

Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs (Text with EEA relevance)

PART III

TRACEABILITY OF KEPT TERRESTRIAL ANIMALS AND HATCHING EGGS

TITLE IV

TRACEABILITY OF KEPT EQUINE ANIMALS

CHAPTER 1

Means and methods of identification

Article 58

Obligations on operators keeping equine animals as regards the means and methods of identification of those animals, their application and use

- 1 Operators of kept equine animals shall ensure that each animal is individually identified by the following means of identification:
 - a an injectable transponder as listed in point (e) of Annex III;
 - b a single lifetime identification document.
- 2 Operators of kept equine animals shall ensure that:
 - a equine animals are identified within the time periods provided for in Article 12(1) and (2) of Regulation (EU) 2015/262;
 - b no means of identification referred to in paragraph 1 are removed, modified or replaced without the permission of the competent authority of the establishment where those animals are habitually kept.
- 3 Operators of kept equine animals, and if such operators are not the owner of the animals, acting on behalf of and in agreement with the owner of the animal, shall submit an application for the issuing of a single lifetime identification document, referred to in Article 65 or 66, to the competent authority of the establishment where the animals are habitually kept, and shall provide the competent authority with the necessary information to complete that identification document and the records in the database referred to in Article 64.

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/2035, CHAPTER 1. (See end of Document for details)

Article 59

Member States obligations for means and methods of identification of kept equine animals, their application and use

- 1 Member States may authorise the injectable transponder referred to in Article 58(1) (a) to be replaced by:
 - a a single conventional ear tag as listed in point (a) of Annex III applied to equine animals kept for meat production, provided that those animals were either born in that Member State or imported into that Member State without bearing a physical means of identification prior to entry into the Union;
 - b an alternative method authorised by the competent authority in accordance with Article 62, which establishes an unequivocal link between the equine animal and the single lifetime identification document referred to in Article 58(1)(b).
- 2 Member States shall ensure that the means of identification referred to in Article 58(1) (a) and in paragraph 1(a) of this Article comply with the following requirements:
 - a they display the identification code of the animal;
 - b they are approved by the competent authority of the Member State where the equine animals are identified in accordance with Article 58(2)(a).
- 3 Member States shall:
 - a establish procedures for application by manufacturers for approval of means of identification for kept equine animals identified in their territory;
 - b establish deadlines for submission of the applications for the issuing of identification document provided for in Article 58(1)(b).

Article 60

Derogations for the identification of kept equine animals living under semi-wild conditions

- 1 By way of derogation from Article 58(2)(a), Member States may specify populations of kept equine animals living under semi-wild conditions in certain areas of their territory, which shall only be required to be identified in accordance with Article 58(1) when they are:
 - (a) removed from such populations, excluding their transfer under official supervision from one specified population to another;or
 - (b) brought into captivity for domestic use.
- 2 Prior to making use of the derogation provided for in paragraph 1, Member States shall notify the Commission of the populations of equine animals and the areas where those animals live under semi-wild conditions.
- 3 By way of derogation from Article 58(1), Member States may authorise the application of an injectable transponder as listed in point (e) of Annex III more than 12 months prior to the issuing of an identification document in accordance with paragraph 1 of this Article, provided that the identification code of the animal displayed on the injectable transponder is recorded

by the operator at the time of implantation of the injectable transponder and transmitted to the competent authority.

Article 61

Derogations for the identification of kept equine animals moved to a slaughterhouse or accompanied by a temporary identification document

[^{X1}1 By way of derogation from Article 58(1), the competent authority may authorise the use of a simplified method of identification of equine animals intended to be moved to the slaughterhouse for which no single lifetime identification document was issued in accordance with point (a) of Article 110(1) of Regulation (EU) 2016/429, provided that:]

- a the equine animals are less than 12 months old;
- b there is an uninterrupted line of traceability of the animals from the establishment of birth to the slaughterhouse situated in the same Member State.

The equine animals must be transported directly to the slaughterhouse and during that transport they must be individually identified by injectable transponder, conventional or electronic ear tag, or conventional or electronic pastern band as listed in points (a), (b), (c), (e) or (f) of Annex III respectively.

[^{X1}2 By way of derogation from Article 58(1)(b), the competent authority shall, on request by the operator of the equine animal, issue a temporary identification document for the period of time when the identification document issued in accordance with Article 110(1)(a) of Regulation (EU) 2016/429, or Article 67 or Article 68 of this Regulation is surrendered to that competent authority in order to update identification details in that document.]

Editorial Information

- X1** Substituted by [Corrigendum to Commission Delegated Regulation \(EU\) 2019/2035 of 28 June 2019 supplementing Regulation \(EU\) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs \(Official Journal of the European Union L 314 of 5 December 2019\)](#).

Article 62

Authorisation of alternative methods of identification of kept equine animals

1 Member States may authorise suitable alternative methods of identification of kept equine animals, including the recording of marks, which ensure an unequivocal link between the equine animal and the single lifetime identification document and show that the equine animal has undergone the process of identification.

2 Member States authorising alternative methods of identification as provided for in paragraph 1 shall ensure that:

- a the alternative methods of identification are only used in exceptional cases for the identification of equine animals entered in specific breeding books or are used for specific purposes, or in case of equine animals which cannot be identified by an injectable transponder for medical or animal welfare reasons;

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/2035, CHAPTER 1. (See end of Document for details)

- b any authorised alternative method of identification or any combination of those methods provide at least the same guarantees as the injectable transponder;
- c the format of the information on the alternative method of identification applied to an equine animal must be suitable for entry in a searchable database.

Article 63

Obligation on operators using the alternative methods of identification

1 Operators making use of an authorised alternative method of identification, as provided for in Article 62(1), shall provide to the competent authority and where necessary to other operators the means of accessing that identification information or have the onus of verifying the identity of the equine animal by those authorities or operators.

2 Where alternative methods of identification are based on characteristics of the equine animal which may change over time, the operator shall provide the necessary information to the competent authority for them to update the identification document referred to in Article 62 and the database referred to in Article 64.

3 Breed societies and international associations or organisations which manage horses for competition or races may require that equine animals which were identified by use of an alternative method of identification provided for in Article 62 are to be identified by implantation of an injectable transponder for the purpose of the entry or registration of purebred breeding animals of the equine species in breeding books or the registration of horses for competition or race purposes.

Changes to legislation:

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/2035, CHAPTER 1.