

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') (Text with EEA relevance)

CHAPTER I U.K.

General Provisions

Article 1 U.K.

Subject matter and scope

- 1 This Regulation lays down:
- a zootechnical and genealogical rules for trade in breeding animals and their germinal products, and for their entry into the [F1 United Kingdom];
 - b rules for the recognition of breed societies and breeding operations and for the approval of their breeding programmes;
 - c the rights and obligations of breeders, breed societies and breeding operations;
 - d rules for the entry of breeding animals in breeding books and breeding registers and for the acceptance for breeding of breeding animals and their germinal products;
 - e rules for the performance testing and genetic evaluation of breeding animals;
 - f rules for the issuing of zootechnical certificates for breeding animals and their germinal products;
 - g rules for the performance of official controls, and in particular those on breed societies and breeding operations, and rules for the performance of other official activities;
 - h rules for administrative assistance and cooperation F2 ...;
- F3;
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2 This Regulation applies to breeding animals and their germinal products where those animals or the offspring resulting from those germinal products are intended to be entered as purebred breeding animals in a breeding book or registered as hybrid breeding pigs in a breeding register.

3 This Regulation does not apply to breeding animals and their germinal products where those animals and germinal products are intended for technical or scientific experiments carried out under the supervision of the competent authorities.

4 Article 9(4), Article 13, Article 14(3) and (4), Articles 23 and 24, Article 28(2) and Article 36(1) do not apply to private undertakings, recognised as breeding operations, which operate in closed production systems.

F45

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2016/1012 of the European Parliament and of the Council, CHAPTER I. (See end of Document for details)

Textual Amendments

- F1** Words in Art. 1(1)(a) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(1)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 1(1)(h) omitted (31.12.2020) by virtue of [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(1)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 1(1)(h)(i) omitted (31.12.2020) by virtue of [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(1)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 1(5) omitted (31.12.2020) by virtue of [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(1)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 2 **U.K.**

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘animal’ means a domestic animal of:
- (a) the bovine species (*Bos taurus*, *Bos indicus* and *Bubalus bubalis*);
 - (b) the porcine species (*Sus scrofa*);
 - (c) the ovine species (*Ovis aries*);
 - (d) the caprine species (*Capra hircus*); or
 - (e) the equine species (*Equus caballus* and *Equus asinus*);
- (1A) [^{F5}‘appropriate authority’ means, subject to point (1B)—
- (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers;
 - (d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
- (1B) the ‘appropriate authority’ is the Secretary of State, if consent is given by—
- (a) in relation to Wales, the Welsh Ministers;
 - (b) in relation to Scotland, the Scottish Ministers;
 - (c) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;]

(2) ‘breed’ means a population of animals sufficiently uniform to be considered to be distinct from other animals of the same species by one or more groups of breeders which have agreed to enter those animals in breeding books with details of their known ascendants for the purpose of reproducing their inherited characteristics by way of reproduction, exchange and selection within the framework of a breeding programme;

(3) ‘breeding animal’ means a purebred breeding animal or a hybrid breeding pig;

- (4) ‘germinal products’ means semen, oocytes and embryos collected or produced from breeding animals for the purpose of assisted reproduction;
- (5) ‘breed society’ means any breeders' association, breeding organisation or public body, other than competent authorities, which is recognised by the competent authority of [F⁶a constituent territory of the United Kingdom] in accordance with Article 4(3) for the purpose of carrying out a breeding programme on purebred breeding animals entered in the breeding book(s) it maintains or establishes;
- (6) ‘breeding operation’ means any breeders' association, breeding organisation, private undertaking operating in a closed production system or public body, other than competent authorities, which is recognised by the competent authority of [F⁷a constituent territory of the United Kingdom] in accordance with Article 4(3) for the purpose of carrying out a breeding programme on hybrid breeding pigs registered in the breeding register(s) it maintains or establishes;
- (7) ‘breeding body’ means any breeders' association, breeding organisation, private undertaking, stock-rearing organisation or official service in a third country which, in respect of purebred breeding animals of the bovine, porcine, ovine, caprine or equine species or of hybrid breeding pigs, has been accepted by that third country in connection with the entry into the [F⁸United Kingdom] of breeding animals for breeding;
- (8) ‘competent authorities’ means the authorities of [F⁹a constituent territory of the United Kingdom] which are responsible, pursuant to this Regulation, for:
- (a) the recognition of breed societies and breeding operations and the approval of the breeding programmes they carry out on breeding animals;
 - (b) official controls on operators;
 - (c) the provision of assistance to other [F¹⁰competent authorities in the United Kingdom] and third countries in case of detected non-compliances;
 - (d) official activities other than those referred to in points (a) and (c);
- (8A) [F¹¹‘the EU Regulation’ means Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry in the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof, as it has effect in EU law, as amended from time to time;
- (8B) ‘third country’ means any country or territory other than—
- (a) the United Kingdom;
 - (b) the Bailiwick of Jersey;
 - (c) the Bailiwick of Guernsey;
 - (d) the Isle of Man;]
- (9) ‘purebred breeding animal’ means an animal which is entered or registered and eligible for entry in the main section of a breeding book;
- (10) ‘hybrid breeding pig’ means an animal of the porcine species registered in a breeding register, which is produced by deliberate cross-breeding or used for deliberate cross-breeding between:

