ISBC), the World Arabian Horse Organization (WAHO), the European Conference of Arabian Horse Organisations (ECAHO), the *Conférence Internationale de l'Anglo-Arabe (CIAA)*, the *Fédération Equestre Internationale (FEI)* and the *Union Européenne du Trot (UET)* and information on this system can be consulted on the UELN website⁽³⁶⁾.
- (62) The UELN system is suitable for the registration of both registered equidae and equidae for breeding and production and allows computerised networks to be brought in gradually to ensure that the animals' identity can continue to be verified in accordance with Article 6 of Directive 90/427/EEC in the case of registered equidae.
- (63) When codes are assigned to databases, those codes and the format of the recorded identification numbers of individual animals should in no way conflict with the established UELN system. Therefore, the list of assigned UELN codes should be consulted before any new code is assigned to a database.
- (64) Directive 2009/156/EC requires the official veterinarian to record the identification number or identification document number of the slaughtered equidae, and to forward to the competent authority at the place of dispatch, at the latter's request, an attestation to the effect that the animal has been slaughtered. It should therefore be clarified that in such cases the identification documents must be destroyed at the place of slaughter to prevent the fraudulent use of identification documents from slaughtered equine animals.
- (65) That Directive also provides that after registered horses are slaughtered, which includes killing, for disease control purposes, their identification documents are to be returned to the body that issued them. Those requirements should also apply to identification documents issued for registered equidae other than registered horses and equidae for breeding and production.
- (66) To ensure that the databases of issuing bodies contain up-to-date information, it is necessary to establish a flow of information on the death or loss of the animal in the database of the body which issued the document and in the central database in the Member State where the holding is located on which the equine animal was kept.
- (67) Recording a UELN-compatible life number and using it to identify the authorities or bodies which issued the identification document should facilitate compliance with those requirements. Where possible, Member States should use the liaison bodies they have designated in accordance with Regulation (EC) No 882/2004.
- (68) By compulsory recording of the applicant for an identification document, who is, within the time limit of less than 12 months after the birth of the animal, the breeder and usually the owner of the animal for which an identification document is issued, together with

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the obligation to notify to the issuing body any change of usual residence of the equine animal to a different Member State, a chain of information can be built up to trace an animal where necessary.

- (69) In accordance with Regulation (EC) No 504/2008, identification details are to be updated in the identification document by the issuing body that issued the document. Member States have reported the reluctance of owners of equidae to submit by mail the identification document to issuing bodies for the updating of identification details, even more so where the issuing body is located abroad. This reluctance is based on fears to lose the identification document and consequently to have the equine animal identified by a duplicate or replacement identification document which excludes the animal from slaughter for human consumption and substantially decreases the value of the animal.
- (70) To ease the management of the identification document throughout the lifetime of the animal, it is necessary to introduce procedures for the registration of the identification document in the Member State of usual residence especially where the identification document was issued in a different Member State. The necessary communication with the issuing body who carried out the initial identification is best achieved by the exchange of information between the central databases of the Member States concerned.
- (71) In addition, issuing bodies may lose their approval or designation while the identification documents issued remain valid documents for animal and public health purposes. It is therefore necessary to back up the information in the identification document by means of a database that is accessible to the competent authorities in the field of animal and public health and animal welfare.
- (72) Because there is usually more than one issuing body in each Member State, equidae frequently move between holdings and between Member States, they change their status from 'equidae for breeding and production' to 'registered equidae' or from food producing animals to animals which are excluded from slaughter for human consumption and because registered equidae may be identified by an organisation keeping a studbook which has its headquarters in another Member State, it is inevitable, necessary and appropriate for the effective implementation of Directives 90/427/EEC and 2009/156/EC to establish a central database in each Member State that contains records of identification details of all equidae kept on holdings located in the respective Member State.
- (73) However, it would be permissible that those Member States that have set up a single database for registered equidae and another for equidae for breeding and production continue to operate such system, provided the databases can communicate and the veterinary authorities have full access to each of them.
- (74) For that purpose, the central databases in different Member States should cooperate in accordance with Council Directive 89/608/EEC⁽³⁷⁾ to facilitate the exchange of data relating to the animal and the identification document issued for it.
- (75) With a view to the uniform application of Union legislation on the identification of equidae in the Member States and to ensure that it is clear and transparent, Regulation (EC) No 504/2008 should be repealed and replaced by this Regulation.

