



2014/0032(COD)

28.5.2015

*****I**

DRAFT REPORT

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 (COM(2014)0005 – C7-0032/2014 – 2014/0032(COD))

Committee on Agriculture and Rural Development

Rapporteur: Michel Dantin

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in bold italics in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in bold italics. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in bold italics and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT 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 (COM(2014)0005 – C7-0032/2014 – 2014/0032(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0005),
 - having regard to Article 294(2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0032/2014),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0000/2015),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) 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

Amendment

(1) The breeding of **livestock** of the bovine, porcine, ovine, caprine and equine species, and to a lesser extent the breeding of animals of other species, occupy **a strategic** place in Union agriculture **in economic and social terms. This agricultural activity, which contributes to food security in the Union,** is a source of

encouraged if purebred breeding animals or hybrid breeding pigs of recorded high genetic quality are used.

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.

Or. fr

Amendment 2

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) However, efforts to achieve competitiveness must not lead to the disappearance of breeds with characteristics that are adapted to specific biophysical contexts. Local breeds may be at risk if they are not maintained in sufficient numbers, which would represent a loss of biogenetic diversity.

Or. fr

Amendment 3

Proposal for a regulation

Recital 11

Text proposed by the Commission

Amendment

(11) However, the terminus "breed" should remain an undetermined legal concept allowing breed societies to describe the group of animals of sufficient genetic uniformity that they consider as distinct from other animals of that species and to enter them with mention of their known ascendants in breeding books in order to reproduce their inherited characteristics by way of reproduction, exchange and selection within the framework of an established breeding

deleted

programme.

Or. fr

Justification

The concept of a 'breed' occurs throughout the regulation, but it is not defined. For reasons of legal certainty, your rapporteur is proposing a definition.

Amendment 4

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) Similarly, the rules on hybrid breeding pigs laid down in this Regulation should aim at granting access to trade based on agreed principles applicable to the recognition of breeding operations managing different crosses of hybrid breeding pigs and the approval of their respective breeding programmes. This Regulation should also lay down criteria governing the entry of hybrid breeding pigs in the main section of *breed* registers, rules for performance testing, genetic evaluation and criteria for the acceptance of hybrid breeding pigs for breeding as well as the content of the zootechnical certificates.

Amendment

(14) Similarly, the rules on hybrid breeding pigs laid down in this Regulation should aim at granting access to trade based on agreed principles applicable to the recognition of breeding operations managing different crosses of hybrid breeding pigs and the approval of their respective breeding programmes. This Regulation should also lay down criteria governing the entry of hybrid breeding pigs in the main section of *zootechnical* registers, rules for performance testing, genetic evaluation and criteria for the acceptance of hybrid breeding pigs for breeding as well as the content of the zootechnical certificates.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. fr

Justification

The term 'breed register' is already used in some Member States to denote documents other than that to which this text refers. In the interests of clarity, a different term should be used: 'zootechnical register'.

Amendment 5

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Animal health and welfare should be taken into account by actors in the zootechnical sector, in particular in their work on the genetic improvement of breeds.

Or. fr

Amendment 6

Proposal for a regulation Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) Issues relating to cloning cannot be addressed in this Regulation.

Or. fr

Amendment 7

Proposal for a regulation Recital 16

Text proposed by the Commission

Amendment

(16) The quality of the services provided by breed societies and breeding operations and the way that they evaluate and classify animals **has** an impact on the value of breeding animals on the market. Accordingly, rules should be laid down for the recognition of breed societies and breeding operations based on harmonised Union criteria and their supervision by the competent authority of Member States in order to ensure that the rules established by them do not create disparities between

(16) The quality of the services provided by breed societies and breeding operations and the way that they evaluate and classify animals **define the animal's performance level and have** an impact on the value of breeding animals on the market. Accordingly, rules should be laid down for the recognition of breed societies and breeding operations based on harmonised Union criteria and their supervision by the competent authority of Member States in order to ensure that the rules established by

breeding programmes and breeding standards and thereby create technical barriers to intra-Union trade.

them do not create disparities between breeding programmes and breeding standards and thereby create technical barriers to intra-Union trade.

Or. fr

Amendment 8

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) The Union is a contracting party to the Convention on Biological Diversity, the objectives of which are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources. That convention stipulates that states have sovereign rights to their biological resources and are responsible for the conservation of their biological diversity and the sustainable use of their biological resources. The Union is a contracting party also to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation. This Regulation should therefore take account of the obligations of Member States and enable them to meet those obligations in the sustainable management of their zoogenetic resources.

Or. fr

Justification

As reference will be made to the Nagoya Protocol and to the Convention on Biological Diversity in this regulation, the context should be spelled out.

Amendment 9

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Cross-border cooperation should be facilitated between breed societies and breeding undertakings which wish to engage therein, while ensuring free enterprise and the removal of obstacles to the free movement of breeding animals and their genetic material. Such European partnership arrangements would help in particular to strengthen the European identity of particular breeds by sharing resources and pooling information with a view to greater reliability and a higher profile.

Or. fr

Amendment 10

Proposal for a regulation Recital 23

Text proposed by the Commission

Amendment

(23) The Commission should be empowered to adopt delegated acts amending Annex I in order to adapt the criteria for the recognition of breed societies and breeding operations and for the approval of breeding programmes to developments in the breeding sector.

deleted

Or. fr

Justification

There are far too many delegated acts, and they are far too broad in scope and relate to key aspects of the text.

Amendment 11

Proposal for a regulation Recital 30

Text proposed by the Commission

Amendment

(30) In order to ensure that the conditions for entry in breeding books of purebred breeding animals and the registration of hybrid breeding pigs in breed registers can be adapted to developments in the breeding sector, the Commission should be empowered to adopt delegated acts to amend Annex II accordingly.

deleted

Or. fr

Justification

There are far too many delegated acts, and they are far too broad in scope and relate to key aspects of the text.

Amendment 12

Proposal for a regulation Recital 34

Text proposed by the Commission

Amendment

(34) Performance testing and genetic evaluation may be carried out by institutions designated by the breed society or the breeding operation. Those designated institutions shall cooperate with the European Union reference centres designated by the Commission. The Commission should therefore be empowered to designate by way of implementing acts European Union reference centres and the necessary powers should be granted to the Commission to adopt delegated acts describing their duties and functions, where necessary by amending Annex IV. Those reference centres qualify for Union aid in accordance with ***Council Decision 2009/470/EC of 25 May 2009 on expenditure in the***

(34) Performance testing and genetic evaluation may be carried out by institutions designated by the breed society or the breeding operation. Those designated institutions shall cooperate with the European Union reference centres designated by the Commission. The Commission should therefore be empowered to designate by way of implementing acts European Union reference centres and the necessary powers should be granted to the Commission to adopt delegated acts describing their duties and functions, where necessary by amending Annex IV. Those reference centres qualify for Union aid in accordance with ***Regulation (EU) No 652/2014 of the European Parliament and of the***

veterinary field¹⁴. In the case of purebred breeding animals of the bovine species, performance testing and genetic evaluation carried out by a breed society are at present assisted by the Interbull Centre, **the European Union reference body** designated by Council Decision 96/463/EC of 23 July 1996 **designating** the reference body responsible for collaborating in rendering uniform the testing methods and the assessment of the results for purebred breeding animals of the bovine species¹⁵.

¹⁴ *OJ L 155, 18.6.2009, p. 30.*

¹⁵ *OJ L 192, 2.8.1996, p. 19.*

Council¹⁴. In the case of purebred breeding animals of the bovine species, performance testing and genetic evaluation carried out by a breed society are at present assisted by the Interbull Centre, **a permanent subcommittee of the International Committee for Animal Recording (ICAR)**, designated by Council Decision 96/463/EC of 23 July 1996 **as** the reference body responsible for collaborating in rendering uniform the testing methods and the assessment of the results for purebred breeding animals of the bovine species¹⁵.

¹⁴ *Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC (OJ L 189, 27.6.2014, p. 1).*

¹⁵ *OJ L 192, 2.8.1996, p. 19.*

Or. fr

Amendment 13

Proposal for a regulation Recital 35

Text proposed by the Commission

(35) Since detailed provisions are made in this Regulation for the breeding of animals of the bovine, porcine, ovine,

Amendment

deleted

caprine and equine species only, it is necessary to empower the Commission to adopt delegated acts on the recognition of breed societies, approval of breeding programmes, entry of breeding animals in breeding books, performance testing and genetic evaluation and the acceptance for breeding as well as to adopt implementing acts for the zootechnical certificates pertaining to trade in breeding animals of other species and their germinal products and their imports into the Union should this be required to remove obstacles to trade.

Or. fr

Justification

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.

Amendment 14

Proposal for a regulation

Recital 46

Text proposed by the Commission

(46) In order to ensure the proper application of this Regulation and to supplement it, or to amend Annexes I to V to it, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the *procedures and criteria employed and conditions required to recognise breed societies and breeding operations, approve breeding programmes, enter animals in breeding books and breed registers, accept breeding animals for breeding, natural and assisted reproduction, carry out performance testing and genetic evaluations, define*

Amendment

(46) In order to ensure the proper application of this Regulation and to supplement it, or to amend Annexes I to V to it, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the *description of* the duties and functions of reference *centres*.

zootechnical and genealogical requirements for trade in breeding animals and their germinal products and their imports from third countries, describe the duties and functions of reference centre.

Or. fr

Justification

There are far too many delegated acts, and they are far too broad in scope and relate to key aspects of the text.

Amendment 15

**Proposal for a regulation
Recital 47**

Text proposed by the Commission

Amendment

(47) The power to adopt acts in accordance with Article 290 of the Treaty in relation to trade in purebred breeding animals and their germinal products of species other than bovine, porcine, ovine, caprine and equine species and in relation to their imports into the Union should be delegated to the Commission in order to allow Member States to react to disturbances in trade but much more important to react where a rare breed is on the verge of extinct or a there is a risk for the protection of genetic diversity.

deleted

Or. fr

Justification

Other species must be incorporated only on the basis of codecision arrangements.

Amendment 16

Proposal for a regulation Article 2 – point a - point i

Text proposed by the Commission

(i) the bovine species (*Bos taurus* and *Bubalus bubalis*), porcine species (*Sus scrofa*), ovine species (*Ovis aries*), caprine species (*Capra hircus*);

Amendment

(i) the bovine species (*Bos taurus*, ***Bos indicus*** and *Bubalus bubalis*), porcine species (*Sus scrofa*), ovine species (*Ovis aries*), caprine species (*Capra hircus*);

Or. fr

Justification

The scope of the bovine species should be widened to include zebus in particular.