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- (a) purebred breeding pigs of different breeds or lines;
 - (b) breeding pigs which are themselves the outcome of a cross (hybrid) between different breeds or lines;
 - (c) breeding pigs belonging to one or the other of the categories referred to in (a) or (b);
- (11) ‘line’ means a genetically stable and uniform subpopulation of purebred breeding animals of a particular breed;
- (12) ‘breeding book’ means:
- (a) any herd-book, flock-book, stud-book, file or data medium which is maintained by a breed society consisting of a main section and, where the breed society so decides, of one or more supplementary sections for animals of the same species that are not eligible for entry in the main section;
 - (b) where appropriate, any corresponding book maintained by a breeding body;
- (13) ‘main section’ means the section of a breeding book in which purebred breeding animals are entered or registered and eligible for entry with details of their ascendants and, where applicable, their merits;
- (14) ‘class’ means a horizontal division of the main section in which purebred breeding animals are entered according to their merits;
- (15) ‘merit’ means a quantifiable heritable characteristic or a genetic peculiarity of a breeding animal;
- (16) ‘breeding value’ means an estimate of the expected effect of the genotype of a breeding animal on a given characteristic in its progeny;
- (17) ‘breeding register’ means:
- (a) any file or data medium which is maintained by a breeding operation in which hybrid breeding pigs are registered with details of their ascendants;
 - (b) where appropriate, any corresponding register maintained by a breeding body;
- (18) ‘official control’ means any type of control that the competent authorities perform in order to verify compliance with the rules laid down in this Regulation;
- (19) ‘other official activities’ means any activity other than an official control which is performed by competent authorities in accordance with this Regulation in order to ensure the application of the rules laid down in this Regulation;
- (20) ‘zootechnical certificate’ means breeding certificates, attestations or commercial documentation which are issued on paper or in electronic form for breeding animals and their germinal products and which provide information on pedigree, identification and, where available, results of performance testing or genetic evaluation;
- (21) [F12: ‘entering the United Kingdom’ or ‘entry into the United Kingdom’ means the action of bringing breeding animals or their germinal products into the United Kingdom;]

- (21A) [^{F13}‘entering Great Britain’ means the action of bringing breeding animals or their germinal products into Great Britain;]
- (22) ‘trade’ means the action of buying, selling, exchanging or otherwise acquiring or releasing animals or their germinal products within the [^{F14}United Kingdom];
- (23) ‘operator’ means any natural or legal person subject to the rules provided for in this Regulation, such as breed societies, breeding operations, third parties that have been designated by breed societies or breeding operations in accordance with Article 27(1) (b), semen collection and storage centres, embryo storage centres, embryo collection or production teams, and breeders;
- (24) ‘endangered breed’ means a local breed, recognised by [^{F15}an appropriate authority to be endangered, genetically adapted to one or more traditional productions systems or environments in the United Kingdom] and where the endangered status is scientifically established by a body possessing the necessary skills and knowledge in the area of endangered breeds;
- (25) ‘private undertaking operating in a closed production system’ means a private undertaking with a breeding programme in which participate either no breeders or a restricted number of breeders who are bound to that private undertaking to accept from it the supply of hybrid breeding pigs or to supply hybrid breeding pigs to it;
- (26) ‘breeding programme’ means a set of systematic actions, including recording, selection, breeding and exchange of breeding animals and their germinal products, designed and implemented to preserve or enhance desired phenotypic and/or genotypic characteristics in the target breeding population;
- (27) [^{F16}‘constituent territory of the United Kingdom’ means England, Wales, Scotland, or Northern Ireland.]

Textual Amendments

- F5** Art. 2(1A)(1B) inserted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 2(5) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(b)** (as substituted by S.I. 2020/1388, regs. 1(2)(a), 28(2)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 2(6) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(b)** (as substituted by S.I. 2020/1388, regs. 1(2)(a), 28(2)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 2(7) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 2(8) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(d)(i)** (as substituted by S.I. 2020/1388, regs. 1(2)(a), 28(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 2(8)(c) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(d)(ii)** (as substituted by S.I. 2020/1388, regs. 1(2)(a), 28(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 2(8A)(8B) inserted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(e)** (as amended by S.I. 2020/1388, regs. 1(2)(a), 28(2)(c)); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Art. 2(21) substituted (31.12.2020) by [The Animal Breeding \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/117\)](#), regs. 1, **3(2)(f)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F13** Art. 2(21A) inserted by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(2)(fa)** (as inserted by S.I. 2020/1388, regs. 1(2)(a), 28(2)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 2(22) substituted (31.12.2020) by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(2)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 2(24) substituted (31.12.2020) by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(2)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Art. 2(27) inserted (31.12.2020) by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(2)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 3 U.K.

General zootechnical and genealogical rules for trade in breeding animals and their germinal products, and for their entry into the [^{F17}United Kingdom]

1 Trade in breeding animals and their germinal products and the entry into the [^{F18}United Kingdom] of breeding animals and their germinal products shall not be prohibited, restricted or impeded on zootechnical or genealogical grounds other than those grounds resulting from the rules provided for in this Regulation.

2 Breeders of breeding animals, breed societies, breeding operations or breeding bodies shall not be discriminated against on the basis of their country of origin or of the country of origin of their breeding animals or the germinal products thereof.

Textual Amendments

- F17** Words in Art. 3 heading substituted (31.12.2020) by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 3(1) substituted (31.12.2020) by The Animal Breeding (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/117), regs. 1, **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2016/1012 of the European Parliament and of the Council, CHAPTER I.