












Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2014/0032(COD)</p> <p>Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof</p> <p>Amending Directives 89/608/EEC and 90/425/EEC Repealing Directives 87/328/EEC, 88/661/EEC, 89/361/EEC, 90/118/EEC, 90/119/EEC, 90/427/EEC, 91/174/EEC, 94/28/EC Repealing Decision 96/463/EC Repealing Directive 2009/157/EC 2006/0250(CNS) Amending Regulation (EU) No 652/2014 2013/0169(COD) See also 2014/0033(COD)</p> <p>Subject</p> <p>3.10.03 Marketing and trade of agricultural products and livestock 3.10.04 Livestock farming 4.20.02.04 Genetics and bioethics 6.20.02 Export/import control, trade defence, trade barriers</p>	<p>Procedure completed</p>

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Agriculture and Rural Development	 DANTIN Michel	03/09/2014
		Shadow rapporteur	
		 DE CASTRO Paolo	
		 ASHWORTH Richard	
		 FEDERLEY Fredrick	
		 HÄUSLING Martin	
	 MOI Giulia		
	Former committee responsible		
 Agriculture and Rural Development			
Committee for opinion	Rapporteur for opinion	Appointed	
 Environment, Public Health and Food Safety	 DANTIN Michel		10/07/2014
Former committee for opinion			
 Environment, Public Health and Food Safety			20/03/2014
	PPE KORHOLA Eija-Riitta		
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	3464	17/05/2016

Key events

11/02/2014	Legislative proposal published	COM(2014)0005	Summary
25/02/2014	Committee referral announced in Parliament, 1st reading/single reading		
20/10/2014	Committee referral announced in Parliament, 1st reading/single reading		
05/10/2015	Vote in committee, 1st reading/single reading		
05/10/2015	Committee decision to open interinstitutional negotiations with report adopted in committee		
12/10/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0288/2015	Summary
11/01/2016	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE575.112 GEDA/A/(2016)000446	
12/04/2016	Results of vote in Parliament		
12/04/2016	Decision by Parliament, 1st reading/single reading	T8-0101/2016	Summary
17/05/2016	Act adopted by Council after Parliament's 1st reading		
08/06/2016	Final act signed		
08/06/2016	End of procedure in Parliament		
29/06/2016	Final act published in Official Journal		

Technical information

Procedure reference	2014/0032(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	<p>Amending Directives 89/608/EEC and 90/425/EEC</p> <p>Repealing Directives 87/328/EEC, 88/661/EEC, 89/361/EEC, 90/118/EEC, 90/119/EEC, 90/427/EEC, 91/174/EEC, 94/28/EC</p> <p>Repealing Decision 96/463/EC</p> <p>Repealing Directive 2009/157/EC 2006/0250(CNS)</p> <p>Amending Regulation (EU) No 652/2014 2013/0169(COD)</p> <p>See also 2014/0033(COD)</p>
Legal basis	Treaty on the Functioning of the EU TFEU 042-p1; Treaty on the Functioning of the EU TFEU 043-p2
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee

Stage reached in procedure	Procedure completed
Committee dossier	AGRI/8/00370

Documentation gateway

Legislative proposal		COM(2014)0005	11/02/2014	EC	Summary
Supplementary legislative basic document		COM(2014)0004	11/02/2014	EC	
Economic and Social Committee: opinion, report		CES1558/2014	25/03/2014	ESC	
Committee opinion	ENVI	PE541.295	26/01/2015	EP	
Committee draft report		PE557.277	28/05/2015	EP	
Amendments tabled in committee		PE560.806	25/06/2015	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0288/2015	12/10/2015	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2016)000446	05/01/2016	CSL	
Amendments tabled in committee		PE575.274	05/04/2016	EP	
Text adopted by Parliament, 1st reading/single reading		T8-0101/2016	12/04/2016	EP	Summary
Commission response to text adopted in plenary		SP(2016)372	31/05/2016	EC	
Draft final act		00003/2016/LEX	08/06/2016	CSL	

