

DEFRA Commission Implementing Regulations

CHAPTER I SUBJECT MATTER, SCOPE, DEFINITIONS, GENERAL PRINCIPLES

Article 1 Subject matter and scope:

1. This Regulation lays down rules on the identification of equidae:
 - (a) born in the Union; or
 - (b) released for free circulation in the Union in accordance with the customs procedure defined in point 16(a) of Article 5 of Regulation (EU) No 952/2013.
2. This Regulation shall apply without prejudice to Decision 96/78/EC.

Article 2 Definitions:

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'equidae' or 'equine animal(s)' means wild or domesticated soliped mammals of all species within the genus *Equus* of the family Equidae, and their crosses;
- (b) 'holding' means an agricultural or training establishment, a stable or any premises or facilities in which equidae are habitually kept or bred, for whatever use, and nature reserves in which equidae live in freedom;
- (c) 'keeper' means any natural or legal person having possession of, or being charged with, the keeping of equidae, whether or not for financial reward, and whether on a temporary or permanent basis, including during transportation, at markets, or during competitions, races or cultural events;
- (d) 'owner' means the natural or legal person(s) having the ownership of the equine animal;
- (e) 'registered equidae' means any equidae which are:
 - (i) entered or registered and eligible for entry in a studbook, in accordance with the rules laid down pursuant to Article 4(2)(b) of Directive 90/427/EEC and identified by means of an identification document provided for in Article 8(1) of that Directive; or
 - (ii) horses, including ponies, registered with an international association or organisation, which manages horses for competition or racing and identified by means of an identification document issued by the national branch of that association or organisation;
- (f) 'studbook' means any book, register, file or data medium:
 - (i) which is maintained either by an organisation or an association officially approved or recognised by a Member State or maintained by an official agency of the Member State concerned; and

(ii) in which equidae are entered or registered and eligible for entry with a mention of all their known ascendants;

- (g)** 'equidae for breeding and production' means equidae other than those referred to in points (e) and (h);
- (h)** 'equidae for slaughter' means equidae intended to be transported either directly or after transit through an approved marshalling centre, referred to in Article 7 of Directive 2009/156/EC, to the slaughterhouse for slaughter;
- (i)** 'competent authority' means the central authority of a Member State competent for the organisation of official controls or any other authority to which that competence has been conferred, including the competent authority referred to in point (h) of Article 2 of Directive 2009/156/EC;
- (j)** 'zootechnical authority' means the central authority of a Member State competent for the implementation of Directive 90/427/EEC or any other authority to which that competence has been conferred, including the authorities referred to in Article 2(1) of Decision 92/353/EEC;
- (k)** 'temporary admission' means the status of a registered horse coming from a third country and admitted into the Union for a period of less than 90 days pursuant to a Decision adopted in accordance with point (b) of Article 19 of Directive 2009/156/EC;
- (l)** 'permanent entry' means the status of an equine animal originating in a third country and imported into the Union for a period of 90 days or more;
- (m)** 'mark' means any visible or viewable and distinguishing characteristic of an individual equine animal, which is either inherent or acquired, and recorded for identification purposes;
- (n)** 'transponder' means a read-only passive radio-frequency identification device:

 - (i) complying with standard ISO 11784 and applying Full Duplex (FDX or FDX-B) or Half Duplex (HDX) technology; and
 - (ii) capable of being read by a reading device compatible with standard ISO 11785, at a minimum distance of 12 cm;
- (o)** 'unique life number' means a unique 15-digit alpha-numeric code compiling information on the individual equine animal and the database and country where such information is first recorded in accordance with the coding system of the Universal Equine Life Number (UELN) and comprising:

 - (i) a six-digit UELN-compatible identification code for the database referred to in Article 39; followed by
 - (ii) a nine-digit individual identification number assigned to the equine animal;
- (p)** 'Member State free from African horse sickness' means:

- (i) any Member State in which there has been no clinical, serological (in unvaccinated equidae) or epidemiological evidence of African horse sickness on the territory concerned in the previous 2 years; and
- (ii) in which there have been no vaccinations against that disease during the previous 12 months;
- (q) 'compulsorily notifiable diseases' means the diseases listed in Annex I to Directive 2009/156/EC;
- (r) 'official veterinarian' means the veterinarian designated by the competent authority of a Member State or of a third country;
- (s) 'smart card' means a plastic device with an embedded computer chip capable of storing data and transmitting them electronically to compatible computer systems;
- (t) 'veterinarian responsible' means the veterinarian referred to in Article 10(1) of Directive 2001/82/EC.

Article 3 General principles and obligation to identify equidae:

1. Equidae living in one of the territories listed in Annex I to Regulation (EC) No 882/2004 shall be identified in accordance with this Regulation.
2. Where the keeper is not the owner or one of the owners of the equine animal, it shall act in accordance with this Regulation on behalf of and in agreement with the owner.
3. Member States and the issuing bodies referred to in Article 5(1)(a) and Article 5(1)(b) may require that the application to an issuing body for obtaining an identification document as provided for in Article 11 or for modifying identification details in an existing identification document as provided for in Article 27 is to be submitted by the owner.
4. Member States shall ensure, where appropriate through official controls in accordance with Regulation (EC) No 882/2004, that keepers of equine animals and issuing bodies fulfil their obligations under this Regulation.

Article 4 The Union system for equine identification:

1. For the purpose of this Regulation, the Union system for the identification of equidae shall be comprised of the following elements:
 - (a) a single lifetime identification document which, unless otherwise provided by the issuing body or provided for in this Regulation, shall remain the property of the issuing body that issued it, and which contains:
 - (i) a narrative describing the equine animal and recording its marks;
 - (ii) a completed outline diagram depicting the marks recorded in the narrative;
 - (iii) a space for authorised entries describing modifications to the identification details;

- (b)** a method of identity verification which:
 - (i) ensures an unequivocal link between the identification document and the equine animal for which it was issued;
 - (ii) shows that that equine animal has already undergone a process of identification;
 - (c)** a database recording, in accordance with Article 38, the identification details relating to the equine animal for which the identification document was issued and to the keeper who submitted the application for the identification document and at the same time assigning the unique life number to the animal;
 - (d)** a central database set up in accordance with Article 39.
- 2.** An equine animal shall only be deemed to be identified in accordance with this Regulation where it is:
- (a)** accompanied by an identification document issued in accordance with one of the following provisions:
 - (i) Article 9, for equidae born in the Union; or
 - (ii) Article 14, for equidae imported into the Union; or
 - (iii) Article 29 or 30 when accompanied by a duplicate identification document; or
 - (iv) Article 32 when accompanied by a replacement identification document; or
 - (b)** identified in accordance with:
 - (i) Article 24, for derogations for movements or the transport of equidae accompanied by a temporary document; or
 - (ii) Article 26(2), for derogations for certain movements and transport of equidae for slaughter.

