

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation (EEC) laying down zootechnical and pedigree requirements for the marketing of purebred animals*COM(88) 598 final**(Submitted by the Commission to the Council on 8 November 1988)**(88/C 304/07)*

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas purebred animals, being 'live animals', are included in the list in Annex II to the Treaty;

Whereas the breeding and production of purebred animals occupies an important place in Community agriculture;

Whereas specific rules for the approximation of zootechnical legislation have been laid down at Community level for cattle, swine, sheep, goats and *equidae*;

Whereas, to ensure the rational development of livestock production and thus increase productivity in that sector, rules for the marketing of purebred animals should be laid down at Community level;

Whereas purebred animals are generally reared in the context of farming activities; whereas the rearing of such animals constitutes a source of income for part of the farming population and whereas it should therefore be encouraged;

Whereas satisfactory results in this field depend largely on the use of purebred animals;

Whereas, in principle, intra-Community trade must not be prohibited, restricted or impeded; whereas, however, the completion of the internal market may in certain circumstances call for the approximation of laws, particularly as regards entries in pedigree records and the certificate required for marketing purposes;

Whereas provisions should be introduced preventing purebred animals from being imported from third countries on terms which are less stringent than those applicable within the Community;

Whereas implementing measures should be adopted regarding certain technical aspects; whereas, for the purposes of the planned measures, provision should be made for close cooperation between the Member States and the Commission within the Standing Committee on Zootechnics,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down zootechnical and pedigree requirements for the marketing of purebred animals and the semen, ova and embryos thereof.
2. This Regulation shall apply without prejudice to the provisions laid down in more specific Community rules.

Article 2

For the purpose of this Regulation:

- (a) 'Purebred animal' shall be taken to mean any animal which is entered or registered in a pedigree record;
- (b) 'Pedigree record' shall be taken to mean any book, register, file or data medium:
 - which is maintained by a breeders' organization or association officially recognized by a Member State or by an official agency of a Member State, and
 - in which purebred animals of a given breed are entered or registered.

Article 3

Intra-Community trade in purebred animals and in the semen, ova and embryos thereof may not be prohibited, restricted or impeded on zootechnical ground or for reasons of pedigree breeding.

Article 4

Where necessary, the Commission, acting in accordance with the procedure laid down in Article 7, shall establish:

- the criteria for the recognition of breeder's organizations and associations which maintain or establish pedigree records;
- the criteria for entry or registration in pedigree records;
- the criteria for approval for reproduction and for the use of semen, ova and embryos;
- the certificate to be required for the marketing of purebred animals and the semen, ova and embryos thereof.

Article 5

Until Community rules on the subject are implemented, the conditions applicable to imports of purebred animals and to the semen, ova and embryos thereof from third countries must not be more favourable than those governing intra-Community trade.

Article 6

The Commission shall be assisted by the Standing Committee on Zootechnics, hereinafter referred to as 'the Committee'.

Article 7

Where the procedure laid down in this Article is to be used, the following rules shall apply: The representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be entered in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 8

This Regulation shall enter into force on the thirtieth day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.