Amendment 17

Proposal for a regulation Article 2 – point a - indent iii

Text proposed by the Commission

(iii) species other than those referred to in points (i) and (ii) for which delegated acts have been adopted pursuant to Articles 35(1) or 45(1);

Amendment

deleted

Or. fr

Justification

Other species must be incorporated into this regulation only on the basis of codecision arrangements.

Amendment 18

Proposal for a regulation Article 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) 'breed' means a group of animals of sufficient uniformity to be considered

distinct from other animals of that species by one or more groups of breeders who agree to incorporate them into their breeding books with a view to breeding, exchange and selection or preservation;

Or. fr

Justification

The concept of 'breed' occurs throughout the regulation, but it is not defined. For reasons of legal certainty, a definition needs to be proposed.

Amendment 19

Proposal for a regulation
Article 2 – point d

Text proposed by the Commission

(d) 'breed society' means **any breeding organisation or breeders' association** which is recognised by the competent authority of a Member State in accordance with Article 4(2) for the purpose of carrying out a breeding programme on purebred breeding animals entered in the breeding book(s) it maintains or establishes;

Amendment

(d) 'breed society' means any **operator which has been given legal personality in accordance with the applicable legislation in the Member State in which the application for recognition was made and** which is recognised by the competent authority of a Member State in accordance with Article 4(2), **or an official service in the Member State concerned**, for the purpose of carrying out a breeding programme on purebred breeding animals entered in the breeding book(s) it maintains or establishes

Or. fr

Justification

The legal status of breed societies needs to be safeguarded.

Amendment 20

Proposal for a regulation Article 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) 'breeding programme' means the activities carried out by a breed society or breeding operation in accordance with Article 8(1), including, in particular, the definition and detailed phenotypic and genotypic characteristics of the breed, breed orientation and objectives, the definition of the criteria selected and their weighting as regards genetic evaluation, should that be required, the definition of the performance recording and control system, and the rules on organising and keeping the breeding book;

Or. fr

Justification

The term 'breeding programme' occurs throughout the regulation, but it is not defined. For reasons of legal certainty, a definition needs to be laid down.

Amendment 21

Proposal for a regulation Article 2 – point g – point ii

Text proposed by the Commission

Amendment

(ii) the organisation of official controls on breed societies and breeding operations in accordance with the rules provided for in Article 46 and in delegated acts adopted pursuant to Article 52(1);

(ii) the organisation of official controls on breed societies and breeding operations in accordance with the rules provided for in Article 46;

Or. fr

Amendment 22

Proposal for a regulation Article 2 – point i – point ii

Text proposed by the Commission

(ii) of the species referred to in point (a)(ii) which descends from parents entered in the **main section of a** breeding book of the same breed and which is itself entered or registered and eligible for entry in the **main section of such a** breeding book in accordance with Article 19;

Amendment

(ii) of the species referred to in point (a)(ii) which descends from parents entered in the breeding book of the same breed and which is itself entered or registered and eligible for entry in the breeding book, **including geldings**, in accordance with Article 19;

Or. fr

Justification

The current definition, which only includes breeding animals, does not correspond to the particularities of the equine breeding book, in which animals are registered at birth, regardless of whether or not they will be breeding animals in future. This relates in particular to geldings and their status as 'registered equidae'.

Amendment 23

Proposal for a regulation Article 2 – point i – point iii

Text proposed by the Commission

(iii) of a species other than those referred to in (i) and (ii) of this point for which the specific zootechnical and genealogical rules for trade in those breeding animals and their germinal products and their imports into the Union are laid down in delegated acts adopted pursuant to Articles 35(1) and 45(1) respectively;

Amendment

deleted

Or. fr

Amendment 24

Proposal for a regulation

Article 2 – point o

Text proposed by the Commission

(o) ‘merit’ means **a quantifiable heritable characteristic of a breeding animal;**

Amendment

(o) ‘merit’ means **an estimate of the expected effect of an animal's genotype on a given characteristic of its progeny;**

Or. fr

Amendment 25

Proposal for a regulation

Article 2 – point v

Text proposed by the Commission

(v) ‘zootechnical check’ means the documentary and identity checks carried out on breeding animals and their germinal products imported into to the Union to verify compliance with the zootechnical conditions provided for in **Articles 42 and the zootechnical and genealogical rules laid down in delegated acts adopted pursuant to Article 45(1);**

Amendment

(v) ‘zootechnical check’ means the documentary and identity checks carried out on breeding animals and their germinal products imported into to the Union to verify compliance with the zootechnical conditions provided for in **Article 42;**

Or. fr

Amendment 26

Proposal for a regulation

Article 2 – point w – point ii

Text proposed by the Commission

(ii) purebred breeding animals and their germinal products when imported into the Union as provided for in delegated acts adopted pursuant to Article 45(1);

Amendment

deleted

Or. fr

Amendment 27

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. Breed societies and breeding operations **may** apply to the competent authority for recognition in accordance with paragraph 2.

Amendment

1. Breed societies and breeding operations **shall** apply to the competent authority for recognition in accordance with paragraph 2.

Or. fr

Justification

The legal framework for Member State recognition of breed societies needs to be clarified. Operators must be required to make an application for recognition in order to keep a breeding book and conduct a breeding programme.

Amendment 28

Proposal for a regulation Article 4 – paragraph 2 – point c – point i – indent 1

Text proposed by the Commission

– the preservation of the breed, or

Amendment

– the preservation of **genetic diversity** **within** the breed, or

Or. fr

Amendment 29

Proposal for a regulation Article 4 – paragraph 2 – point c – point i – indent 2

Text proposed by the Commission

– the improvement of the breed **or cross**;

Amendment

– the improvement **or differentiation** of the breed; **or**

Or. fr

Amendment 30

Proposal for a regulation

Article 4 – paragraph 2 – point c – point i – indent 2 a (new)

Text proposed by the Commission

Amendment

– the planning of crosses;

Or. fr

Justification

A cross is the product of selective breeding; a distinction should be made between that and improvement of a breed.

Amendment 31

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning amendments to the requirements for the recognition of breed societies and breeding operations set up in Part 1 and, in the case of purebred breeding animals of the equine species, in Part 3 of Annex I to take account of the variety of breed societies and breeding operations affected by them. **deleted**

Or. fr

Amendment 32

Proposal for a regulation

Article 5 – paragraph 1 – indent 1 (new)

Text proposed by the Commission

Amendment

1. By way of derogation from Article

1. By way of derogation from Article

4(2)(b), the competent authority may refuse to recognise a breed society that complies with the requirements set out in Part 1 of Annex I where the breeding programme of that breed society would compromise the preservation or the genetic diversity of purebred breeding animals entered, or registered and eligible for entry, in the breeding book established for that breed by a breed society that has already been recognised in that Member State.

4(2)(b), the competent authority may refuse to recognise a breed society that complies with the requirements set out in Part 1 of Annex I where the breeding programme of that breed society would:

– compromise the preservation or the genetic diversity of purebred breeding animals entered, or registered and eligible for entry, in the breeding book established for that breed by a breed society that has already been recognised in that Member State; *or*

Or. fr

Amendment 33

Proposal for a regulation

Article 5 – paragraph 1 – indent 1 a (new)

Text proposed by the Commission

Amendment

– compromise the preservation and sustainable management of the zoogenetic resources over which the Member State concerned exercises its sovereign right and for which it has responsibility in accordance with the objectives of the Convention on Biological Diversity and of the Nagoya Protocol; or

Or. fr

Amendment 34

Proposal for a regulation

Article 5 – paragraph 1 – indent 1 b (new)

Text proposed by the Commission

Amendment

– compromise an existing breeding programme of another breed society recognised for the same breed.

Or. fr

Justification

The provisions on the scope for refusing to recognise breed societies should be spelled out so as to prevent a proliferation of breed societies for the same breed in a given territory, which would make matters less clear for users.

Amendment 35

Proposal for a regulation

Article 5 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) potential interference and a weakening which would result from the recognition of a body registering the same breeding animals as a breed society that has already been recognised.

Or. fr

Amendment 36

Proposal for a regulation

Article 7 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the breed or cross for which their breeding programme has been approved;

(b) the breed or cross for which their breeding programme has been approved ***in accordance with Article 8(1);***

Amendment 37

Proposal for a regulation Article 8 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. A breed society or breeding operation shall conduct a breeding programme after approval thereof by the competent authority in accordance with paragraph -1a.

Or. fr

Amendment 38

Proposal for a regulation Article 8 – paragraph -1 a (new)

Text proposed by the Commission

Amendment

-1a. A breed society or breeding operation shall submit the application for approval for its breeding programme to the competent authority that has recognised the breed society or breeding operation in accordance with Article 4(2).

Or. fr

Amendment 39

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. The competent authority shall approve ***the breeding programme of a breed society or breeding operation recognised by it in accordance with Article 4(2),*** provided that the ***breed society or breeding***

1. The competent authority ***referred to in paragraph -1a*** shall ***assess those breeding programmes and*** approve ***them*** provided that ***they fulfil*** the requirements provided for in Article 4(2)(c) and set out in Part 2

operation submits an application for approval of its breeding programme, demonstrating compliance with the requirements provided for in Article 4(2)(c) and set out in Part 2, and in the case of purebred equine animals in Part 3 of Annex I.

of Annex I, and in the case of purebred equine animals in Part 3 of Annex I.

Or. fr

Justification

The fact that it is mandatory for the breeding programme to be approved needs to be made clearer.

Amendment 40

Proposal for a regulation Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The competent authority referred to in Article 4 may authorise breed societies and breeding operations ***to*** outsource the technical management of their breeding book or ***breed*** register and other specific aspects of their breeding programme to a third party, provided that:

2. Breed societies and breeding operations ***may*** outsource the technical management of their breeding book or ***zootechnical*** register and other specific aspects of their breeding programme to a third party, provided that:

Or. fr

Justification

It should be up to the breed societies to decide whether or not to outsource the technical management of their breeding books or zootechnical registers and other specific aspects of their breeding programmes.

Amendment 41

Proposal for a regulation Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the breed societies and breeding

(a) the breed societies and breeding

operations remain responsible vis-à-vis the competent authority for ensuring compliance with the requirements provided for in Article 4(2)(c);

operations remain responsible vis-à-vis the competent authority for ensuring compliance with the requirements provided for in Article 4(2)(c) **and Annex I, parts 2 and 3;**

Or. fr

Amendment 42

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The breed societies and breeding operations shall inform the competent authority thereof.