Additional information

European Commission	EUR-Lex
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Final act

<p>Regulation 2016/1012 OJ L 171 29.06.2016, p. 0066 Summary</p> <p>Final legislative act with provisions for delegated acts</p>

Delegated acts

2017/2785(DEA)	Examination of delegated act
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Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof

PURPOSE: to ensure a harmonised approach to trade in breeding animals and their germinal products and their imports into the Union and to the official controls necessary to be performed on breeding programmes carried out by breed societies and breeding operations.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the breeding of domestic animals of the bovine, porcine, ovine, caprine and equine species, and to a lesser extent the breeding of animals of other species, occupy an important place in Union agriculture and is a source of income for the agricultural community. The breeding of animals of those species is best encouraged if purebred breeding animals or hybrid breeding pigs of recorded high genetic

quality are used.

Member States have thus consistently endeavoured, as part of their agricultural policy, to promote, sometimes through public investment, the production of livestock of particular genetic characteristic that meets defined performance standards. Disparities between those standards have the potential to create technical barriers to trade in breeding animals and their germinal products and their imports into the Union.

At present Union zootechnical legislation consists of four species specific (vertical) basic acts laying down the fundamental principles, concerning breeding animals of the bovine, porcine, ovine, caprine and equine species. Technical requirements of identical nature for acceptance of breeding animals for breeding are currently regulated in three Council Directives and a Commission Decision.

A horizontal Directive, complemented by implementing measures, provides rules on imports from third countries of breeding animals and their germinal products.

Lastly, a specific Council Decision provides rules on the designation of a reference centre for breeding of bovine animals.

CONTENT: the proposed regulation provides in a single legal framework the principles relating to:

- the approval or recognition and listing of breeding organisations, breeders associations and private undertakings,
- the registration and classification of animals in herd-books, flock-books, studbooks and, in the case of hybrid breeding pigs in registers,
- performance testing and genetic evaluation,
- the content and format of zootechnical certificates for breeding animals and their semen, ova and embryos.

In addition, the proposal provides rules on imports from third countries of breeding animals, their semen, ova and embryos, and the designation of reference centres for breeding of animals.

Provisions are laid down in this Regulation to carry out official controls and zootechnical checks and to resolve disputes arising where zootechnical checks disclose non-compliance with zootechnical requirements.

However, the rules hereby proposed mirror those laid down in the [Commission proposal for a new Regulation on official controls](#) that is currently discussed in the European Parliament and in the Council. The Commission will closely follow the evolution of the discussions on the two texts, and will make the necessary proposals in due time in order to ensure that the provisions on official controls in the field of zootechnics are included in the forthcoming Regulation on official controls.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof

The Committee on Agriculture and Rural Development adopted the report by Michel DANTIN (EPP, FR) on the proposal for a regulation of the European Parliament and of the Council on the zootechnical and genealogical conditions for trade in and imports into the Union of breeding animals and their germinal products.

The committee recommended that the European Parliaments position at first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Subject matter and scope: Members underlined the key role breeding plays in conserving rare breeds and thereby in protecting biodiversity. However, efforts to achieve competitiveness should not lead to the disappearance of breeds with characteristics that are adapted to specific biophysical contexts.

Therefore, the Regulation should lay down zootechnical and genealogical rules for the preservation and improvement of animal breeding as well as rules governing the conservation and improvement of native or endangered breeds.

For reasons of legal certainty, Members proposed a definition of the concept of breed.

Recognition of breed societies and breeding operations: Members proposed to clarify the legal framework for Member State recognition of breed societies. Operators must be required to make an application for recognition in order to keep a breeding book and conduct a breeding programme.

The competent authority shall define in its application: (i) the preservation of genetic variation within the breed, (ii) the improvement of the breed, (iii) the planning of crosses, or (iv) the planning of a new breed.

The competent authority shall assess the breeding programmes of a breed society or breeding operation and approve them provided that they fulfil the necessary requirements.