CHAPTER II IDENTIFICATION OF EQUIDAE BORN IN THE UNION

Article 5 Issuing bodies for equidae born in the Union:

- 1.** The identification document provided for in Article 7 shall be issued by one of the following issuing bodies:
- (a)** for registered equidae referred to in point (e)(i) of Article 2 of this Regulation, by an organisation or association officially approved or recognised in accordance with Article 2(1) of Decision 92/353/EEC, or by an official agency of a Member State, which manages the studbook in which the equine animal has been entered or has been registered and is eligible for entry in accordance with Decision 96/78/EC;
 - (b)** for registered horses referred to in point (e)(ii) of Article 2, by a national branch of an international organisation or association, which manages horses for competition or racing, supervised by the competent authority of the Member State where it has its headquarters;

- (c)** for equidae for breeding and production referred to in point (g) of Article 2, by:
 - (i) the competent authority for the holding where the equine animal is kept at the time of its identification; or
 - (ii) an issuing body designated and supervised by the competent authority referred to in point (i) to which that task was delegated.
- 2.** The competent authority shall only designate issuing bodies referred to in paragraph 1(c)(ii) that comply with the following conditions:
 - (a)** there must be an accurate description of the tasks and responsibilities that the issuing body is required to carry out and of the conditions in which it may carry them out;
 - (b)** there must be proof that the issuing body:
 - (i) has the expertise, equipment and infrastructure required to carry out the tasks delegated to it;
 - (ii) has a sufficient number of suitably qualified and experienced staff;
 - (iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;
 - (iv) has a model identification document that complies with the requirements provided for in this Regulation;
 - (c)** the issuing body must cooperate closely with the competent authority to prevent and, where necessary, to remedy any cases of non-compliance with the requirements of this Regulation;
 - (d)** there is efficient and effective coordination between the competent authority and the designated issuing body.
- 3.** Where the competent authority has reasonable grounds to conclude that an issuing body engages in acts that do not comply with the requirements laid down in this Regulation, it shall investigate such suspected acts of non-compliance. Identification documents may not be issued by the issuing body until such time as the investigation has been concluded and any instances of non-compliance have been ruled out or remedied.
- 4.** Where, notwithstanding the measures carried out in accordance with paragraph 3, an issuing body referred to in paragraph 1 fails to comply with the requirements laid down in this Regulation, the competent authority shall withdraw the authorisation to issue identification documents for equidae.

Following the withdrawal of the authorisation to issue identification documents, the competent authority shall ensure that equidae under its responsibility continue to be identified in accordance with this Regulation and that the identification documents returned or returning in accordance with Article 34 are taken in custody of that competent authority or an issuing body to which this task was delegated by the competent authority.

Article 6 Information concerning issuing bodies:

- 1.** Member States shall draw up and keep up-to-date the list of issuing bodies referred to in Article 5(1) and make that list available to the other Member States, the other issuing bodies and the public on a website established by the competent authority.
- 2.** The list referred to in paragraph 1 shall:
 - (a)** include the contact details necessary to comply with the requirements of Article 35 and Articles 37(4), 38(3) and 40(1);
 - (b)** comply with the model template set out in point (f) of Section I in Chapter 2 of Annex II to Decision 2009/712/EC and the requirements set out in Annex III to that Decision;
 - (c)** be directly accessible through the internet link provided to the Commission in accordance with paragraph 3 and be sufficiently intuitive for non-native speakers.
- 3.** In order to assist the Member States in making the up-to-date lists referred to in paragraph 1 available, the Commission shall establish a website to which each Member State shall provide a direct link to the required information on the website provided for in paragraph 1.

Article 7 Format and content of identification documents issued for equidae born in the Union:

- 1.** Equidae born in the Union shall be identified by means of a single identification document for equidae issued for the lifetime of the equine animal in accordance with:
 - (a)** the model identification document set out in Part 1 of Annex I;
 - (b)** the additional requirements set out in Part 2 of that Annex.
- 2.** Issuing bodies shall ensure that the identification document contains a sufficient number of pages with form fields for the insertion of the information required under the following Sections specified in the model identification document set out in Part 1 of Annex I:
 - (a)** in the case of registered equidae, at least Sections I to IX;
 - (b)** in the case of equidae for breeding and production, at least Sections I to IV.
- 3.** Issuing bodies shall ensure that the order and numbering of the Sections in the identification documents as set out in Part 1 of Annex I remain unaltered and that for those Sections, providing the space for multiple entries, a sufficient number of pages is included in the identification document.
- 4.** Issuing bodies are responsible for the secure management of blank and completed identification documents on their premises.

Where, without prejudice to Article 4(1)(a), the rules of procedure of an issuing body so allow, issuing bodies shall ensure that the identification documents referred to in Article 34(1)(c)(ii) and Article 35 are effectively invalidated to prevent any fraudulent

use of the document itself and the information it contains, before the document is handed out to the owner in memory of the animal.

5. The competent authority together with the zootechnical authority may adopt administrative procedures to ensure harmonisation of the layout of identification documents issued by issuing bodies referred to in Article 5(1) under their supervision, provided the general requirements in paragraphs 1, 2 and 3 are respected.