Or. fr

Amendment 43

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning amendments to the requirements for the approval of breeding programmes set up in Part 2 and, in the case of purebred equine animals, in Part 3 of Annex I to take account of the variety of breeding programmes carried out by breed societies and breeding operations.

deleted

Or. fr

Amendment 44

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the scope of a breeding programme or the geographical territory where it is to be carried out indicates that a breed society or breeding operation intends to carry it out on breeding animals resident in another Member State, the competent authority referred to in Article 8(*I*) shall:

Amendment

1. Where the scope of a breeding programme or the geographical territory where it is to be carried out indicates that a breed society or breeding operation intends to carry it out on breeding animals resident in another Member State, the competent authority referred to in Article 8(*-1a*) shall:

Or. fr

Amendment 45

Proposal for a regulation

Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) notify the competent authority of that other Member State at least 90 calendar days before the intended commencement date of the breeding programme;

Amendment

(a) notify the competent authority of that other Member State at least 90 calendar days before the intended commencement date of the breeding programme, ***in the official language of the other Member State***;

Or. fr

Amendment 46

Proposal for a regulation

Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) provide the competent authority referred to in point (a), together with that notification, with a copy of the application for approval of the breeding programme provided for in Article 8(*I*).

Amendment

(b) provide the competent authority referred to in point (a), together with that notification, with a copy of the application for approval of the breeding programme provided for in Article 8(*-1a*), ***in the official language of the Member State***

provided for in point (a).

Or. fr

Amendment 47

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The competent authority referred to in paragraph 1(a) of this Article may, within 90 days from the date of receipt of the notification referred to in that paragraph, refuse the approval for the carrying out on its territory of a breeding programme by a breed society recognised by the competent authority referred to in Article 8(*I*), where:

Amendment

2. The competent authority referred to in paragraph 1(a) of this Article may, within 90 days from the date of receipt of the notification referred to in that paragraph, refuse the approval for the carrying out on its territory of a breeding programme by a breed society recognised by the competent authority referred to in Article 8(*-1a*), where:

Or. fr

Amendment 48

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) the approval of a *further* breeding programme *would fragment the population of purebred breeding animals available in that Member State to an extent that would compromise the* preservation or *the* genetic diversity of that breed.

Amendment

(b) the approval of a breeding programme *might jeopardise the improvement, differentiation,* preservation or genetic diversity of that breed.

Or. fr

Justification

Where there is more than one breeding programme for a given breed, it is important to ensure that the programmes are consistent with one another. Any inconsistencies would

detract from the uniformity of the animals of that breed and undermine the breeding objectives set by breeders.

Amendment 49

Proposal for a regulation

Article 9 – paragraph 5

Text proposed by the Commission

5. Where the competent authority referred to in paragraph 1(a) ***intends to refuse*** approval in accordance with paragraph 2, it shall inform the Commission ***of its intention to refuse approval together with a reasoned explanation.***

Amendment

5. Where the competent authority referred to in paragraph 1(a) ***refuses*** approval in accordance with paragraph 2, it shall inform the Commission ***thereof.***

Or. fr

Amendment 50

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. Where the rules of a breed society or breeding operation provide for membership, breeders may apply:
(a) for membership of such breed societies or breeding operations;
(b) to participate in the breeding programme within the scope and the geographical area of activity approved in accordance with Article 8(1) or Article 9.

Amendment

deleted

Or. fr

Amendment 51

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. Where the rules of a breed society or breeding operation do not provide for membership, breeders participating in a breeding programme approved in accordance with Article 8(1) or Article 9 may apply:

(a) to have their purebred breeding animals entered in the main section of the breeding book established for the breed by the breed society in accordance with Article 17(1);

(b) to have their animals recorded in a supplementary section of the breeding book established for the breed by the breed society in accordance with Article 17(3);

(c) to have their hybrid breeding pigs registered in a breed register established for the cross by a breeding operation in accordance with Articles 24;

(d) to participate in performance testing and genetic evaluation in accordance with Article 27;

(e) to be provided with a zootechnical certificate in accordance with Article 33(1) and (2).

Amendment

2. Breeders participating in a breeding programme approved in accordance with Article 8(1) or Article 9 shall have access without discrimination to all the services provided under the breeding programme.

Or. fr

Amendment 52

Proposal for a regulation Article 10 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the rules of a breed society or breeding operation provide for

membership:

(a) breeders may apply for membership of such breed societies or breeding operations;

(b) breeders may apply to participate in the breeding programme within the scope and the geographical area of activity approved in accordance with Article 8(1) or Article 9;

(c) breeders shall participate in the breeding programme without discrimination and within the scope and the geographical area of activity approved in accordance with Article 8(1) or Article 9.

Or. fr

Justification

The new paragraph seeks 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.

Amendment 53

Proposal for a regulation Article 10 – paragraph 3

Text proposed by the Commission

3. Breeders shall have the right to choose the breeding book or **breed** register in which they wish to have their breeding animals entered or registered in accordance with Articles 19 and 24.

Amendment

3. Breeders shall have the right to choose the breeding book or **zootechnical** register in which they wish to have their breeding animals entered or registered in accordance with Articles 19 and 24, ***provided that the breeding programme linked to the breeding book or zootechnical register has been approved in the Member State of the breeders concerned in accordance with Article 8(1) or Article 9.***

Or. fr

Amendment 54

Proposal for a regulation Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Breeders who move their animals to holdings outside the geographical area in which the breeding programme approved in accordance with Article 8(1) is carried out by the breed society or breeding operation may register their animals in that breed society's breeding book in line with the rules of procedure adopted by the breed society or breeding operation and provided for in Annex I, Part 1(3)(e)(ii).

Or. fr

Amendment 55

Proposal for a regulation Article 11

Text proposed by the Commission

Amendment

Article 11

Rights of breeders disputing a decision taken by a breed society

deleted

1. Breeders may have recourse to the measures provided for in Article 13 where they claim that any of the following have been unduly refused by a breed society:

(a) an application in accordance with Article 10(1);

(b) an application for the entry of a purebred breeding animal in the main section of a breeding book as provided for in Article 19;

(c) an application for the recording of an animal in a supplementary section of a breeding book as provided for in Article 20(3);

(d) the acceptance of a purebred breeding

animal for:

(i) breeding as provided for in Article 21; or

(ii) artificial insemination as provided for in Article 23(1);

(e) the acceptance of a purebred breeding animal or its semen for official performance testing and genetic evaluation as provided for in Article 23(2);

(f) the acceptance of the results of the performance testing and genetic evaluation carried out in accordance with Article 27.

2. Breeders may have recourse to the measures provided for in Article 13 where they claim that a breed society has failed to carry out performance testing or genetic evaluation in accordance with Article 27.

Or. fr

(Article 11 is deleted in its entirety)

Justification

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

Amendment 56

Proposal for a regulation Article 12

Text proposed by the Commission

Amendment

Article 12

deleted

Rights of breeders disputing a decision taken by a breeding operation

1. Breeders may have recourse to the measures provided for in Article 13 where they claim that any of the following have

been unduly refused by a breeding operation:

(a) an application for the registration of a hybrid breeding pig in a breed register as provided for in Article 24;

(b) the acceptance of a hybrid breeding pig for artificial insemination as provided for in Article 26(1);

(c) the acceptance of a hybrid breeding pig or its semen for performance testing as provided for in Article 26(2);

(d) the acceptance of the results of the performance testing carried out in accordance with Article 27.

2. Breeders may have recourse to the measures provided for in Article 13 where they claim that a breeding operation has failed to carry out performance testing or genetic evaluation in accordance with Article 27.

Or. fr

(Article 12 is deleted in its entirety)

Justification

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

Amendment 57

Proposal for a regulation Article 13

Text proposed by the Commission

Amendment

Article 13

deleted

Measures available to breeders disputing a decision taken by a breed society or breeding operation

1. In the cases referred to in Articles 11 and 12, breeders may:

(a) obtain the opinion of an independent

expert;

(b) appeal against the refusals referred to in Articles 11(1) and 12(1) or against the results of performance testing and genetic evaluation referred to in Articles 11(2) and 12(2) within 30 days from the date of receipt of the refusal or results from the breed society or breeding operation.

2. In the appeal referred to in paragraph 1(b), the breeder shall describe the facts and the grounds, where available based on the opinion of the independent expert referred to in paragraph 1(a), on which it considers that:

(a) the refusal by the breed society or breeding operation does not comply with Articles 19, 21, 23, 27, 28, 30 or 32; or

(b) the results of the performance testing and genetic evaluation have not been obtained in accordance with Article 27.

Or. fr

(Article 13 is deleted in its entirety)

Justification

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

Amendment 58

Proposal for a regulation Article 14

Text proposed by the Commission

Amendment

Article 14 Dispute settling

deleted

1. Where a breed society or breeding operation refuses the appeal by a breeder provided for in Article 13(1)(b), it shall notify the breeder and the competent authority that recognised the breed society or breeding operation in accordance with

Article 4(2), within 30 days from the date of its decision to refuse the appeal.

2. The competent authority referred to in Article 8(1) or 9 may reverse the decision of the breed society or breeding operation, where it considers that that decision does not comply with Articles 19, 21, 23, 27, 28, 30 or 32.

3. Member States shall ensure that an appeal procedure is available and that appeal decisions are rendered within a reasonable period of time.

To that end, the competent authority may decide to establish a specific tribunal with the authority to reverse decisions of a breed society or breeding operation where the tribunal considers that the refusal by the breed society or breeding operation of an appeal lodged by a breeder was unjustified.

Or. fr

(Article 14 is deleted in its entirety)

Justification

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

Amendment 59

Proposal for a regulation

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Breed societies or breeding operations may exclude breeders from participating in a breeding programme if they do not comply with the rules governing the breeding programme.

Or. fr

Amendment 60

Proposal for a regulation

Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) exclude breeders from membership where those breeders fail to comply with their duties set out in the rules of procedure in *accordance with point 3(e) of Part 1 of Annex I*.

Amendment

(b) exclude breeders from membership where those breeders fail to comply with their duties set out in the rules of procedure *as provided for in Article 16(1)*.

Or. fr

Amendment 61

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

3. Breed societies and breeding operations shall have the primary responsibility to prevent and where necessary to settle disputes that may arise between breeders and between breeders and the breed society or breeding operation in the process of carrying out breeding programmes approved in accordance with Article 8(1) or 9, in accordance with the rules *established pursuant to Article 14(3) by the Member State where the dispute arises and the rules* set out in *point 3 of Part 1 of Annex I*.

Amendment

3. Breed societies and breeding operations shall have the primary responsibility to prevent and where necessary to settle disputes that may arise between breeders and between breeders and the breed society or breeding operation in the process of carrying out breeding programmes approved in accordance with Article 8(1) or *Article* 9, in accordance with the rules set out in *Annex I, Part 1(3)(f)*.