Rights of breeders participating in breeding programmes: Members seek to clarify breeders rights where they are members of a breed society or breeding operation. Specifically, such rights must be reserved for breeders within the geographical area of activity of the breed society. Breeders must have access to the services provided under the programme without discrimination.

Provisions on disputes between one or more breeders and a breed society already exist in national legislation.

Rights of breed societies and breeding operations: breed societies or breeding operations may exclude: (i) breeders from participating in a breeding programme if they do not comply with the rules set out in the breeding programme or with the obligations as laid down in the rules of procedure referred to in the Regulation; (ii) after their registration, animals and their progeny as well as genetic material that no longer meet the requirements officially laid down for being listed in the corresponding breeding book.

Breed societies may carry out performance testing based on the requirements of their breeding programme and, where performance testing is undertaken, may select activities appropriate for their breeding programme.

Breed societies and breeding operations in a Member State shall be jointly responsible for ensuring that a purebred breeding animal of a breed threatened with extinction can be entered in the main section of a breeding book in any Member State.

Zootechnical and genealogical rules applicable to purebred breeding animals for breeding: Members deleted provisions concerning this issue, arguing that there are far too many delegated acts, and they are far too broad in scope and relate to key aspects of the text. Furthermore, other species must be incorporated into this regulation only on the basis of codecision arrangements.

Methods for identity verification: breed societies shall require that purebred breeding animals of the bovine, ovine and caprine species and male purebred breeding animals of the porcine species are identified by analysis of their blood group, or by DNA analysis, such as by single nucleotide polymorphism (SNP) analysis, by microsatellite analysis or by any other appropriate method providing at least the same degree of certainty.

The Commission shall take account of advances in identification methods on the basis of the work of the International Committee for Animal Recording (ICAR) and the International Society for Animal Genetics (ISAG).

In the case of rare or endangered breeds, the competent authority of a Member State or the breed societies may prohibit the use of a purebred breeding animal and its germinal products where such use would compromise the improvement, differentiation, preservation and genetic diversity of that breed.

Performance testing: Members noted that the conditions should be stipulated for carrying out performance testing and genetic evaluation prior to accepting breeding animals for breeding (both male and female, as may be the case for some breeds within the horse family).

Obligations of breed societies, breeding operations and third parties which carry out performance testing or genetic evaluations have also been laid out.

If the competent authorities find that the performance testing or genetic evaluations are not being carried out in accordance with recognised zootechnical principles, they may suspend the approved breeding programme.

Cross-border cooperation between breed societies and breeding operations: this cooperation should be facilitated, while ensuring free enterprise and the removal of obstacles to the free movement of breeding animals and their genetic material. Members considered that such Union partnership arrangements would help in particular to strengthen the Union identity of particular breeds by sharing resources and pooling information with a view to greater reliability and a higher profile.

Animal health and welfare: these aspects should be taken into account by actors in the zootechnical sector, in particular in their work on the genetic improvement of breeds. The report noted that issues relating to cloning should not be addressed in this Regulation.

Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof

The European Parliament adopted by 620 votes to 64, with 31 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the zootechnical and genealogical conditions for trade in and imports into the Union of breeding animals and their germinal products.

The European Parliament's position at first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Subject matter and scope: Parliament clarified that the Regulation lays down:

- zootechnical and genealogical rules for trade in breeding animals and their germinal products, and for their entry into the Union;
- rules for the recognition of breed societies and breeding operations and for the approval of their breeding programmes;
- the rights and obligations of breeders, breed societies and breeding operations;
- 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;
- rules for the performance testing and genetic evaluation of breeding animals;
- rules for the issuing of zootechnical certificates for breeding animals and their germinal products;
- 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;
- rules for administrative assistance and cooperation and rules for enforcement by Member States;
- rules for the performance of controls by the Commission in Member States and third countries.

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.

The definition of the term breed has been introduced in the text.

The text stated that it is not appropriate for issues relating to cloning to be addressed in this Regulation.