Article 8 Obligations of the competent authority as regards the issuing of identification documents for equidae born in the Union:

The zootechnical authority and the competent authority shall ensure that on their territory the issuing bodies under their respective responsibility:

- (a) issue identification documents which comply with the requirements provided for in Article 7(1), (2) and (3);
- (b) have the necessary systems in place to verify, when required by the competent authority, whether an identification document declared to be issued by them:
 - (i) is unique, genuine and authentic;
 - (ii) includes, where blank identification documents are printed on stock, a serial number printed at least on the pages containing Sections I, II and III of the identification document.

Article 9 Issuing of identification documents for equidae born in the Union:

1. Issuing bodies shall only issue identification documents which:
 - (a) comply with the requirements of Article 7(1), (2) and (3);
 - (b) have Section I thereof duly completed with information verified by or on behalf of the issuing body indicated in point 11 of Part A of Section I;
 - (c) have Section IV thereof completed, if required by national legislation or by the rules and regulations of the issuing body referred to in point (a) and (b) of Article 5(1);
 - (d) have Section V thereof completed in accordance with paragraph 2 of this Article.
2. The issuing body referred to in Article 5(1)(a) shall identify registered equidae referred to in point (e)(i) of Article 2 in accordance with the rules of the studbook referred to in that provision and complete in Section V of the identification document the information in the certificate of origin referred to in the second subparagraph of Article 8(1) of Directive 90/427/EEC and in the Annex thereto.
3. In accordance with the principles of the organisation or association which has established the studbook of the origin of the breed of the registered equine animal, Section V of the identification document shall contain:
 - (a) the full pedigree information;
 - (b) the section of the studbook referred to in Article 2 or 3 of Decision 96/78/EC;

- (c) where established, the class of the main section of the studbook in which the registered equine animal is entered.
- 4. For the registration of a horse for competition or racing as referred to in point (e)(ii) of Article 2, the issuing body referred to in Article 5(1)(b) shall either:
 - (a) issue in accordance with points (a) and (b) of paragraph 1 and the rules of that issuing body an identification document complying with the provisions in paragraphs 1, 2 and 3 of Article 7; or
 - (b) recognise and validate the identification document issued for that horse in accordance with paragraph 1 of this Article; or
 - (c) issue a new identification document in accordance with Article 12(3)(c).

Article 10 Derogation from the completion of certain information in Sections I and IV of the identification document:

- 1. By way of derogation from Article 4(1)(a)(ii) and Article 9(1)(b), the competent authority may authorise issuing bodies not to complete by drawing the information referred to in points 12 to 18 of the outline diagram of the identification document, set out in Part B of Section I of Annex I, provided that the following two conditions are fulfilled:
 - (a) a transponder is implanted in accordance with Article 18, or an equivalent authorised alternative method of identity verification is applied in accordance with Article 21;
 - (b) a photograph or print displays sufficient details to depict the equine animal.
- 2. The issuing bodies referred to in Article 5(1)(a) and (b) may:
 - (a) not avail of the derogation granted in accordance with paragraph 1 of this Article;
 - (b) adapt identification documents issued in accordance with paragraph 1 of this Article to the requirements set out in Article 9(1).
- 3. By way of derogation from Article 9(1)(c), the information on the owner may be provided in the format of an ownership certificate or registration card recorded in the database established in accordance with Article 38 which refers to:
 - (a) the unique life number of the equine animal;
 - (b) the number of the identification document, where applied, and the transponder code or an authorised alternative method of identity verification in accordance with Article 21.

The ownership certificate or registration card provided for in the first subparagraph shall be returned to the issuing body if the animal died or was sold, lost, stolen, slaughtered or killed.

Article 11 Applications for identification documents for equidae born in the Union:

- 1. Keepers shall submit an application for identification documents for equidae born in the Union to the appropriate issuing body in the Member State where the holding of the

equine animal is located and shall provide all information necessary to comply with this Regulation.

2. Member States shall set the time limits for the submission of the application provided for in paragraph 1 of this Article necessary to comply with the deadline for identification provided for in Article 12 and Article 13(1).
3. By way of derogation from paragraph 1 of this Article and in accordance with Article 1 of Decision 96/78/EC, the keeper may submit the application provided for in paragraph 1 of this Article to the appropriate issuing body as referred to in points (a) and (b) of Article 5(1) which has its headquarters in a Member State other than the Member State where the holding of the equine animal is located.

Article 12 Deadline for identification of equidae born in the Union:

1. Equidae born in the Union shall be identified by an identification document issued in accordance with Article 9 not later than 12 months following the date of birth and in any event before leaving permanently the holding of birth except where such movement takes place in accordance with Article 23(2)(c) as foal at foot of the dam on which the foal depends or in accordance with Article 26(2).
2. By way of derogation from paragraph 1, Member States may decide to limit the maximum permitted period for identifying the equine animal to 6 months or to the calendar year of birth.
3. By way of derogation from paragraphs 1 and 2, a new identification document may be issued in accordance with Article 9 at any time:
 - (a) on request of or by the competent authority, where the existing identification document does not comply with the requirements of Article 7(1),(2) and (3) or certain identification details set out in Section I, II or V have not been entered accurately by the issuing body; or
 - (b) where an equine animal for breeding and production is upgraded to a registered equine animal in accordance with the rules of the issuing body referred to in Article 5(1)(a) and the existing identification document cannot be adapted accordingly; or
 - (c) where a horse is upgraded to or registered as a registered horse referred to in point (e)(ii) of Article 2 in accordance with the rules of the issuing body referred to in Article 5(1)(b) and the existing identification document cannot be adapted accordingly; or
 - (d) where an identification document is issued in accordance with Article 10(1) and cannot be adapted to the requirements of Article 9(1) in accordance with Article 10(2)(b); or
 - (e) in the cases referred to in Article 18(4) and (5) and the existing identification document cannot be adapted accordingly; or
 - (f) where the identification document is confiscated by the competent authority in the context of an investigation.

In the cases described in the first subparagraph, the existing identification document shall be surrendered to the issuing body to be invalidated and the invalidation of the existing identification document and the issuing of the new identification document shall be recorded in the database established in accordance with Article 38.