Or. fr

Amendment 62

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Those criteria and procedures may require the purebred breeding animal to undergo performance testing or genetic evaluation as provided for in Article 27 or ***set out in the delegated act adopted pursuant to Article 28(1) or*** any other assessment described in the breeding programme approved in accordance with Article 8(1) or Article 9 prior to entry into a specific class of the main section.

Amendment

Those criteria and procedures may require the purebred breeding animal to undergo performance testing or genetic evaluation as provided for in Article 27 or any other assessment described in the breeding programme approved in accordance with Article 8(1) or Article 9 prior to entry into a specific class of the main section.

Or. fr

Amendment 63

Proposal for a regulation

Article 17 – paragraph 3 – introductory part

Text proposed by the Commission

3. Breed societies may, in addition to the main section provided for in paragraph 1 of this Article, establish one or more supplementary sections of the breeding book for animals of the same species that are not eligible for entry in the main section, provided the animals meet the requirements ***of Article 20(1)***, and the rules of the breed society allow the progeny of those animals to be entered in the main section in accordance with the rules set up in:

Amendment

3. Breed societies may, in addition to the main section provided for in paragraph 1 of this Article, establish one or more supplementary sections of the breeding book for animals of the same species that are not eligible for entry in the main section, provided the animals meet the requirements ***laid down in Annex II, Part 1, Chapter III, points 1 and 2***, and the rules of the breed society allow the progeny of those animals to be entered in the main section in accordance with the rules set up in:

Or. fr

Amendment 64

Proposal for a regulation Article 19 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning amendments to the requirements for the entry of purebred breeding animals in the main section of breeding books set out in Chapter I and II of Part 1 of Annex II.

deleted

Or. fr

Amendment 65

Proposal for a regulation Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning amendments to the conditions for the recording of animals in supplementary sections of breeding books set out in Chapter III of Part 1 of Annex II.

deleted

Or. fr

Amendment 66

Proposal for a regulation Article 21 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Breed societies shall not exclude on zootechnical or genealogical grounds, other than those resulting from the application of Article 19, the use of purebred breeding animals entered in the main section of their

1. Breed societies shall not exclude on zootechnical or genealogical grounds, other than those resulting from the application of Article 19 **and Article 27**, the use of purebred breeding animals entered in the

breeding book for breeding using the following reproduction techniques:

main section of their breeding book for breeding using the following reproduction techniques:

Or. fr

Amendment 67

Proposal for a regulation Article 21 – paragraph 1 – point c

Text proposed by the Commission

(c) collection of semen from breeding animals which have undergone, where applicable, performance testing and genetic evaluation in accordance with Article 27 *or set out in the delegated act adopted pursuant to Article 28(1)*;

Amendment

(c) collection of semen from breeding animals which have undergone, where applicable, performance testing and genetic evaluation in accordance with Article 27;

Or. fr

Amendment 68

Proposal for a regulation Article 21 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from paragraph 1, a breed society with a breeding book for purebred breeding animals of the equine or asinine species may, for the purposes of the breeding programme approved by the competent authority in accordance with Article 8(1), or to preserve genetic diversity within a breed, place restrictions on or prohibit:

(a) the acceptance of breeding animals and their germinal products for breeding;

(b) the use of one or more of the reproduction techniques referred to in paragraph 1 on purebred breeding animals entered in their breeding book.

Justification

Article 21(1) implies that artificial insemination may be prohibited only on certain performance testing and genetic evaluation grounds. In respect of equine animals, the regulation must allow breed societies to choose which reproduction methods to use in their breeding programmes.

Amendment 69**Proposal for a regulation****Article 21 – paragraph 2**

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning criteria for:

deleted

(a) the acceptance by breed societies of purebred breeding animals for breeding;

(b) the collection and use of germinal products of purebred breeding animals for breeding purposes.

Amendment 70**Proposal for a regulation****Article 22 – paragraph 1 – introductory part**

Text proposed by the Commission

Amendment

1. Breed societies shall require that purebred breeding animals of the bovine **species and male purebred breeding animals of dairy breeds of the** ovine and caprine species are identified by analysis of their blood group or by any other appropriate method providing at least the same degree of certainty when they are used for:

1. 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, **by single nucleotide polymorphism (SNP) analysis, by microsatellite analysis** or by any other appropriate method providing at least the same degree of certainty when they are used for:

Justification

The scope of breeding animals covered needs to be made wider. SNP and microsatellite analysis also need to be included among the reference methods.

Amendment 71**Proposal for a regulation****Article 22 – paragraph 1 – subparagraph 1 (new)**

Text proposed by the Commission

Amendment

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).

Or. fr

Amendment 72**Proposal for a regulation****Article 22 – paragraph 2 – subparagraph 1**

Text proposed by the Commission

Amendment

2. On request of a Member State or a European association of breed societies for purebred animals of the species concerned, the Commission may, by means of implementing acts, approve methods for the verification of the identity of ***purebred*** breeding animals ***of the bovine species and male purebred breeding animals of dairy breeds of the ovine and caprine species*** that provide at least the same degree of certainty as the analysis of the blood group of those purebred breeding animals, taking into account technical advances and the recommendations of the European reference centres referred to in Article 31.

2. On request of a Member State or a European association of breed societies for purebred animals of the species concerned, the Commission may, by means of implementing acts, approve methods for the verification of the identity of ***the*** breeding animals ***provided for in paragraph 1*** that provide at least the same degree of certainty as the analysis of the blood group of those purebred breeding animals, taking into account technical advances and the recommendations of the European reference centres referred to in Article 31.

Amendment 73**Proposal for a regulation
Article 23 – paragraph 2 a (new)***Text proposed by the Commission**Amendment*

2a. The competent authority of a Member State 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.

Or. fr

Justification

It may be necessary, for logistical reasons, to collect and store germinal products without the possibility of doing so in a centre officially approved for intra-Union trade. Such cases are limited to requirements relating to the preservation or genetic diversity of a breed, and when such products are used within the national territory of the Member State concerned, which means, therefore, that they are not intended for trade and thus do not require approval.

Amendment 74**Proposal for a regulation
Article 23 – paragraph 3 a (new)***Text proposed by the Commission**Amendment*

3a. By way of derogation from paragraph 3, the competent authority may, where necessary for the purposes of the preservation or genetic diversity of a breed and for a use that is limited to the national territory of the Member State concerned, authorise the collection, processing and storage of germinal products from purebred breeding animals for the purposes set out in paragraphs 1 and 2 by an embryo collection and production centre that is not officially

approved for intra-Union trade in those commodities in accordance with Union animal health legislation, provided that the health and hygiene conditions are such that the germinal products can be used at a later stage within the national territory.

Or. fr

Justification

It may be necessary, for logistical reasons, to collect and store germinal products without the possibility of doing so in a centre officially approved for intra-Union trade. Such cases are limited to requirements relating to the preservation or genetic diversity of a breed, and when such products are used within the national territory of the Member State concerned, which means, therefore, that they are not intended for trade and thus do not require approval.

Amendment 75

Proposal for a regulation Article 23 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning the conditions for the acceptance of: *deleted*

(a) purebred breeding animals of the equine species of certain breeds for artificial insemination and in-vitro fertilisation of oocytes;

(b) purebred breeding animals of the equine species of certain breeds and their germinal products for performance testing and genetic evaluation.

Or. fr

Amendment 76

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning amendments to the requirements for the registration of hybrid breeding pigs in breed registers set out in Part 2 of Annex II.

deleted

Or. fr

Amendment 77

Proposal for a regulation Article 25 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) collection and use of semen from breeding animals which have undergone, performance testing and genetic evaluation in accordance with Article 27 **or set out in the delegated act adopted pursuant to Article 28(1);**

(c) collection and use of semen from breeding animals which have undergone performance testing and genetic evaluation in accordance with Article 27;

Or. fr

Amendment 78

Proposal for a regulation Article 25 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning criteria for:

deleted

(a) the acceptance by breeding operations of hybrid breeding pigs for breeding;

(b) the collection and use of semen, oocytes or embryos of hybrid breeding pigs for breeding purposes.

Or. fr

Amendment 79

Proposal for a regulation Article 26 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning the conditions for the acceptance of hybrid breeding pigs for artificial insemination and testing.

deleted

Or. fr

Amendment 80

Proposal for a regulation Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. Where a breeding programme approved in accordance with Article 8(1) or Article 9 requires performance testing and genetic evaluation for the classification of purebred breeding animals of the equine species in breeding books and for the acceptance for breeding of **male** breeding animals **of the equine species** and their **semen**, breed societies shall ensure that such performance testing and genetic evaluation are carried out in accordance with the following rules set out in Annex I:

2. Where a breeding programme approved in accordance with Article 8(1) or Article 9 requires performance testing and genetic evaluation for the classification of purebred breeding animals of the equine **or asinine** species in breeding books and for the acceptance for breeding of breeding animals and their **germinal products**, breed societies shall ensure that such performance testing and genetic evaluation are carried out in accordance with the following rules set out in Annex I:

Or. fr

Justification

Donkeys should also be included. Performance testing and genetic evaluation for acceptance for breeding should be an option for female breeding animals as well. This is of vital importance to some breed societies.

Amendment 81

Proposal for a regulation Article 28 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning the rules for performance testing and genetic evaluation, and where necessary to amend Annex III, to take account of: **deleted**

(a) scientific advances;

(b) technical developments;

**(c) the functioning of the internal market;
or**

(d) the needs to protect valuable genetic resources.

Or. fr

Amendment 82

Proposal for a regulation Article 28 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

2. In the light of the opinion of the independent expert referred to in Article 13(1)(a), the Commission may, by means of an implementing act, lay down uniform rules for performance testing and genetic evaluations and the interpretation of the results thereof.

2. In the light of the opinion of the independent expert referred to in Article 13(1)(a), the Commission may, by means of an implementing act, lay down uniform rules for performance testing and genetic evaluations **for animals other than those belonging to the equine and porcine species, and for** the interpretation of the results thereof, **on the basis of the work of**

the ICAR.

Or. fr

Justification

For equine animals, performance testing and genetic evaluation depend on each breeding book and on the relevant breeding objectives. Those objectives vary, which is why uniform rules are not appropriate in this case. Similarly, uniform rules are not advisable where pigs are concerned, either, as performance testing and genetic evaluation are vital, strategic elements when it comes to the competitiveness of breed societies or breeding operations.