Recognition of breed societies and breeding operations: in respect of purebred breeding animals, breeders' associations, breeding organisations or public bodies may apply to the competent authorities for recognition as a breed society. The competent authorities shall evaluate the applications and recognise as a breed society any applicant who complies with the requirements.

Where the competent authority which has recognised a breed society or breeding operation refuses to approve a breeding programme submitted by that breed society or breeding operation, that breed society or breeding operation shall have the possibility of submitting a modified version of that breeding programme within six months after that refusal.

The competent authority shall withdraw recognition from that breed society or breeding operation if no modified version of the breeding programme has been submitted.

Approval of breeding programmes: a breed society or a breeding operation shall submit applications for approval of its breeding programmes to the competent authority which has recognised that breed society or breeding operation.

The competent authority shall evaluate those breeding programmes and approve them provided that they have one or more of the following aims:

- in the case of purebred breeding animals: (i) the improvement of the breed; (ii) the preservation of the breed; (iii) the creation of a new breed; (iv) the reconstruction of a breed;
- in the case of hybrid breeding pigs: (i) the improvement of the breed, line or cross; (ii) the creation of a new breed, line or cross.

Derogation: the competent authority which has recognised a breed society may refuse to approve a breeding programme of that breed society that complies with the requirements set out and additionally in the case of purebred breeding animals of the equine species, on the grounds that that breeding programme would compromise the breeding programme carried out by another breed society for the same breed which has already been approved in that Member State as regards at least one of the following:

- the preservation of that breed or of the genetic diversity within that breed; or
- where the aim of that breeding programme is the preservation of that breed, the effective implementation of that breeding programme: (i) in the case of an endangered breed; or (ii) in the case of an autochthonous breed which is not commonly found in one or more of the territories of the Union.

Rights of breeders: Members clarified the right of breeders participating in breeding programmes approved provided that:

- their breeding animals are kept on holdings located within the geographical territory of that breeding programme;
- their breeding animals belong, in the case of purebred breeding animals, to the breed, or, in the case of hybrid breeding pigs, to the breed, line or cross, covered by that breeding programme.

Breeders must have access to the services provided under the programme without discrimination

Rights and obligations of breed societies: breed societies or breeding operations shall have the right to exclude breeders from participating in a breeding programme where those breeders fail to comply with the rules of that breeding programme.

Breed societies may carry out performance testing based on the requirements of their breeding programme.

Breed societies or breeding operations may outsource to a third party specific technical activities related to the management of their breeding programmes, including performance testing and genetic evaluations.

Verification of identification methods: a Member State or, if it so decides, its competent authority may authorise a breed society to enter purebred breeding animals of the equine species in the breeding book maintained by that breed society where those animals are identified by any other appropriate method that provides at least the same degree of certainty as a covering certificate such as parentage control based on DNA analysis or analysis of their blood groups.

In addition, in order to provide support to breed societies managing endangered breeds, where there is a recognised need, implementing powers should be conferred on the Commission, enabling it to designate European Union reference centres charged with the specific task of promoting the establishment or harmonisation of methods used by those breed societies.

Zootechnical certificates: breeders who are participating in a breeding programme should have the right to receive zootechnical certificates for their breeding animals covered by that breeding programme and for the germinal products of those animals.

Zootechnical certificates should accompany breeding animals or the germinal products thereof where they are traded or entered into the Union in view of an entry or registration of those animals or of the progeny produced from those germinal products in other breeding books or breeding registers. Members laid down the rules as regards issuing, content and form of the zootechnical certificates.

Cross-border cooperation between breed societies and between breeding operations: this cooperation should be facilitated, while ensuring free entrepreneurship and the removal of obstacles to the free movement of breeding animals and their germinal products.

Zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and germinal products thereof

PURPOSE: to ensure a harmonised approach to trade in breeding animals and their germinal products and their imports into the Union and to the official controls necessary to be performed on breeding programmes carried out by breed societies and breeding operations.