Article 13 Derogations concerning the identification of certain equidae living under wild or semi-wild conditions:

1. By way of derogation from Article 12, the competent authority may decide that equidae constituting defined populations living under wild or semi-wild conditions in certain areas, to be defined by the competent authority, shall be identified by an identification document issued in accordance with Article 9 or Article 17(4) only when they are:
 - (a) removed from such populations, excluding the transfer under official supervision from one defined population to another; or
 - (b) brought into domestic use.
2. Member States intending to make use of the derogation provided for in paragraph 1 shall notify the Commission, with a reference to this Article, of the populations and the areas concerned which they have defined in accordance with paragraph 1 before making use of that derogation.

CHAPTER III IDENTIFICATION OF EQUIDAE IMPORTED INTO THE UNION

Article 14 Identification of equidae imported into the Union:

Identification documents issued in third countries shall be deemed valid in accordance with this Regulation provided that they comply with the following conditions:

- (a) they were issued:
 - (i) in the case of registered equidae, by a body in a third country, included in the list provided for in Article 3(1) of Directive 94/28/EC, issuing pedigree certificates; or
 - (ii) in the case of a registered horse, by a national branch of an international organisation or association, which manages horses for competition or racing with its headquarters in the third country of the international organisation or association referred to in Article 5(1)(b); or
 - (iii) in all other cases by the competent authority of the third country of origin of the equine animal;
- (b) they comply with all requirements of Article 7(2).

Article 15 Applications for identification documents for equidae imported into the Union:

1. The keeper of an equine animal shall apply to the issuing body referred to in Article 5(1) appropriate for the category of equine animal for the issuing in accordance with Article 9 of an identification document in accordance with Article 7, or for the registration of the existing identification document in the database set up by that issuing body in

accordance with Article 38 of this Regulation, within 30 days of the date of completion of the customs procedure, as defined in Article 5(16)(a) of Regulation (EU) No 952/2013, where:

- (a) equidae are imported into the Union; or
 - (b) the competent authority has converted the temporary admission of a registered horse in accordance with a Decision adopted by the Commission pursuant to point (b) of Article 19 of Directive 2009/156/EC, into a permanent entry in accordance with point (c) of Article 19 of that Directive.
2. Where the existing identification document referred to in paragraph 1 does not comply with the requirements of Article 7(2), the issuing body shall on request of the keeper:
- (a) complete the identification document, so that it complies with the requirements of Article 7(2);
 - (b) record the identification details of the equine animal and the complementary information in the database established in accordance with Article 38.
3. Where the existing identification document as referred to in paragraph 1 cannot be amended to comply with the requirements of Article 7(2) of this Regulation, it shall not be considered valid for identification purposes in accordance with this Regulation, and the equine animal shall be identified by issuing in accordance with Article 9 a new identification document which complies with the requirements of Article 7(1), (2) and (3), based on the submitted identification document which must at least provide the information set out in the Annex to Directive 90/427/EEC.

CHAPTER IV CHECKS REQUIRED PRIOR TO ISSUING OF IDENTIFICATION DOCUMENTS AND METHODS OF IDENTITY VERIFICATION

Article 16 Verification of single identification documents issued for equidae:

1. Before issuing an identification document, the issuing body, or the person acting on its behalf, shall take all appropriate measures to:
- (a) verify that no such identification document has already been issued for the equine animal concerned;
 - (b) prevent the fraudulent issuing of multiple identification documents for an individual equine animal.
2. The measures provided for in paragraph 1 shall include:
- (a) consulting the appropriate documentation and electronic records available;
 - (b) estimating the age of the equine animal;
 - (c) checking the equine animal, as provided for in Article 17, for any signs or marks indicative of any previous identification.

Article 17 Measures to detect previous identification of equidae:

1. The measures to detect possible signs or marks indicative of previous identification, as provided for in Article 16, shall include, at least, measures to detect:
 - (a) any transponder previously implanted, using a reading device complying with ISO standard 11785 and capable of reading at least HDX and FDX-B transponders at least when the reader is in direct contact with the body surface on the spot where under normal circumstances a transponder is implanted;
 - (b) any clinical signs indicating that a transponder previously implanted or a mark previously applied in accordance with Article 21 has been surgically removed or altered;
 - (c) any sign or indication that an alternative method of identity verification was applied to the equine animal in accordance with Article 21.
2. Where, following the application by the keeper in accordance with Article 11(1), the measures provided for in paragraph 1 of this Article reveal the existence of a previously implanted transponder, or any alternative method of identity verification applied in accordance with Article 21 indicative of a completed previous identification in accordance with Article 9, the issuing body shall:
 - (a) issue a duplicate or replacement identification document in accordance with Article 29 or 32, depending on the information available;
 - (b) enter that information, i.e. the transponder number or the alternative method of identity verification, in an appropriate way in the form fields of Part A and the outline diagram in Part B of Section I of the identification document.
3. Where the undocumented removal of a transponder or alternative method of identity verification referred to in paragraph 1(b) of this Article is confirmed in an equine animal born in the Union, the issuing body shall issue a replacement identification document in accordance with Article 32.
4. By way of derogation from paragraph 2 of this Article, the competent authority may authorise the issuing of an identification document in accordance with Article 9 for equidae living under wild or semi-wild conditions referred to in Article 13 which carry a transponder but for which, in accordance with Article 13, no identification document was issued, provided that the code of the transponder was recorded at the time of implantation in the database of the issuing body responsible for that population of equidae.

Article 18 Electronic methods of identity verification:

1. The issuing body shall ensure that at the time it is first identified in accordance with Article 12, a transponder is implanted in the equine animal.
2. The transponder shall be implanted parenterally under aseptic conditions between the poll and withers in the middle of the neck in the area of the nuchal ligament.