Amendment 83

**Proposal for a regulation
Article 29 – paragraph 1**

Text proposed by the Commission

1. ***Breed societies*** and breeding ***operations shall, where necessary to carry out*** their breeding programme approved in accordance with Article 8(1) or Article 9, ***designate the institution which carries out the performance testing and the genetic evaluation of breeding animals provided for in Article 27.***

Amendment

1. ***To accept male breeding animals and their germinal products for breeding, and when carrying out*** their breeding programme approved in accordance with Article 8(1) or Article 9 ***requires performance testing and genetic evaluation activities, breed societies and breeding operations must:***

(a) carry out those activities themselves; or

(b) designate a third party to whom those activities are delegated.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. fr

Amendment 84

Proposal for a regulation

Article 29 – paragraph 2 – introductory part

Text proposed by the Commission

2. The institutions provided for in paragraph 1 *may either*:

Amendment

2. Breed societies or breeding operations that delegate performance testing and genetic evaluation activities to the institutions provided for in paragraph 1(b) shall fulfil the conditions laid down in Article 8(2).

The institutions provided for in paragraph 1(b) must:

Or. fr

Amendment 85

Proposal for a regulation

Article 29 – paragraph 2 – point a

Text proposed by the Commission

(a) operate as specialised units under the responsibility of a breed society or breeding operation; or

Amendment

(a) operate as specialised units under the responsibility of a breed society or breeding operation, ***provided they are recognised by the European reference centre designated under Article 31 or certified according to the ISO standard by an independent institution***; or

Or. fr

Amendment 86

Proposal for a regulation

Article 29 – paragraph 2 – point b

Text proposed by the Commission

(b) be authorised by the competent authority which has approved the breeding programme.

Amendment

(b) be authorised by the competent authority which has approved the breeding programme, ***provided that they comply***

with the provisions of Annex III.

Or. fr

Amendment 87

Proposal for a regulation

Article 30 – title

Text proposed by the Commission

Obligations of *institutions designated in accordance with Article 29(1)*

Amendment

Obligations of breed societies, breeding enterprises and third parties which carry out performance testing or genetic evaluations

Or. fr

Amendment 88

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. *Institutions designated by* breed societies or breeding *operations* as provided for in Article 29(1) shall provide the following information on request of the competent authority:

Amendment

1. Breed societies or breeding enterprises *which carry out performance testing or genetic evaluations*, as provided for in Article 29(1)(a), *or the third parties referred to in Article 29(1)(b)* shall provide the following information on request of the competent authority :

Or. fr

Amendment 89

Proposal for a regulation

Article 30 – paragraph 1 – point b

Text proposed by the Commission

(b) the identity of *the designating* breed

Amendment

(b) *in the case of* breed *societies* or

society or breeding operation and of the competent authority referred to in Article 29(2)(b);

breeding *enterprises which have delegated these activities to a third party, as provided for* in Article 29(1)(b), the identity of *that body*;

Or. fr

Amendment 90

Proposal for a regulation Article 30 – paragraph 2

Text proposed by the Commission

2. *The institutions* designated by breed societies or breeding operations as provided for in Article 29(1) shall make publicly available and keep up-to-date the results of the genetic evaluation of breeding animals whose semen is used for artificial insemination.

Amendment

2. *Breed societies and breeding enterprises which carry out performance testing or genetic evaluations and the third parties* designated by breed societies or breeding operations as provided for in Article 29(1)(b) shall make publicly available and keep up-to-date the results of the genetic evaluation of breeding animals whose semen is used for artificial insemination.

Or. fr

Amendment 91

Proposal for a regulation Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *The third bodies designated in accordance with Article 29 (1) (b) shall communicate the information to be given to the competent authorities pursuant to paragraph 1 to the breed societies or breeding enterprises which have designated them.*

Or. fr

Amendment 92

Proposal for a regulation Article 30 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. If, after considering the information submitted pursuant to paragraph 1, the competent authorities find that the performance testing or genetic evaluations are not being carried out according to recognised zootechnical principles, they may suspend the approved breeding programme. This suspension shall cease after the implementation of corrective actions by the breed society, breeding enterprise or third party as designated in paragraph 1(b).

Or. fr

Amendment 93

Proposal for a regulation Article 33 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 ***concerning the information required in accordance with paragraph 1(a) and*** where necessary the amendments to the contents of zootechnical certificates provided for in Annex V:

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 ***so as to amend***, where necessary, the contents of zootechnical certificates provided for in Annex V ***in order to take into account:***

- (a) scientific progress;***
- (b) technical developments;***
- (c) the functioning of the internal market;***
- (d) the need to protect genetic resources.***

Justification

The nature of the delegated acts must be specified.

Amendment 94

**Proposal for a regulation
Chapter VI**

Text proposed by the Commission

Amendment

CHAPTER VI

deleted

**Zootechnical and genealogical rules for
trade in purebred breeding animals of
other species**

Article 35

**Delegated powers and implementing
powers concerning the zootechnical and
genealogical rules for trade in purebred
breeding animals referred to in Article
2(i)(iii) and their germinal products**

**1. The Commission shall be empowered to
adopt delegated acts in accordance with
Article 71 concerning the zootechnical
and genealogical rules for trade in
purebred breeding animals referred to in
Article 2(i)(iii) and their germinal
products where this is necessary either for
the functioning of the internal market or
for the protection of valuable genetic
resources, as regards:**

- (a) the recognition of breed societies;**
- (b) the approval of breeding programmes;**
- (c) the conditions for the entry of those
purebred breeding animals in breeding
books;**
- (d) the acceptance by breed societies of
those purebred breeding animals for
breeding, artificial insemination and the**

collection and use of their germinal products;

(e) the methods for performance testing and genetic evaluation of those purebred animals;

(f) the information to be contained in zootechnical certificates that must accompany those purebred breeding animals.

2. Insofar as the Commission has adopted the delegated acts referred to in paragraph 1, it shall, by means of implementing acts, draw up model forms of zootechnical certificates referred to in paragraph 1(f) of this Article for purebred breeding animals referred to in Article 2(i)(iii) and their semen, oocytes and embryos.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 72(2).

Or. fr

Justification

Other species may be incorporated into this Regulation only through co-decision.

Amendment 95

Proposal for a regulation

Article 38 – paragraph 1 – point a

Text proposed by the Commission

(a) the recognition and supervision of breed societies and breeding operations provided for in Article 4 *or set out in the delegated act adopted pursuant to Article 35(1)*;

Amendment

(a) the recognition and supervision of breed societies and breeding operations provided for in Article 4 *and the official controls provided for in Article 46*;

Or. fr

Amendment 96

Proposal for a regulation

Article 38 – paragraph 1 – point b

Text proposed by the Commission

(b) the approval of breeding programmes of breed societies and breeding operations provided for in Article 8(1) ***or set out in the delegated act adopted pursuant to Article 35(1);***

Amendment

(b) the approval of breeding programmes of breed societies and breeding operations provided for in Article 8(1);

Or. fr

Amendment 97

Proposal for a regulation

Article 38 – paragraph 1 – point c

Text proposed by the Commission

(c) the entry of breeding animals in breeding books ***and breed*** registers provided for in Articles 19 and 24 ***or set out in the delegated act adopted pursuant to Article 35(1);***

Amendment

(c) the entry of ***purebred*** breeding animals in breeding books ***or the registration of hybrid breeding pigs in the zootechnical*** registers provided for in Articles 19 and 24;

Or. fr

Amendment 98

Proposal for a regulation

Article 38 – paragraph 1 – point d

Text proposed by the Commission

(d) the acceptance of breeding animals for breeding provided for in Articles 21 and 25 ***or set out in the delegated act adopted pursuant to Article 35(1);***

Amendment

(d) the acceptance of breeding animals for breeding provided for in Articles 21 and 25;

Or. fr

Amendment 99

Proposal for a regulation

Article 38 – paragraph 1 – point e

Text proposed by the Commission

(e) the use of germinal products for breeding provided for in Article 23(1) *or set out in the delegated act adopted pursuant to Article 35(1)*;

Amendment

(e) the use of germinal products for breeding provided for in Article 23(1);

Or. fr

Amendment 100

Proposal for a regulation

Article 38 – paragraph 1 – point f

Text proposed by the Commission

(f) the use of semen for testing provided for in Article 23(2) *or set out in the delegated act adopted pursuant to Article 35(1)*;

Amendment

(f) the use of semen for testing provided for in Article 23(2) ;

Or. fr

Amendment 101

Proposal for a regulation

Article 38 – paragraph 1 – point g

Text proposed by the Commission

(g) the performance testing and genetic evaluation provided for in Article 27 *or set out in the delegated act adopted pursuant to Article 35(1)*.

Amendment

(g) the performance testing and genetic evaluation provided for in Article 27 .

Or. fr

Amendment 102

Proposal for a regulation Article 39 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning the zootechnical and genealogical rules for imports into the Union of breeding animals and their germinal products to take into account the specific zootechnical situation in a third country of origin of a breeding animal.

deleted

Or. fr

Amendment 103

Proposal for a regulation Chapter VIII

Text proposed by the Commission

Amendment

**CHAPTER VIII
Zootechnical and genealogical conditions
for imports into the Union of purebred
breeding animals of other species**

deleted

Article 45

Delegated powers and implementing powers concerning the zootechnical and genealogical rules for imports into the Union of purebred breeding animals referred to in Article 2(i)(iii) and their germinal products

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning specific rules for imports into the Union of purebred breeding animals referred to in Article 2(i)(iii) and their germinal products where this is necessary either for the functioning of the internal market or for the protection of valuable genetic resources, as regards:

- (a) the listing of breeding bodies;*
- (b) the conditions for the entry of those purebred animals in breeding books established by breed societies;*
- (c) the acceptance by breed societies of those purebred breeding animals for breeding, artificial insemination and the collection and use of their germinal products*
- (d) the methods for performance testing and genetic evaluation of those purebred animals;*
- (e) the main information to be contained in the zootechnical certificate that must accompany those purebred breeding animals and their germinal products.*

2. Insofar as the Commission has adopted the delegated acts referred to in paragraph 1, it shall, by means of implementing acts, draw up model forms of zootechnical certificates referred to in paragraph 1(f) for purebred breeding animals referred to in Article 2(i)(iii) and their semen, oocytes and embryos.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 72(2).

Or. fr

Justification

Other species may be incorporated into this Regulation only through co-decision.

Amendment 104

Proposal for a regulation Article 46 – paragraph 1 – point d

Text proposed by the Commission

(d) any information that might indicate non-compliance.

Amendment

(d) any information that might indicate non-compliance ***with the zootechnical and genealogical rules established in this***

Regulation.

