



Brussels, 8 April 2020
REV1 – replaces the notice dated
16 January 2018

NOTICE TO STAKEHOLDERS

WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES IN THE FIELD OF BREEDING OF ANIMALS ('ZOOTECHNICS')

Since 1 February 2020, the United Kingdom has withdrawn from the European Union and has become a 'third country'.¹ The Withdrawal Agreement² provides for a transition period ending on 31 December 2020.³ Until that date, EU law in its entirety applies to and in the United Kingdom.⁴

During the transition period, the EU and the United Kingdom will negotiate an agreement on a new partnership, providing notably for a free trade area. However, it is not certain whether such an agreement will enter into force at the end of the transition period. In any event, such an agreement would create a relationship which in terms of market access conditions will be very different from the United Kingdom's participation in the internal market,⁵ in the EU Customs Union, and in the VAT and excise duty area.

Therefore, all interested parties, and especially economic operators, are reminded of the legal situation as of the end of the transition period (Part A below). This notice also explains the rules applicable to Northern Ireland as of the end of the transition period (Part B below).

¹ A third country is a country not member of the EU.

² Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, OJ L 29, 31.1.2020, p. 7 ("Withdrawal Agreement").

³ The transition period may, before 1 July 2020, be extended once for up to 1 or 2 years (Article 132(1) of the Withdrawal Agreement). The UK government has so far ruled out such an extension.

⁴ Subject to certain exceptions provided for in Article 127 of the Withdrawal Agreement, none of which is relevant in the context of this notice.

⁵ In particular, a free trade agreement does not provide for internal market concepts (in the area of goods and services) such as mutual recognition, the 'country of origin principle', and harmonisation. Nor does a free trade agreement remove customs formalities and controls, including those concerning the origin of goods and their input, as well as prohibitions and restrictions for imports and exports.

Advice to stakeholders:

Breeders who have their breeding animals entered in breeding books established by breed societies or registered in breeding registers established by breeding operations recognised in the United Kingdom may consider entering or registering those animals before the end of the transition period (also) in the appropriate breeding books and registers established for the same breed or cross in the EU.

A. LEGAL SITUATION AS OF THE END OF THE TRANSITION PERIOD

As of the end of the transition period, the EU animal breeding rules, and in particular Regulation (EU) 2016/1012⁶ no longer apply to the United Kingdom.⁷ This has in particular the following consequences:

1. ENTRY OF BREEDING ANIMALS IN BREEDING BOOKS/BREEDING REGISTERS ESTABLISHED IN THE EU

As of the end of the transition period, breed societies and breeding operations in the United Kingdom will no longer be listed in accordance with Article 7 of Regulation (EU) 2016/1012. This means the following:

- Purebred breeding animals and hybrid breeding pigs, or the offspring produced from germinal products of purebred breeding animals and hybrid breeding pigs which are in the EU at the end of the transition period, and which are only entered in a breeding book or registered in a breeding register in the United Kingdom, may only be entered in a breeding book or registered in a breeding register in the EU under the conditions provided in Article 36 of Regulation (EU) 2016/1012.
- Purebred breeding animals and hybrid breeding pigs, or the offspring produced from germinal products of purebred breeding animals and hybrid breeding pigs that enter the EU after the end of the transition period, may only be entered in breeding books or registered in a breeding register in the EU under the conditions provided in Article 36 of Regulation (EU) 2016/1012.

These conditions include a requirement that the breeding animal or the donors of the germinal products are entered in a breeding book or registered in a breeding register maintained by a breeding body in the United Kingdom, which must be listed in accordance with Article 34 of Regulation (EU) 2016/1012.

⁶ Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66).

⁷ Regarding the applicability of parts of Regulation (EU) 2016/1012 to Northern Ireland, see Part B of this notice.

2. ENTRY OF BREEDING ANIMALS INTO THE EU

Regarding the entry of live animals, including breeding animals, into the EU, stakeholders are referred to the '*Notice to stakeholders – Withdrawal of the United Kingdom and EU rules on animal health and welfare and public health related to the movement of live animals*'.⁸

In addition, it is recalled that, as of the end of the transition period

- breeding animals, or their germinal products, are to be accompanied by a zootechnical certificate in accordance with Articles 30 and 33 of Regulation (EU) 2016/1012 and Commission Implementing Regulation (EU) 2017/717.⁹
- equidae imported from the United Kingdom into the EU are to be identified in accordance with Articles 14 and 15 of Regulation (EU) 2015/262.¹⁰

3. TARIFFS FOR PUREBRED BREEDING ANIMALS – ZOOTECHNICAL CERTIFICATE

In order for the tariff rate for purebred breeding animals to apply upon importation in the EU, that animal has to be accompanied by a zootechnical certificate and documentation in accordance with Article 37 of Regulation (EU) 2016/1012.

This requirement applies, as of the end of the transition period, to imports of purebred breeding animals from the United Kingdom to the EU.

B. APPLICABLE RULES IN NORTHERN IRELAND AFTER THE END OF THE TRANSITION PERIOD

As from the end of the transition period, the Protocol on Ireland/Northern Ireland ('IE/NI Protocol') applies.¹¹ The IE/NI Protocol is subject to periodic consent of the Northern Ireland Legislative Assembly, the initial period of application extending to 4 years after the end of the transition period.¹²

The IE/NI Protocol makes certain provisions of EU law applicable also to and in the United Kingdom in respect of Northern Ireland. In the Protocol, the EU and the UK have

⁸ https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/future-partnership/preparing-end-transition-period_en

⁹ Commission Implementing Regulation (EU) 2017/717 of 10 April 2017 laying down rules for the application of Regulation (EU) 2016/1012 of the European Parliament and of the Council with regard to the model forms of zootechnical certificates for breeding animals and their germinal products, OJ L 109, 26.4.2017, p. 9.

¹⁰ Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (Equine Passport Regulation) (OJ L 59, 3.3.2015, p. 1).

¹¹ Article 185 of the Withdrawal Agreement.

¹² Article 18 of the IE/NI Protocol.

furthermore agreed that insofar as EU rules apply to and in the United Kingdom in respect of Northern Ireland, it is treated as if it were a Member State.¹³

The IE/NI Protocol provides that Articles 37 and 64(3) of Regulation (EU) 2016/1012 applies to and in the United Kingdom in respect of Northern Ireland.¹⁴

This means that references to the EU in Part A.3 of this notice have to be understood as including Northern Ireland, whereas references to the United Kingdom have to be understood as referring only to Great Britain.

More specifically, this means inter alia the following:

- Purebred breeding animals shipped from Great Britain to Northern Ireland have to be accompanied by a zootechnical certificate and documentation in accordance with Article 37 of Regulation (EU) 2016/1012 in order for the tariff for purebred breeding animals to apply.

The website of the Commission on 'zootechnics' (https://ec.europa.eu/food/animals/zootechnics/legislation_en) provides general information concerning animal breeding and specific information on recognised breed societies and breeding operations that carry out approved breeding programmes for different breeds, as well as lists of breeding bodies in third countries.

The website of the Commission on identification of equine animals (https://ec.europa.eu/food/animals/identification/equine_en) provides general information concerning the identification of equidae and specific information on issuing bodies for identification documents for equidae.

These pages will be updated with further information, where necessary.

European Commission
Directorate-General Health and Food Safety

¹³ Article 7(1) of the Withdrawal Agreement in combination with Article 13(1) of the IE/NI Protocol.

¹⁴ Article 5(4) and section 39 of annex 2 to the IE/NI Protocol.