However, the competent authority may authorise the implantation of the transponder at a different place on the neck of the equine animal, provided that such alternative implantation does not:

- (a) compromise the welfare of the equine animal;
 - (b) increase the risk of migration of the transponder compared to the method referred to in the first subparagraph.
3. Member States shall lay down the minimum qualification required for the intervention provided for in paragraph 2 or designate the person ('the qualified person') or profession entrusted with such operations.
4. Issuing bodies referred to in Article 5(1)(a) and (b) may require that equine animals which were identified by use of an alternative method of identity verification provided for in Article 21 are to be marked by implantation of a transponder for the purpose of the entry or registration of equidae in studbooks or the registration of registered horses for competition purposes.
5. Issuing bodies referred to in Article 5(1) and the competent authority may require that equine animals deemed to be identified in accordance with Articles 4(2) and 43(1), are to be marked by the implantation of a transponder for the purpose of identity verification in cases where:
- (a) previously implanted and recorded transponders have ceased to function;
 - (b) the inherent or acquired mark recorded as the alternative method of identity verification referred to in Article 21 is no longer suitable for that purpose; or
 - (c) the competent authority considers it necessary to ensure identity verification.

Article 19 Management of the uniqueness of the code displayed by a transponder:

1. Member States shall lay down rules, in accordance with the standards referred to in point (n)(i) of Article 2, to ensure the uniqueness of the codes displayed by the transponders implanted by issuing bodies referred to in Article 5(1) where they issue identification documents in accordance with Article 9.
2. The rules laid down in accordance with paragraph 1 shall be applied without compromising the system of identification laid down by the issuing body in another Member State that carried out the identification of a registered equine animal in accordance with this Regulation.

Article 20 Recording of the transponder code in the identification document:

1. When a transponder is implanted in accordance with Article 18, the issuing body shall enter the following information in the identification document:
- (a) in point 5 of Part A of Section I, at least the last 15 digits of the code transmitted by the transponder and displayed by the reader following implantation; and where appropriate:

- (i) a self-adhesive sticker with a bar-code, provided the page is sealed afterwards; or
 - (ii) a print of that bar-code encoding at least those last 15 digits of the code transmitted by the transponder;
 - (b) in point 12 or 13 of the outline diagram in Part B of Section I, depending on the side where the transponder was implanted, the place where the transponder has been implanted into the equine animal and read after its implantation;
 - (c) in point 19 of the outline diagram in Part B of Section I, the signature of either the veterinarian or the qualified person who carried out the identification by completing point 3 of Part A and the outline diagram in Part B of Section I and read the code displayed by the transponder after its implantation, or of the person reproducing this information for the purpose of issuing the identification document in accordance with the rules of the issuing body.
2. By way of derogation from paragraph 1(a) of this Article, where an equine animal is marked with a previously implanted transponder which does not comply with the ISO standards referred to in point (n)(i) of Article 2, the name of the manufacturer or the reading system shall be inserted in point 5 of Part A of Section I in the identification document.

Article 21 Authorisation of alternative methods of identity verification:

1. By way of derogation from Article 18(1), Member States may authorise suitable alternative methods of identity verification of equidae born in the Union, including marks, which meet the requirements of Article 4(1)(b) and ensure that the identity of the equine animal recorded in the identification document can be verified.
2. Member States shall ensure that:
- (a) the alternative methods of identity verification of equidae are not used as the sole means of identity verification of the majority of equidae identified in accordance with this Regulation on their territory;
 - (b) visible marks applied to equidae for breeding and production cannot be confused with those reserved on their territory for use by issuing bodies referred to in Article 5(1)(a) on registered equidae;
 - (c) any authorised alternative method of identity verification or any combination of those methods deliver at least the same guarantees as the transponder implanted in accordance with Article 18;
 - (d) the information on the alternative method of identity verification applied to an individual equine animal can be described in a format capable of being digitalised and stored in a searchable way in a database established in accordance with Article 38.
3. Member States intending to make use of the derogation provided for in paragraph 1 shall make information on their authorised alternative methods of identity verification available to the Commission, the other Member States and the public on the website referred to in Article 6(1).

Article 22 Obligations of issuing bodies and keepers using alternative methods of identity verification:

- 1.** The issuing body shall ensure that no identification document is issued for an equine animal, unless:
 - (a)** the correct application of the authorised alternative method of identity verification referred to in Article 21 has been checked;
 - (b)** the used method of identity verification is entered in point 6 or 7 of Part A of Section I, or where applicable in Section XI, of the identification document and recorded in the database in accordance with Article 38(1)(f).
- 2.** Where an alternative method of identity verification is used, the keeper shall provide the means of accessing that identification information or shall, if applicable, bear the costs or endure the delays of verifying the identity of the equine animal.

CHAPTER V MOVEMENT AND TRANSPORT OF EQUIDAE

Article 23 Movement and transport of registered equidae and equidae for breeding and production:

- 1.** The identification documents issued for registered equidae or for equidae for breeding and production in accordance with Article 9(1), Article 14, Article 29, Article 30 or Article 32 shall accompany those equidae for which they were issued at all times, including, where required by national legislation, during the transport of the carcass of the equine animal for processing in an establishment approved in accordance with point (a) of Article 24(1) of Regulation (EC) No 1069/2009 or referred to in point (a)(iii) of Chapter III of Annex III to Regulation (EU) No 142/2011.
- 2.** By way of derogation from paragraph 1, the identification document shall not be required to accompany registered equidae or equidae for breeding and production when they are:
 - (a)** stabled or on pasture, and the identification document can be presented without delay by the keeper;
 - (b)** temporarily ridden, driven, led or taken either:
 - (i)** in the vicinity of the holding within a Member State so that the identification document can be presented without delay; or
 - (ii)** during transhumance of equidae to and from registered summer grazing grounds provided that the identification documents can be presented at the holding of departure;
 - (c)** unweaned and accompany their dam or foster mare;
 - (d)** participating in a training or test of an equestrian competition or event which requires them to leave temporarily the training, competition or event venue;

- (e) moved or transported in an emergency situation relating to the equine animals themselves or to the holding on which they are kept.