Or. fr

Amendment 105

Proposal for a regulation

Article 46 – paragraph 3

Text proposed by the Commission

Amendment

3. Official controls performed prior to trade in certain breeding animals and their germinal products in view of the issuance of the official certificates or official attestations required by the zootechnical and genealogical rules provided for in this Regulation as a condition for trade in breeding animals or their germinal products shall be performed in accordance with:

deleted

(a) the zootechnical and genealogical rules provided for in this Regulation;

(b) the delegated acts adopted by the Commission in accordance with Articles 35 and 45.

Or. fr

Justification

Amendment 106

Proposal for a regulation

Article 47 – paragraph 3

Text proposed by the Commission

Amendment

3. The competent authority may publish or make otherwise publicly available information on the rating of individual breed societies and breeding operations based on an assessment of their conformity with rating criteria and on the results of official controls, provided that

deleted

the following conditions are met:

(a) the rating criteria are objective, transparent and publicly available;

(b) appropriate arrangements are in place to ensure the consistency and transparency of the rating process.

Or. fr

Justification

Breed societies may not be subject to any classification by the competent authority. They already meet strict standards for their accreditation.

Amendment 107

Proposal for a regulation

Article 50 – paragraph 2 – point b – point i

Text proposed by the Commission

Amendment

(i) the premises, offices and equipment of breeders, breed societies and breeding operations; *deleted*

Or. fr

Amendment 108

Proposal for a regulation

Article 51 – title

Text proposed by the Commission

Amendment

Obligations of breeders, breed societies and breeding operations

Obligations of breeders, breed societies and breeding operations *subject to official controls and other official activities*

Or. fr

Amendment 109

Proposal for a regulation Article 51 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) premises, offices and equipment; ***deleted***

Or. fr

Amendment 110

Proposal for a regulation Article 52

Text proposed by the Commission

Amendment

Article 52 ***deleted***

Delegation of powers concerning specific rules on official controls and on action to be taken by the competent authority in relation to breeding animals and their germinal products

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 71 concerning rules:

(a) for the performance of official controls on breeding animals and their germinal products to verify compliance with the zootechnical and genealogical rules provided for in this Regulation;

(b) on the action to be taken by the competent authority in the light of the results obtained following the performance of official controls.

2. The delegated acts provided for in paragraph 1 shall specify:

(a) the specific responsibilities and tasks of the competent authority, in addition to those provided for in Articles 46 to 50;

(b) the cases where the competent authority, in relation to specific cases of non-compliance shall take one or more of

the measures provided for in implementing acts adopted pursuant to Article 66(1) or additional measures to those provided for in that Article.

Or. fr

Amendment 111

Proposal for a regulation Article 54 – paragraph 1

Text proposed by the Commission

1. Where the competent authority ("requesting competent authority") considers that it requires information from a competent authority in another Member State ("requested competent authority") for the performance or effective follow-up of official controls, it shall submit a reasoned request to that competent authority.

The requested competent authority shall, without undue delay:

(a) acknowledge receipt of the reasoned request and indicate the time necessary to provide the requested information;

(b) perform official controls or investigations necessary to

(i) provide the requesting competent authority with all necessary information and the original documents or certified copies thereof;

ii) verify, where necessary on-the-spot, compliance with the zootechnical and genealogical rules provided for in this Regulation within their jurisdiction.

Amendment

1. Where the competent authority ("requesting competent authority") considers that it requires information from a competent authority in another Member State ("requested competent authority") for the performance or effective follow-up of official controls, it shall submit a reasoned request to that competent authority. ***The authority concerned has an obligation to assist.***

Or. fr

Amendment 112

Proposal for a regulation Article 54 – paragraph 2

Text proposed by the Commission

2. The requesting and requested competent authorities may agree that officials designated by the former are present during the official controls referred to in ***point (b)(i) of the second subparagraph of paragraph 1.***

In such cases the officials of the requesting competent authority:

(a) shall at all times be able to produce written authority stating their identity and their official capacity;

(b) shall have access to the same premises and documents as the present official of the requested competent authority for the sole purpose of the official controls being carried out;

(c) may not, on their own initiative, exercise the powers of performing official controls conferred on officials of the requested competent authority.

Amendment

2. The requesting and requested competent authorities may agree that officials designated by the former are present during the official controls referred to in paragraph 1.

Or. fr

Amendment 113

Proposal for a regulation Article 55 – paragraph 2

Text proposed by the Commission

2. The competent authority notified in accordance with paragraph 1 shall:

(a) acknowledge receipt of the notification without delay;

(b) indicate within ten days from the date of receipt of the notification:

(i) the investigations that it intends to carry out concerning the case of non-

Amendment

deleted

compliance referred to in paragraph 1; or
(ii) the reasons why it considers that no investigations are necessary.

Or. fr

Amendment 114

Proposal for a regulation Article 56 – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authorities notified in accordance with paragraph 1 shall, without undue delay: *deleted*

(a) acknowledge receipt of the notification and indicate what investigations they intend to carry out concerning the case of non-compliance referred to in paragraph 1;

(b) investigate the matter, take all necessary measures and inform the notifying competent authority of the nature of the investigations and the official controls performed by them, of the decisions taken and of the reasons for such decisions.

Or. fr

Amendment 115

Proposal for a regulation Article 56 – paragraph 3

Text proposed by the Commission

Amendment

3. If the notifying competent authority referred to in paragraph 1 has reason to believe that the investigations performed or the measures taken by the notified competent authorities in accordance with paragraph 2 do not adequately address *deleted*

the case of non-compliance established, they shall request the notified competent authorities to carry out additional official controls or measures.

In such cases:

(a) the competent authorities from the two Member States shall seek ways and means of finding an agreed approach with the aim of appropriately addressing the case of non-compliance referred to in paragraph 1 of this Article, including through joint on-the-spot official controls performed in accordance with Articles 53(2) and 54(2);

(b) they shall inform the Commission without undue delay where they are not able to agree on appropriate measures.

Or. fr

Amendment 116

Proposal for a regulation Article 58 – paragraph 1 – point a

Text proposed by the Commission

(a) information available to the Commission indicates that activities that are, or appear to be, ***non-compliance***:

Amendment

(a) information available to the Commission indicates that activities that are, or appear to be, ***non-compliant with the zootechnical and genealogical rules provided for by this Regulation***:

Or. fr

Amendment 117

Proposal for a regulation Article 60

Text proposed by the Commission

Article 60

Amendment

deleted

General obligations of the competent authorities as regards enforcement action

1. When acting in accordance with this Chapter, the competent authorities shall give priority to action to be taken to eliminate non-compliances or to minimise their effects to trade in breeding animals and their germinal products.

2. In case of suspicion of non-compliance, the competent authorities shall perform an investigation in order to confirm or to eliminate that suspicion.

3. Where necessary for its purposes, the investigation referred to in paragraph 2 shall include the performance of intensified official controls on breeding animals and germinal product thereof and breeders, breed societies and breeding operations for an appropriate period.

Or. fr

Amendment 118

Proposal for a regulation

Article 61 – paragraph 1 – point a

Text proposed by the Commission

(a) perform any further investigation necessary to determine the origin and extent of the non-compliance and to establish the responsibilities of breeders, breed societies and breeding operations;

Amendment

(a) perform **all official controls or** any further investigation necessary to determine the origin and extent of the non-compliance and to establish the responsibilities of breeders, breed societies and breeding operations;

Or. fr

Amendment 119

Proposal for a regulation

Article 61 – paragraph 2

Text proposed by the Commission

2. When acting in accordance with paragraph 1, competent authorities shall, *as appropriate*:

(a) postpone the entry in breeding books of purebred breeding animals or the registration in breed registers of hybrid breeding pigs;

(b) order the alteration of the status of the animals or their germinal products as intended for breeding in accordance with this Regulation or corrective information to be provided to breeders;

(c) restrict or prohibit the trade in animals and germinal products as breeding animals or germinal products defined in Article 2 or their imports into the Union or exports to third countries or prohibit or order their return to the Member State of dispatch;

(d) order that the breeder, breed society or breeding operation increases the frequency of own controls;

(e) order that certain activities of the breeder, breed society or breeding operation concerned be subject to increased or systematic official controls;

(f) order the cessation for an appropriate period of time of all or part of the activities of the breeder, breed society or breeding operation concerned and, where relevant, of the Internet sites it operates or employs and suspend the approval of a breeding programme carried out by a breed society or breeding operation, where that breed society or breeding operation repeatedly, continuously or

Amendment

2. When acting in accordance with paragraph 1, competent authorities shall ***take all measures they deem appropriate to ensure compliance with the zootechnical and genealogical rules provided for in this Regulation.***

generally fails to comply with the requirements of the breeding programme approved in accordance with Article 8(1) or Article 9;

(g) order the withdrawal of the recognition of the breed society or breeding operation granted in accordance with Article 4(2), if the administrative practice of that breed society or breeding operation indicates that it repeatedly, continuously or generally fails to comply with the requirements of Article 4(2)(c);

(h) take any other measure the competent authorities deem appropriate to ensure compliance with the zootechnical and genealogical rules provided for in this Regulation.

Or. fr

Amendment 120

Proposal for a regulation Article 65 – paragraph 1

Text proposed by the Commission

1. To assist the Commission in carrying the Commission controls provided for in Article 63(1), Member States shall:

(a) provide the necessary assistance, documentation and other technical support that Commission experts request to enable them to carry out the Commission controls efficiently and effectively;

(b) ensure that Commission experts have access to all premises or parts of premises and to information, including computing

Amendment

1. To assist the Commission in carrying ***out*** the Commission controls provided for in Article 63(1), Member States shall ***provide all necessary technical assistance and all the documentation and all other technical means requested by Commission experts so as to be able to carry out controls efficiently and effectively;***

systems, necessary to carry out the Commission controls.

Or. fr

(Point (a) is included in the introductory part with one modification, while point (b) is deleted.)

Amendment 121

Proposal for a regulation

Article 66 – paragraph 1 – subparagraph a

Text proposed by the Commission

1. Where the Commission has evidence of a serious failure in the control systems of a Member State and such failure may result in a widespread infringement of the zootechnical and genealogical rules provided for in this Regulation, it shall, by means of implementing acts, adopt ***one or more of the following*** measures, to ***be applied until*** that failure ***has been eliminated***:

(a) a prohibition on trade in the breeding animals or their germinal products concerned by the failure in the official control system;

(b) imposing special conditions, in addition to those provided for in Chapter II, for the recognition of breed societies and breeding operations, the approval of breeding programmes or the trade in breeding animals and their germinal products;

(c) other appropriate temporary measures.

