

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.

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

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### 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**

[<sup>X1</sup>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.

[<sup>X1</sup>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;

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- 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.

## *CHAPTER 2*

### ***Computer database***

#### *Article 64*

#### **Rules for information in computer database of kept equine animals**

The competent authority shall store the information referred to in Article 109(1)(d) of Regulation (EU) 2016/429 in respect of kept equine animals in a computer database in accordance with the following rules:

- (a) for the establishment where those equine animals are habitually kept must be recorded:
  - (i) the unique registration number assigned to it;
  - (ii) the name and address of the operator of establishment;
- (b) for each equine animal habitually kept on the establishment must be recorded:
  - (i) the unique code;
  - (ii) where available, the identification code of the animal displayed by a physical means of identification;
  - (iii) where the injected transponder has not been approved by the competent authority of the Member State where the equine animal was identified

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- in accordance with Article 58(2), the reading system of that injected transponder;
- (iv) any information concerning new, duplicate or replacement identification documents issued for the animal;
  - (v) the species of the animal;
  - (vi) the sex of the animals, with a possibility to enter the date of gelding;
  - (vii) the date and country of birth as declared by the operator of the kept equine animal;
  - (viii) the date of natural death on the establishment or loss as declared by the operator of the kept equine animal, or the date of slaughter of that animal;
  - (ix) the name and address of the competent authority, or the issuing body to which the task was assigned, which has issued the identification document;
  - (x) the date of issuance of the identification document.
- (c) for each equine animal kept on the establishment for a period exceeding 30 days, the unique code shall be recorded; however, except in the following cases:
- (i) for equine animals participating in competitions, races, shows, training and hauling for a period not exceeding 90 days;
  - (ii) for male equine animals for breeding kept during the breeding season;
  - (iii) for female equine animals for breeding kept for a period not exceeding 90 days.

## CHAPTER 3

### **Identification document**

#### *Article 65*

#### **Single lifetime identification document of kept equine animals**

- 1 The single lifetime identification document shall contain at least the following information:
- a the identification code of the animal displayed by the injectable transponder or ear tag;
  - b the unique code assigned to the animal for its lifetime which encodes
    - (i) the computer database in which the competent authority or issuing body recorded the information necessary to issue the first single lifetime identification document referred to in Article 58(1)(b), and where necessary a replacement single lifetime identification document referred to in Article 69(2)(b);
    - (ii) the numerical identification code of the individual equine animal in that database;
  - c the species of the animal;
  - d the sex of the animal, with the possibility to enter the date of gelding;

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- e the date and country of birth as declared by the operator of the kept equine animal;
- f the name and address of the issuing competent authority, or the issuing body to which the task was assigned;
- g the date of issue of the single lifetime identification document;
- h where applicable, information on the replacement of the physical means of identification and the identification code of the animal displayed by that replaced physical means of identification;
- i where applicable,
  - (i) the validation mark issued and included in the single lifetime identification document by the competent authority, or by the body to which this activity was delegated, for a period not exceeding 4 years, which documents that the animal is habitually resident in an establishment recognised by the competent authority as an establishment with a low health risk due to frequent animal health visits, additional identity checks and health testing and the absence of natural breeding on the establishment, except in dedicated and separated premises, with the possibility of renewal of the validity period of issued validation mark;

or

- (ii) the licence issued and included in the single lifetime identification document for a period not exceeding 4 years for participation in equestrian competitions by the national federation of the Federation Equestre Internationale or for participation in races by the competent racing authority and which documents at least two visits per year by a veterinarian, including those necessary to carry out regular equine influenza vaccination and examinations required for movements to other Member States or third countries, with the possibility of renewal of the validity period of issued licence.

2 Single lifetime identification documents for registered equine animals and for equidae identified in accordance with Article 62 shall, in addition to the information referred to in paragraph 1 of this Article, contain at least the following information:

- a a pictorial and a verbal description of the animal, including the possibility to update this information;
- b where applicable, detailed information on alternative methods of identification;
- c where applicable, information on the breed in accordance with Annex of Delegated Regulation (EU) 2017/1940;
- d where applicable, information necessary for the use of the single lifetime identification document for sporting purposes in accordance with the requirements of the relevant organisations managing horses for competition or races, including information on tests for and vaccinations against listed or not-listed diseases as required for access to competitions and races and to obtain the licence referred to in paragraph 1(i)(ii).

#### *Article 66*

#### **Obligations on operators of kept equine animals as regards the single lifetime identification documents**

1 Operators of kept equine animals shall ensure that those animals are at all times accompanied by their single lifetime identification document.

2 By way of derogation from paragraph 1, operators shall not be required to ensure that kept equine animals are accompanied by their single lifetime identification document when those animals are:

- a stabled or on pasture, and the single lifetime identification document can be presented without delay by the operator of the kept equine animal or the operator of the establishment on which the animal is kept;
  - b temporarily ridden, driven, led or taken either:
    - (i) in the vicinity of the establishment on which the animal is kept within a Member State;
- or
- (ii) during transhumance of animals to and from registered summer grazing grounds provided that the single lifetime identification documents can be presented at the establishment of departure;
  - c unweaned equine animals and accompanying their dam or foster mare;
  - d participating in a training or test of an equestrian competition, race or event which requires them to leave temporarily the establishment on which the training, competition, race or event takes place;
  - e moved or transported in an emergency situation relating to the animals themselves or to the establishment where they are kept.

3 Operators of kept equine animals shall not move an equine animal accompanied by the temporary document referred to in Article 61(2) to the slaughterhouse.

4 Operators of kept equine animals shall return the single lifetime identification document to the issuing competent authority, or the issuing body to which the task was delegated, as decoded from the unique code after the death or loss of the equine animal.

#### *Article 67*

##### **Obligations on the competent authority as regards the issue of duplicate and replacement single lifetime identification documents**

1 On application by the operator, the competent authority, or the issuing body to which the task was assigned shall issue a duplicate single lifetime identification document where the identity of the kept equine animal can be established and the operator either

- (a) declared the loss of the single lifetime identification document issued in respect of the animal;

or

- (b) failed to identify the animal within the time periods provided for in Article 58(2)(a).

2 On application by the operator or on its own initiative, the competent authority shall issue a replacement single identification document where the identity of the animal cannot be established and the operator either

- (a) declared the loss of the single lifetime identification document issued in respect of the animal;

or

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- (b) failed to comply with the identification requirements of Article 58(2)(b).

*Article 68*

**Obligations on the competent authority as regards the issue of new single lifetime documents for registered equine animal**

Where an identified equine animal becomes a registered equine animal and the single lifetime identification document issued in respect of that animal cannot be adapted to meet the requirements laid down in Article 65(2), the competent authority, or the issuing body to which the task was assigned, on application of the operator of the equine animal, shall issue a new single lifetime identification document to replace the former one containing the information required in accordance with Article 65(1) and (2).

*Article 69*

**Obligations on the competent authority as regards the concerning duplicate, replacement and new identification documents**

1 The competent authority, or the issuing body to which the task was assigned shall enter information concerning the issuing of a duplicate or replacement identification document in accordance with Article 67 or the issuing of a new identification document in accordance with Article 68 in the computer database referred to in Article 64.

2 The competent authority, or the issuing body to which the task was assigned shall enter

(a) in the duplicate single lifetime identification document and in the new single lifetime identification document, the unique code assigned to the animal in accordance with Article 65(1)(b) on the occasion of the issue of the first single lifetime identification document;

or

(b) in the replacement single lifetime identification document, the unique code assigned to the equine animal on the occasion of its issue.



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