Article 24 Derogation for movement or transport of equidae accompanied by a temporary document:

1. On application by the keeper or on request by the competent authority, the issuing body shall issue a temporary document showing at least the information provided for in Annex III, allowing the equidae to be moved or transported within the same Member State for a period not exceeding 45 days, while the identification document is surrendered to the issuing body or the competent authority for the purpose of updating identification details.
2. Equidae, accompanied by a temporary document as provided for in paragraph 1, shall not be moved to a slaughterhouse for slaughter for human consumption.
3. By way of derogation from paragraph 1, where, during the period of 45 days referred to in that paragraph, an equine animal is to be transported to another Member State or through another Member State to a third country, it shall, irrespective of its registration status, be accompanied, in addition to the temporary document referred to in paragraph 1 of this Article, by a health certificate in accordance with Annex III to Directive 2009/156/EC.

Article 25 Derogation for movements with a smart card:

1. By way of derogation from Article 23(1), the competent authority may authorise the movement or transport of registered equidae or equidae for breeding and production within the same Member State not accompanied by their identification document, provided that they are accompanied by a smart card issued by the same issuing body that issued their identification document and containing the information set out in Annex II.
2. Member States, making use of the derogation provided for in paragraph 1 of this Article, may grant derogations to each other covering movements or transport of registered equidae or equidae for breeding and production within their own territories.

They shall notify the Commission of their intention to grant such derogations.

Article 26 Movements and transport of equidae for slaughter:

1. The following shall accompany equidae for slaughter while they are being moved or transported to the slaughterhouse:
 - (a) the identification document issued in accordance with Article 9(1) or Article 14; or
 - (b) the duplicate identification document issued in accordance with Article 29 or 30 which was subject to the derogation provided for in Article 31.
2. By way of derogation from paragraph 1, the competent authority may authorise equidae for slaughter for which no identification document was issued in accordance

with Article 9(1), to be transported directly from the holding of birth to the slaughterhouse within the same Member State provided that:

- (a) the equidae for slaughter are less than 12 months old and have visible dental stars of the temporary lateral incisors;
 - (b) there is an uninterrupted traceability from the holding of birth to the slaughterhouse;
 - (c) during transport to the slaughterhouse the equidae for slaughter are individually marked in accordance with Article 18 or 21;
 - (d) the consignment is accompanied by the food chain information in accordance with Section III of Annex II to Regulation (EC) No 853/2004 that must include a reference to the individual marking referred to in point (c) of this paragraph;
 - (e) the transponder or any physical identifier applied to the equine animal in accordance with Article 21 shall be protected from subsequent fraudulent use, notably by its recovery, destruction or disposal in situ.
3. Article 34(1)(b) and (c) shall not apply in the case of the movement or transport of equidae for slaughter in accordance with paragraph 2 of this Article.

CHAPTER VI MANAGEMENT, DUPLICATION, REPLACEMENT AND SUSPENSION OF IDENTIFICATION DOCUMENTS

Article 27 Obligations of keepers as regards the management of identification documents to ensure the continuity of identity during the lifetime of the equine animal:

1. The keeper of an equine animal shall ensure that the following identification details in the identification document are at all times up-to-date and correct:
 - (a) the status of the equine animal as regards its eligibility for slaughter for human consumption;
 - (b) the readable transponder code or mark used as an alternative method of identity verification as provided for in Article 21;
 - (c) the status as either a registered equine animal or an equine animal for breeding and production;
 - (d) the information on the ownership, where required by the legislation of the Member State where the equine animal is kept or by the issuing body referred to in Article 5(1).
2. Irrespective of the issuing body which issued the identification document in accordance with Article 9(1), 14, 29 or 32, the keeper of an equine animal shall ensure that the identification document is lodged with the issuing body referred to in Article 5(1) appropriate for the category of equine animal in the Member State where the holding of the equine animal is located in order to provide the identification details referred to in Article 38(1) within 30 days of:
 - (a) issuing of the identification document in accordance with Article 9(1) by an issuing body outside the Member State where the holding is located;

- (b) the introduction of the equine animal into the Member State where the holding is located from another Member State, with the exception of
 - (i) equidae participating in competitions, races, shows, training and hauling for a period not exceeding 90 days;
 - (ii) stallions based in the Member State for the breeding season;
 - (iii) mares based in the Member State for breeding for a period not exceeding 90 days;
 - (iv) equidae accommodated in a veterinary facility for medical reasons;
 - (v) equidae destined for slaughter within 10 days of their introduction.
- 3. Where the need arises to update the identification details referred to in Article 38(1) in the identification document, the keeper shall lodge the identification document within 30 days of the event that affected the identification details:
 - (a) in the case of registered equidae referred to in point (e)(i) of Article 2, with the issuing body referred to in Article 5(1)(a) which
 - (i) either issued the identification document for the registered equine animal concerned; or
 - (ii) is approved in accordance with Decision 92/353/EEC in the Member State where the holding of the equine animal is located and has established a studbook in which the equine animal may be entered or registered in accordance with Decision 96/78/EC; or
 - (b) in the case of registered horses referred to in point (e)(ii) of Article 2, with the issuing body referred to in Article 5(1)(b) in accordance with the rules of that issuing body which issued the identification document for the registered horse concerned; or
 - (c) with the competent authority or any of the issuing bodies designated in accordance with this Regulation by the competent authority of the Member State where the holding of the equine animal is located.

Article 28 Obligations of issuing bodies as regards the management of identification documents to ensure the continuity of identity during the lifetime of the equine animal:

The issuing body referred to in Article 27(3) shall:

- (a) carry out the necessary updates of identification details in the identification document;
- (b) enter in Part C of Section I of the identification document the required information on the issuing body, which must consist at least of the UELN-compatible number of the database, where it did not initially issue the identification document in accordance with Article 9(1);
- (c) complete the entries in Section IV of the identification document, where the change of ownership is required by the national legislation or the rules of the issuing body;

- (d) enter or complete in the database it has established in accordance with Article 38 the records of the identification details contained in the lodged identification document;
- (e) submit the information to the central database in accordance with Article 39.