LEGISLATIVE ACT: Regulation (EU) 2016/1012 of the European Parliament and of the Council 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)

CONTENT: the Regulation establishes new rules on the conditions applicable to breeding, trade in and entry into the Union of breeding animals, and their germinal products. It will apply to the breeding, trade in and entry into the Union of pureblood animals of the bovine, porcine, ovine, caprine and equine species and hybrid breeding pigs and their germinal products.

The new Regulation constitutes a more comprehensive single legal framework that takes into account the state of the art in animal breeding while preserving valuable animal genetic resources. It does not deal with issues relating to cloning

The revised rules relate in particular to the following aspects:

The approval or recognition and listing of breeding organisations: breeders associations and organisations and private undertakings, may apply to the competent authorities for recognition as a breed society.

The competent authorities shall evaluate the applications and recognise as a breeding operation any applicant that complies with the requirements set out.

Where the competent authority which has recognised a breed society refuses to approve a breeding programme submitted by that breed society, the latter shall have the possibility of submitting a modified version of that breeding programme within 6 months after that refusal. If no modified version of the breeding programme has been submitted, the competent authority shall withdraw recognition.

Approval of breeding programmes: the competent authority shall evaluate breeding programmes submitted by a breed society or a breeding operation and approve them provided that:

- in the case of purebred breeding animals: (i) the improvement of the breed; (ii) the preservation of the breed, (iii) the creation of a new breed, (iv) the reconstruction of a breed;
- in the case of hybrid breeding pigs: (i) the improvement of the breed, line or cross, (ii) the creation of a new breed, line or cross.

However, where in a Member State one or more recognised breed societies are already carrying out an approved breeding programme on a given breed, the competent authority of that Member State should, in certain specific cases, be allowed to refuse to approve a further breeding programme for the same breed, even if that breeding programme complies with all the requirements necessary for approval.

Where there is a recognised need to maintain or promote the development of a breed on a certain territory, or in the case of an endangered breed, the competent authority should itself have the possibility to carry out, on a temporary basis, a breeding programme for that breed, provided that no breeding programme is already effectively in place for that breed.

Rights and obligations of breeders, breed societies and breeding operations: breeders shall have the right to participate in an approved breeding programme provided that:

- their breeding animals are kept on holdings located within the geographical territory of that breeding programme;
- their breeding animals belong, in the case of purebred breeding animals, to the breed, or, in the case of hybrid breeding pigs, to the breed, line or cross, covered by that breeding programme.
- breed societies and breeding operations shall have the right: (i) to define and carry out approved breeding programmes autonomously; (ii) exclude breeders from participating in a breeding programme where those breeders fail to comply with the rules of that breeding programme; (iii) settle disputes that may arise between breeders, and between breeders and the breed society or breeding operation, in the process of carrying out approved breeding programmes.

In addition, the new Regulation contains provisions on:

- the entry in breeding books or registration in breeding registers of breeding animals and offspring produced from germinal products that have entered the Union;
- performance testing and genetic evaluation of breeding animals;
- the content and format of zootechnical certificates: breeders who are participating in a breeding programme have the right to receive zootechnical certificates for their breeding animals covered by that breeding programme and for the germinal products of those animals;
- official controls adapted to the breeding sector;
- administrative assistance and cooperation and rules for enforcement by Member States;
- the performance of controls by the Commission in Member States and third countries.

In order to provide support to breed societies managing endangered breeds, where there is a recognised need, implementing powers are conferred on the Commission, enabling it to designate European Union reference centres charged with the specific task of promoting the establishment or harmonisation of methods used by those breed societies.

ENTRY INTO FORCE: 19.7.2016. The Regulation is applicable from 1.11.2018.

DELEGATED ACTS: the Commission may adopt delegated acts particular in order to supplement or amend the Annexes to the Regulation and in order to take account of technical developments, scientific advances or the need to preserve valuable genetic resources. The power to adopt such acts is conferred on the Commission for a period of five years from 19 July 2016 (which may be tacitly extended for the same period). The European Parliament or Council may raise objections to a delegated act within two months of the date of notification (which may be extended by three months). If Parliament or Council raise objections, the delegated act may not enter into force.