Amendment

1. Where the Commission has evidence of a serious failure in the control systems of a Member State and such failure may result in a widespread infringement of the zootechnical and genealogical rules provided for in this Regulation, it shall, by means of implementing acts, adopt ***the appropriate*** measures to ***eliminate*** that failure.

Or. fr

Amendment 122

Proposal for a regulation

Article 66 – paragraph 2 – point b

Text proposed by the Commission

2. The measures provided for in paragraph 1 shall be adopted only after the Member State concerned has failed to correct the situation upon request and within the time limit set by the Commission.

Amendment

2. The measures provided for in paragraph 1 shall be adopted only after the Member State concerned has failed to correct the situation upon request and within the **appropriate** time limit set by the Commission.

Or. fr

Amendment 123

Proposal for a regulation

Article 67 – paragraph 1 – point a

Text proposed by the Commission

(a) verify that the zootechnical and genealogical rules **on breeding animals and their germinal products provided for in the legislation of the third country provides equivalent guarantees to that** provided for in the Union by this Regulation;

Amendment

(a) verify that the **legislation and systems of those third countries comply with, or are equivalent to**, the zootechnical and genealogical rules provided for in the Union by this Regulation;

Or. fr

Amendment 124

Proposal for a regulation

Article 67 – paragraph 1 – point b

Text proposed by the Commission

(b) verify **that** the control system in place in the third country concerned **can** ensure that consignments of breeding animals and their germinal products exported to the Union comply with relevant requirements

Amendment

(b) verify **the ability of** the control system in place in the third country concerned **to** ensure that consignments of breeding animals and their germinal products exported to the Union comply with relevant requirements in Chapter VII of

in Chapter VII of this Regulation;

this Regulation;

Or. fr

Amendment 125

Proposal for a regulation

Article 67 – paragraph 1 – point c

Text proposed by the Commission

(c) collect information to elucidate the causes of recurring cases where breeding animals and their germinal products imported into the Union do not meet the zootechnical and genealogical requirements for imports into the Union for which compliance was unduly certified.

Amendment

(c) collect information **and data** to elucidate the causes of recurring **or emerging** cases where breeding animals and their germinal products imported into the Union do not meet the zootechnical and genealogical requirements for imports into the Union for which compliance was unduly certified.

Or. fr

Amendment 126

Proposal for a regulation

Article 67 – paragraph 2 – point b

Text proposed by the Commission

(b) the organisation of the competent authority of the third country, its powers and independence, the supervision to which it is subject and the authority it has to enforce the legislation **referred to in point (a)** effectively;

Amendment

(b) the organisation of the competent authority of the third country, its powers and independence, the supervision to which it is subject and the authority it has to enforce the **appropriate** legislation effectively;

Or. fr

Amendment 127

Proposal for a regulation

Article 67 – paragraph 2 – point c

Text proposed by the Commission

(c) the training of staff in the performance of official controls;

Amendment

(c) the training of staff **by the competent authorities of third countries** in the performance of official controls;

Or. fr

Amendment 128

Proposal for a regulation

Article 67 – paragraph 2 – point f

Text proposed by the Commission

(f) the extent and operation of official controls performed on breeding animals and their germinal products arriving from other third countries;

Amendment

(f) the extent and operation of official controls performed **by the competent authorities of third countries** on breeding animals and their germinal products arriving from other third countries;

Or. fr

Amendment 129

Proposal for a regulation

Article 68 – paragraph 1

Text proposed by the Commission

1. The frequency of Commission controls in third countries shall be determined on the basis of:

Amendment

1. The frequency of **the** Commission controls in third countries **referred to in Article 67(1)** shall be determined on the basis of:

Or. fr

Amendment 130

Proposal for a regulation

Article 68 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) any other information considered appropriate.

Or. fr

Amendment 131

Proposal for a regulation

Article 70 – paragraph 1

Text proposed by the Commission

Amendment

1. Where there is evidence that ***widespread*** serious non-compliance with the zootechnical and genealogical rules provided for in this Regulation may be taking place, the Commission shall, by means of implementing acts, adopt the special measures necessary to put an end to such non-compliance.

1. Where there is evidence that serious non-compliance with the zootechnical and genealogical rules provided for in this Regulation may be taking place, the Commission shall, by means of implementing acts, adopt the special measures necessary to put an end to such non-compliance.

Or. fr

Amendment 132

Proposal for a regulation

Article 70 – paragraph 2 – point b – point ii

Text proposed by the Commission

Amendment

(ii) accompanied by an official certificate or any other evidence attesting that the breeding animals or their germinal products meet the requirements set out in Chapter VII of this Regulation ***or in the delegated act adopted pursuant to Article 45(1)***;

(ii) accompanied by an official certificate or any other evidence attesting that the breeding animals or their germinal products meet the requirements set out in Chapter VII of this Regulation;

Amendment 133**Proposal for a regulation
Article 71 – paragraph 2***Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Articles **4(3), 8(3), 17(4), 19(4), 20(2), 21(2), 23(4), 24(2), 28(1), 32(2), 33(3), 35(1), 39(2), 45(1) and 52(1)** shall be conferred on the Commission for **an indeterminate** period from the date of entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Articles 17(4), 32(2), and 33(3) shall be conferred on the Commission for a period **of five years** from the date of entry into force of this Regulation. ***The Commission shall draw up a report on the delegation of power no later than nine months before the end of the five-year period and shall report to the European Parliament and the Council. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Amendment 134**Proposal for a regulation
Article 71 – paragraph 3***Text proposed by the Commission*

3. The delegation of power referred to in Articles **4(3), 8(3), 17(4), 19(4), 20(2), 21(2), 23(4), 24(2), 28(1), 32(2), 33(3), 35(1), 39(2), 45(1) and 52(1)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later

Amendment

3. The delegation of powers referred to in Articles 17(4), 32(2), **and** 33(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in

date specified therein. It shall not affect the validity of any delegated acts already in force.

force.

Or. fr

Amendment 135

Proposal for a regulation Article 71 – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Articles **4(3)**, **8(3)**, 17(4), **19(4)**, **20(2)**, **21(2)**, **23(4)**, **24(2)**, **28(1)**, 32(2), 33(3), **35(1)**, **39(2)**, **45(1)** and **52(1)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period may be extended by two months at the initiative of the European Parliament or of the Council.

Amendment

5. A delegated act adopted pursuant to Articles 17(4), 32(2), **and** 33(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period may be extended by two months at the initiative of the European Parliament or of the Council.

Or. fr

Amendment 136

Proposal for a regulation ANNEX I – Part 1 – title

Text proposed by the Commission

General requirements for the recognition of breed societies and breeding operations as provided for in Article 4(2)

Amendment

Part 1 General requirements for the recognition of breed societies and breeding operations as provided for in Article 4(2)(b)

This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Amendment 137

Proposal for a regulation ANNEX I – Part 1 – paragraph 2

Text proposed by the Commission

Amendment

**2. be legally and financially independent
from the competent authority;** **deleted**

Or. fr

Justification

This provision does not invariably reflect the situation on the ground and in some cases, therefore, might place the existence of breed societies in jeopardy.

Amendment 138

Proposal for a regulation ANNEX I – Part 1 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) **can** generate and use the livestock performance data of breeding animals necessary for carrying out its breeding programme to be approved in accordance with Article 8(1) and, where applicable Article 9;

(d) **is able, directly or indirectly, to** generate and use the livestock performance data of breeding animals necessary for carrying out its breeding programme to be approved in accordance with Article 8(1) and, where applicable, Article 9;

Or. fr

Justification

Breed societies or breeding operations may delegate part of their activities.

Amendment 139

Proposal for a regulation

ANNEX I – Part 1 – paragraph 3 – point e – introductory part

Text proposed by the Commission

(e) *in case* where **membership of breeders is required by the** breed society or breeding operation, **has adopted** rules of procedure **to provide** for:

Amendment

(e) where **a** breed society or breeding operation **has a membership scheme, the society or operation shall draw up** rules of procedure **providing in particular** for:

Or. fr

Amendment 140

Proposal for a regulation

ANNEX I – Part 1 – paragraph 3 – point f

Text proposed by the Commission

(f) has adopted rules of procedure to settle disputes with breeders **arising from the performance testing and genetic evaluation of breeding animals, the entry into classes according to merits and the acceptance of breeding animals for breeding and collection and use of germinal products.**

Amendment

(f) has adopted rules of procedure to settle disputes with breeders.

Or. fr

Amendment 141

Proposal for a regulation

ANNEX I – Part 2 – paragraph 1 – point d

Text proposed by the Commission

(d) the objectives of the breeding programme and detailed evaluation criteria concerning the selection of breeding animals, which in the case of the establishment of a breeding book for a new breed, must include information on the

Amendment

(d) the objectives of the breeding programme, **the populations to be assessed,** and detailed evaluation criteria concerning the selection of breeding animals, which in the case of the establishment of a breeding book for a new

detailed circumstances justifying the establishment of the new breed;

breed, must include information on the detailed circumstances justifying the establishment of the new breed;

Or. fr

Amendment 142

Proposal for a regulation

ANNEX I – Part 2 – paragraph 1 – point e

Text proposed by the Commission

(e) the systems to generate, record, communicate and use the results of performance testing and, where required in accordance with Article 27, to **carry out a genetic evaluation in order to** estimate the genetic values of breeding animals with a view to the improvement, selection or preservation of the breed or the improvement of the cross;

Amendment

(e) the systems to generate, record, communicate and use the results of performance testing and, where required in accordance with Article 27, to estimate the genetic values of breeding animals with a view to the improvement, selection or preservation of the breed or the improvement of the cross;

Or. fr

Amendment 143

Proposal for a regulation

ANNEX II – Part 1 – Chapter I – paragraph 1 – point a – sub-point i

Text proposed by the Commission

(i) in point (i) of Article 2(i) in the case of purebred breeding animals of the bovine species (*Bos taurus* and *Bubalus bubalis*), porcine species (*Sus scrofa*), ovine species (*Ovis aries*) and caprine species (*Capra hircus*);

Amendment

(i) in point (i) of Article 2(i) in the case of purebred breeding animals of the bovine species (*Bos indicus* and *Bubalus bubalis*), porcine species (*Sus scrofa*), ovine species (*Ovis aries*) and caprine species (*Capra hircus*);

Or. fr

Amendment 144

Proposal for a regulation

ANNEX II – Part 1 – Chapter 1 – paragraph 1 – point a – sub-point ii

Text proposed by the Commission

(ii) in point (ii) of Article 2(i) in the case of purebred breeding animals of the equine species (*Equus caballus* and *Equus asinus*);

Amendment

(ii) in point (ii) of Article 2(i) in the case of purebred breeding animals of the equine ***or asinine*** species (*Equus caballus* and *Equus asinus*). ***Both of the animal's parents are entered in the main section of the breeding book and have been accepted for breeding by the breed society.***

Or. fr

Justification

The process prior to the acceptance (or, possibly, rejection) of a stallion or mare for breeding in a breeding book enables the zootechnical level of animals to be scrutinised in keeping with a breeding approach that goes beyond mere pedigree. Asses should also be included.