Article 29 The issuing of duplicate identification documents:

1. A duplicate identification document shall be issued by the issuing body referred to in Article 5(1) where:
 - (a) the original identification document is lost, and the identity of the animal can be established, notably through the code transmitted by the transponder or the alternative method of identity verification in accordance with Article 21; or
 - (b) the animal has not been identified within the time limits set out in Article 12, Article 14 or Article 43(2), provided that the covering certificate is available and the biological dam or, in case of embryo transfer, the foster dam, is identified in accordance with this Regulation; or
 - (c) the competent authority has proof that certain identification details in the existing identification document do not match the corresponding equine animal and the provisions in Article 12(3)(a) cannot be applied.
2. In the cases described in paragraph 1, the issuing body referred to in Article 5(1) shall on application by the keeper or at the request of the competent authority:
 - (a) apply to the animal, where necessary, a transponder in accordance with Article 18 or an authorised method of identity verification in accordance with Article 21;
 - (b) issue a duplicate identification document clearly marked as such ('duplicate identification document') with a reference to the unique life number recorded in the database of the issuing body which:
 - (i) carried out the first identification of the animal and issued the lost original identification document; or
 - (ii) issues the duplicate identification document for an animal referred to in paragraph 1(b);
 - (c) classify the equine animal in Part II of Section II of the duplicate identification document as not intended for slaughter for human consumption.
3. Details of the duplicate identification document issued in accordance with paragraph 2, shall be entered with a reference to the unique life number in the database, as referred to in Article 38 and forwarded to the central database in accordance with Article 39.
4. Where the lost identification document was issued in accordance with Article 9(1) by an issuing body referred to in Article 5(1) which is no longer in existence, the duplicate identification document shall be issued in accordance with paragraph 2 of this Article by an issuing body referred to in Article 5(1) in the Member State where the holding of the equine animal is located.

Article 30 The issuing of duplicate identification documents for equidae imported into the Union:

By way of derogation from Article 29(2), where the lost original identification document was issued by an issuing body referred to in Article 14(a) in a third country, a new identification document may be issued by that issuing body in the third country, provided that the new identification document is:

- (a) sent from the issuing body referred to in Article 14(a) to the issuing body referred to in Article 29(2), where it is marked as duplicate identification document, the animal is classified in accordance with Article 29(2)(c) and the information is entered in the database in accordance with Article 29(3);
- (b) forwarded to the keeper or, where specifically required by law in the Member State where the equine animal is located, to the owner, by the issuing body or competent authority in the Member State where the holding of the equine animal is located.

Article 31 Suspension of the status of equidae for slaughter for human consumption:

1. By way of derogation from Article 29(2)(c) and Article 30, and except in the case described in Article 43(2), the competent authority may decide to suspend the status of an equine animal as intended for slaughter for human consumption for a period of 6 months where:
 - (a) the keeper can satisfactorily substantiate within 30 days of the declared date of loss of the identification document that the equine animal's status as intended for slaughter for human consumption has not been compromised by any medicinal treatment;
 - (b) the application for the identification is made in accordance with the second indent of Article 1(1) of Decision 96/78/EC during the first year of life but after the maximum permitted period referred to in Article 12(2) of this Regulation has expired.
2. In the case described in paragraph 1, the competent authority shall enter the date of commencement of the 6-month suspension period in the first column of Part III of Section II of the duplicate identification document and complete the third column thereof.

Article 32 The issuing of replacement identification documents:

1. A replacement identification document shall be issued by the issuing body referred to in Article 5(1) where:
 - (a) the original identification document is lost, and:
 - (i) the identity of the animal cannot be ascertained;
 - (ii) there is no indication or evidence that for this animal an identification document had been issued previously by an issuing body as referred to in Article 5(1);
 - (b) the animal has not been identified within the time limits set out in Article 12(1) or (2), Article 14 or Article 43(2).

2. In the cases described in paragraph 1, an issuing body as referred to in Article 5(1)(c) responsible for the area where the holding of the equine animal is located shall on application by the keeper or at the request of the competent authority:
 - (a) implant a transponder in the animal in accordance with Article 18 or apply an alternative method of identity verification in accordance with Article 21;
 - (b) issue a replacement identification document clearly marked as such ('replacement identification document') with a reference to a newly assigned unique life number corresponding to the record in the database on the issuing of this replacement identification document;
 - (c) classify the equine animal in Part II of Section II of the replacement identification document as not intended for slaughter for human consumption.
3. Details of the replacement identification document issued in accordance with paragraph 2 of this Article, shall be entered by reference to the unique life number in the database as referred to in Article 38 and forwarded to the central database in accordance with Article 39.

Article 33 Suspension of the validity for movement purposes of the identification document:

The official veterinarian shall suspend the validity for movement purposes of the identification document by making an appropriate entry in Section III thereof where an equine animal is kept on or comes from a holding which is:

- (a) subject to a prohibition order as referred to in Article 4(5) of Directive 2009/156/EC; or
- (b) situated in a Member State that is not a Member State free of African horse sickness or in a part of the territory of a Member State considered in accordance with Article 5(2) of Directive 2009/156/EC as infected with African horse sickness.

CHAPTER VII DEATH OF EQUIDAE AND EQUIDAE INTENDED FOR SLAUGHTER FOR HUMAN CONSUMPTION AND MEDICATION RECORD

Article 34 Obligations of the official veterinarian and of the competent authority in the case of slaughter or death of equidae:

1. On the slaughter or death of the equine animal, the following measures shall be taken:
 - (a) the transponder shall be protected from subsequent fraudulent use, notably by its recovery, destruction or disposal in situ;
 - (b) the identification document shall be rendered invalid at least by tamper-proof stamping it 'invalid' on all pages or pinching a hole of appropriate diameter, not less than a standard hole puncher, through all pages;
 - (c) with a reference to the equine animal's unique life number either:
 - (i) the identification document shall be destroyed under official supervision at the slaughterhouse where the animal was slaughtered and an attestation shall be

communicated to the issuing body, either directly or through the contact point referred to in Article 36(2), informing it on the date of slaughter of the animal at a slaughterhouse and on the date of destruction of the identification document; or

- (ii) the invalidated identification document shall be returned to the issuing body indicated either in point 11 of Part A of Section I of the identification document or in Part C of that Section, updated in accordance with Article 28(b), either directly or through the contact point referred to in Article 36(2), together with information on the date the animal was slaughtered or killed for disease control purposes.