- (76) In accordance with point 24 of the Annex to Commission Regulation (EU) No 519/2013⁽³⁸⁾, equidae which were born in Croatia by 30 June 2013 at the latest and not identified in accordance with Regulation (EC) No 504/2008 shall be identified in accordance with the latter Regulation by 31 December 2014 at the latest.
- (77) This Regulation should apply from 1 January 2016 in order to give Member States and operators the time to adapt to the new rules. However, the requirement to establish and operate a central database should apply in Greece, Sweden and the United Kingdom from 1 July 2016.
- (78) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed and the Standing Committee on Zootechnics,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 224, 18.8.1990, p. 55.](#)
- (2) [OJ L 192, 23.7.2010, p. 1.](#)
- (3) 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 ([OJ L 149, 7.6.2008, p. 3.](#))
- (4) Commission Decision 2000/68/EC of 22 December 1999 amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production ([OJ L 23, 28.1.2000, p. 72.](#))
- (5) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ([OJ L 165, 30.4.2004, p. 1.](#))
- (6) 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 73, 11.3.2004, p. 1.](#))
- (7) Commission Decision 93/197/EEC of 5 February 1993 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production ([OJ L 86, 6.4.1993, p. 16.](#))
- (8) Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ([OJ L 269, 10.10.2013, p. 1.](#))
- (9) Council Regulation (EEC) No 706/73 of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products ([OJ L 68, 15.3.1973, p. 1.](#))
- (10) Commission Decision 96/78/EC of 10 January 1996 laying down the criteria for entry and registration of equidae in stud-books for breeding purposes ([OJ L 19, 25.1.1996, p. 39.](#))
- (11) Commission Decision 92/353/EEC of 11 June 1992 laying down the criteria for the approval or recognition of organisations and associations which maintain or establish stud-books for registered equidae ([OJ L 192, 11.7.1992, p. 63.](#))
- (12) Council Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora ([OJ L 384, 31.12.1982, p. 1.](#))
- (13) Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements ([OJ L 73, 20.3.2010, p. 1.](#))
- (14) 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.](#))
- (15) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ([OJ L 139, 30.4.2004, p. 206.](#))
- (16) Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ([OJ L 204, 11.8.2000, p. 1.](#))
- (17) Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC ([OJ L 219, 14.8.2008, p. 40.](#))
- (18) Commission Decision 2009/712/EC of 18 September 2009 implementing Council Directive 2008/73/EC as regards internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation ([OJ L 247, 19.9.2009, p. 13.](#))

- (19) Commission Decision 96/510/EC of 18 July 1996 laying down the pedigree and zootechnical certificates for the importation of breeding animals, their semen, ova and embryos (OJ L 210, 20.8.1996, p. 53).
- (20) Commission Decision 93/623/EEC of 20 October 1993 establishing the identification document (passport) accompanying registered equidae (OJ L 298, 3.12.1993, p. 45).
- (21) Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).
- (22) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23).
- (23) http://www.cwbc.be/bibliotheque/File/livret_fei_en.pdf
- (24) <http://www.weatherbys.co.uk/sites/default/files/Identification%20of%20Horses%20Booklet.pdf>
- (25) Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra- Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29).
- (26) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).
- (27) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).
- (28) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).
- (29) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55).
- (30) Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83).
- (31) Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of β -agonists and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC (OJ L 125, 23.5.1996, p. 3).
- (32) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).
- (33) Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p. 1).
- (34) Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).
- (35) Commission Regulation (EC) No 1950/2006 of 13 December 2006 establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of equidae and of substances bringing added clinical benefit (OJ L 367, 22.12.2006, p. 33).
- (36) <http://www.ueln.net>
- (37) Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the

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Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34).

- (38) Commission Regulation (EU) No 519/2013 of 21 February 2013 adapting certain regulations and decisions in the fields of free movement of goods, freedom of movement for persons, right of establishment and freedom to provide services, company law, competition policy, agriculture, food safety, veterinary and phytosanitary policy, fisheries, transport policy, energy, taxation, statistics, social policy and employment, environment, customs union, external relations, and foreign, security and defence policy, by reason of the accession of Croatia (OJ L 158, 10.6.2013, p. 74).

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