Amendment 145

Proposal for a regulation

ANNEX II – Part 1 – Chapter I – paragraph 1 – point a – sub-point iii

Text proposed by the Commission

(iii) in the delegated acts adopted pursuant to Article 35(1) and 45(1) in the case of purebred breeding animals of other species referred to in Article 2(i)(iii);

Amendment

deleted

Or. fr

Amendment 146

Proposal for a regulation

ANNEX II – Part 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. A breed society which enters a

purebred breeding animal of the equine species in its breeding book may not refuse to enter, or to register with a view to entering, a castrated male of the equine species which meets the conditions laid down in points (b) and (c) of paragraph 1, and, where appropriate, point (d), if the parents of that animal were entered in that breeding book and accepted for breeding by the breed society.

Or. fr

Amendment 147

Proposal for a regulation ANNEX III – Part 1 – Chapter I – subparagraph 1

Text proposed by the Commission

Breed societies shall carry out performance testing to establish the genetic value of purebred breeding animals of the bovine species using one or a combination of the methods set out in this Chapter.

Amendment

Breed societies shall carry out, *or have a designated institution as referred to in Article 29(1) carry out*, performance testing to establish the genetic value of purebred breeding animals of the bovine species using one or a combination of the methods set out in this Chapter.

Or. fr

Amendment 148

Proposal for a regulation ANNEXE III – Part 1 – Chapter I – subparagraph 2

Text proposed by the Commission

Performance testing shall follow the rules and standards established by the relevant European Union reference centre provided for in Article 31(1) in cooperation with *the International Committee for Animal Recording* (ICAR).

Amendment

Performance testing shall follow the rules and standards established by the relevant European Union reference centre provided for in Article 31(1) in cooperation with ICAR.

(This amendment applies throughout the text. Adopting it will necessitate

corresponding changes throughout.)

Or. fr

Amendment 149

Proposal for a regulation

ANNEX III – Part 1 – Chapter I – Section 3 – paragraph 2

Text proposed by the Commission

2. The inclusion in the genetic evaluation of temperament, morphological rating data and disease resistance shall only be considered if the data are generated on the basis of a recording system approved by the designated institution as provided for in Article 29(1).

Amendment

2. The inclusion in the genetic evaluation of temperament, morphological rating data and disease resistance ***or any other new trait*** shall only be considered if the data are generated on the basis of a recording system approved by the designated institution as provided for in Article 29(1).

Or. fr

Justification

Other species must be incorporated into this regulation only on the basis of codecision arrangements.

Amendment 150

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 2 – subparagraph 2

Text proposed by the Commission

The breeding value of a breeding animal shall be calculated on the basis of the results of the performance testing of the individual or of its relatives ***and the confidence in such a breeding value may be enhanced by the use of genomic information or based on another method*** validated by the European Union reference centre referred to in Article 31(1).

Amendment

The breeding value of a breeding animal shall be calculated on the basis of ***genome-related information and/or*** the results of the performance testing of the individual ***and/or*** of its relatives ***and/or any other source of information*** validated by the European Union reference centre referred to in Article 31(1).

Or. fr

Justification

The Commission's wording could be interpreted to mean that young bulls with no daughters ('genomic bulls') may not be accepted for breeding. It is important to ensure that semen from genomically evaluated bulls may be placed on the market.

Amendment 151

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Breed societies shall guarantee that there is no bias resulting from the influences of the main environmental factors and data structure. A breed society may approach the relevant European Union reference centre provided for in Article 31(1) if it wishes to ascertain whether its statistical methods for genetic evaluation comply with internationally established and recognised standards and rules. If it is asked for an expert opinion, the Union reference centre shall treat information supplied by the breed society as confidential.

Or. fr

Justification

The firm obligation laid down in the Commission proposal could stifle innovation in the genetic evaluation field and might lead to confidentiality problems for breed societies that developed innovative statistical methods.

Amendment 152

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

3. The statistical methods applied in genetic evaluation shall comply with the rules and standards established by the relevant European Union reference

deleted

centre provided for in Article 31(1) in cooperation with ICAR and guarantee a genetic evaluation unbiased from the influences of the main environmental factors and data structure.

Or. fr

Amendment 153

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

5. Bulls intended for artificial insemination, with the exception of bulls belonging to breeds threatened with extinction, shall be subjected to a genetic evaluation on compulsory traits as described in point 6 or 7. Those breeding values shall be published by the breed society.

5. Bulls intended for artificial insemination, with the exception of bulls belonging to breeds threatened with extinction, shall be subjected to a genetic evaluation on, ***as a minimum requirement,*** compulsory traits as described in point 6 or 7. ***All of*** those breeding values shall be published by the breed society.

Or. fr

Justification

The right to information must cover all the breeding values available.

Amendment 154

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

All the other breeding values existing for bulls intended for artificial insemination programmes shall also be published by the breed society.

Or. fr

Amendment 155

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 5 – subparagraph 2

Text proposed by the Commission

Other available breeding values *of* bulls intended for **artificial insemination** shall also be published by the breed society.

Amendment

The breeding values **existing for** bulls intended for **natural services, as well as for females**, shall also be published by the breed society.

Or. fr

Justification

This information must also be available for indexed females.

Amendment 156

Proposal for a regulation

ANNEX III – Part 1 – Chapter II – paragraph 7 – subparagraph 3

Text proposed by the Commission

The minimum reliability of the genetic evaluation of bulls for artificial insemination of beef breeds shall be at least **0,5** for the traits live weight gain and muscular development (beef conformation) according to the rules and standards established by the relevant European Union reference centre provided for in Article 31(1) in cooperation with ICAR for the evaluation of the main production traits,

Amendment

The minimum reliability of the genetic evaluation of bulls for artificial insemination of beef breeds shall be at least **0,3** for the traits live weight gain and muscular development (beef conformation) according to the rules and standards established by the relevant European Union reference centre provided for in Article 31(1) in cooperation with ICAR for the evaluation of the main production traits,

Or. fr

Justification

The threshold proposed by the Commission would appear to be too high given the breeding methods currently used for meat production.

Amendment 157

Proposal for a regulation

ANNEXE V – Part 2 – Chapter I – paragraph 1 – point 1

Text proposed by the Commission

(1) all available results of **performance tests and up-to-date results of** the genetic evaluation including genetic peculiarities and genetic defects on the purebred breeding animal itself and its parents and grandparents as required in the breeding programme approved in accordance with Art 8(1) or Article 9 for the category and the purebred breeding animal in question;

Amendment

(1) all available results of the genetic evaluation **or, failing that, performance tests**, including genetic peculiarities and genetic defects on the purebred breeding animal itself and its parents and grandparents as required in the breeding programme approved in accordance with Art 8(1) or Article 9 for the category and the purebred breeding animal in question;

Or. fr

Justification

Providing all information on the breeding program would overburden the pedigree without real added value. Relevant, summarised information on the available results of the genetic evaluation is sufficient.

EXPLANATORY MEMORANDUM

The aim of European Union zootechnical legislation is to encourage intra-EU free trade in, and facilitate imports of, breeding animals and their genetic material, while ensuring that breeding programmes and genetic resource preservation programmes are maintained.

The breeding of livestock, particularly of animals with a high level of genetic particularity, not only contributes to the economic and social development of the area in which it takes place, but is also one of the pillars on which the EU's food security is based.

The Commission's intention was to bring together all the directives relating to the zootechnical legislation on different species into a single body of law in the form of this Regulation in order to complete the single market in this area. Nevertheless, it should be pointed out that the Commission is going beyond the simple aim of consolidating and simplifying the texts. It is proposing a harmonised structuring of animal breeding which will have a significant impact on animal genetics in Europe. Your rapporteur supports this general approach, but believes that certain points need clarification or reassessment.

Firstly, your rapporteur has sought to add some definitions and make others more specific. In particular, the terms 'breed' and 'breeding programme' are not defined, even though they are essential to interpreting this Regulation.

Efforts to achieve competitiveness, in particular to allow major European breeds to be exported internationally, should not jeopardise local breeds – some of which are in very low numbers – which are an integral part of the biogenetic diversity in Europe. Throughout this text your rapporteur has sought to maintain this balance. Articles 5 and 9, in particular, have been changed accordingly.

Animal breeding will now be steered by a breed society or a breeding operation, which must meet precise criteria in order to obtain recognition from the competent authority. Its breeding programme must, at the same time, be approved by the competent authority. Your rapporteur supports this approach, which will allow European breeds to be effectively structured as the global market become increasingly complex and competitive. The recognition and approval procedure should therefore be made secure, which is the purpose of some of the amendments, especially in Chapter II. Certain existing realities need to be taken into account, which is the reasoning behind some of the amendments which have sought to give greater flexibility over the legal status of the breed society, its ability to delegate some of its activities to third parties and its internal organisation in connection with breeders.

Your rapporteur has sought to rebalance the provisions concerning the rights and obligations of breeders. For some aspects, national law would seem to be perfectly sufficient to allow breeders to consolidate their position within a breed society/breeding operation. This is the reason for the deletion of provisions considered too extreme, in particular as regards the systems for appeal (Articles 11 to 14).

The provisions concerning official controls should be simplified to ensure that they are limited to what is appropriate to ensure that third countries comply with EU standards.

Your rapporteur also considers that the number and scope of delegated acts proposed by the Commission needs to be drastically reduced. In particular, delegated acts should not cover essential provisions such as those concerning the recognition of breed societies/breeding operations, the approval of breeding programmes, the keeping of breeding books or the

incorporation into the Regulation of new species.

Furthermore, in the opinion of your rapporteur, equine animals cannot be treated in this Regulation in the same way as other species on account of the particularity of their breeding book. While the EU has the honour of hosting the headquarters of their organisation, the major equine breeds are organised internationally, which is not something that needs to be called into question. Europe is today the world leader in equidae production. The diversity and quality of the breeding books should be preserved.

Finally, your rapporteur wishes to reiterate the importance of the work of the International Committee for Animal Recording (ICAR) regarding identification methods, performance monitoring rules and genetic assessment of livestock. The ICAR should be clearly designated as the reference body in the development of zootechnical legislation in its areas of competence.