2. The measures provided for in paragraph 1 shall be carried out by or under the supervision of:

(a) the official veterinarian:

- (i) in the case of slaughter or killing for disease control purposes, in accordance with the second subparagraph of Article 4(4)(a) of Directive 2009/156/EC; or
- (ii) following slaughter, in accordance with Article 7(3) of Directive 2009/156/EC; or

(b) the competent authority defined in Article 3(10) of Regulation (EC) No 1069/2009, in the case of the disposal or processing of a carcass, which was accompanied by the identification document in accordance with national legislation referred to in Article 23(1) of the present Regulation, in:

- (i) an establishment approved in accordance with point (a) of Article 24(1) of Regulation (EC) No 1069/2009; or
- (ii) a low-capacity incineration plant referred to in point (a)(iii) of Chapter III of Annex III to Regulation (EU) No 142/2011.

3. Where, as required by paragraph 1(a) of this Article, the transponder cannot be recovered from the body of an equine animal slaughtered for human consumption, the official veterinarian shall declare the meat or the part of the meat containing the transponder unfit for human consumption in accordance with Chapter V(1)(n) of Section II of Annex I to Regulation (EC) No 854/2004.

Article 35 Obligation of the keeper and of the issuing body in case of death or loss of the equine animal:

- 1.** In all cases of death or loss, including theft, of the equine animal not referred to in Article 34, the keeper shall return the identification document to the appropriate issuing body indicated in Part A of Section I or updated in accordance with Article 28(b) in Part C of Section I of the identification document within 30 days of the death or loss of the equine animal.
- 2.** The issuing body which received information on the death or loss of an equine animal in accordance with Article 34 or paragraph 1 of this Article shall act in accordance with points (d) and (e) of Article 28.

Article 36 Obligations of Member States to ensure information flow after the death of an equine animal:

1. Member States shall implement procedures to return the invalidated identification documents to the issuing body as provided for in Article 34(1)(c)(ii).
2. Member States may provide a contact point to receive the attestation referred to in Article 34(1)(c)(i) or the identification documents referred to in Article 34(1)(c)(ii) for further distribution to the respective issuing bodies on their territory.

That contact point may be a liaison body referred to in Article 35 of Regulation (EC) No 882/2004.

3. Where applicable in accordance with paragraph 2, details of the contact point, which may be incorporated in the central database provided for in Article 39, shall be made available to the other Member States and the public on the website referred to in Article 6(1).

Article 37 Equidae intended for slaughter for human consumption and medication record:

1. An equine animal shall be deemed to be intended for slaughter for human consumption except where it is, in accordance with this Regulation, irreversibly declared as not so intended in Part II of Section II of the identification document by:
 - (a) the signature of the owner on its own discretion, endorsed by the issuing body; or
 - (b) the signatures of the keeper and of the veterinarian responsible who acts in accordance with Article 10(2) of Directive 2001/82/EC; or
 - (c) the entry made by the issuing body, when issuing a duplicate identification document in accordance with Article 29 or 30 or a replacement identification document in accordance with Article 32.
2. Prior to any treatment in accordance with Article 10(2) of Directive 2001/82/EC or to any treatment by use of a medicinal product authorised in accordance with Article 6(3) of that Directive, the veterinarian responsible as referred to in Article 10(1) of Directive 2001/82/EC shall ascertain the equine animal's status as either:
 - (a) intended for slaughter for human consumption, which shall be the default case; or
 - (b) not intended for slaughter for human consumption as set out in Part II of Section II of the identification document.
3. Where the treatment referred to in paragraph 2 of this Article is not permitted for an equine animal intended for slaughter for human consumption, the veterinarian responsible as referred to in Article 10(1) of Directive 2001/82/EC shall ensure that in accordance with the derogation provided for in Article 10(2) of Directive 2001/82/EC the equine animal concerned is prior to the treatment irreversibly declared as not intended for slaughter for human consumption by:
 - (a) completing and signing Part II of Section II of the identification document; and

- (b) invalidating Part III of Section II of the identification document in accordance with the instructions provided for in Part III of Section II.
- 4. After the measures provided for in paragraph 3 have been taken, the keeper of the equine animal shall lodge the identification document with an issuing body in the Member State where the holding of the equine animal is located, or provide the information online where such access to the database is established, within a maximum period of 14 days from the date of signature in Part II of Section II of the identification document.
- 5. By way of derogation from paragraph 4, a Member State may adopt measures to ensure that the veterinarian responsible notifies the measures carried out in accordance with paragraph 3 within 14 days from the date of the signature in Part II of Section II of the identification document:
 - (a) either directly to the issuing body referred to in paragraph 4 and provides the information necessary for the issuing body to update the database setup in accordance with Article 39; or
 - (b) directly to the central database set up in accordance with Article 39, where it is ensured that the information is incorporated in the database set up in accordance with Article 38 by the issuing body referred to in paragraph 4.
- 6. Where an equine animal is to be treated under the conditions referred to in Article 10(3) of Directive 2001/82/EC, the veterinarian responsible shall enter in Part III of Section II of the identification document the requisite details of the medicinal product containing substances essential or bringing added clinical benefit for the treatment of equidae listed in Regulation (EC) No 1950/2006.

The veterinarian responsible shall enter the date of last administration, as prescribed, of that medicinal product and shall, acting in accordance with Article 11(4) of Directive 2001/82/EC, inform the keeper of the date when the withdrawal period established in accordance with Article 10(3) of that Directive will lapse.

CHAPTER VIII RECORDS AND PENALTIES

Article 38 Database:

- 1. When issuing the identification document, or registering previously issued identification documents, the issuing body shall record at least the following information concerning the equine animal in its database:
 - (a) the unique life number;
 - (b) the species;
 - (c) the sex;
 - (d) the colour;

- (e) the date (dd/mm/yyyy) of birth as declared by the keeper referred to in point (i);
 - (f) if applicable, at least the last 15 digits of the code transmitted by the transponder, or the code transmitted by a radio-frequency identification device not complying with the standard ISO 11784 together with information on the required reading system, or the alternative method of identity verification applied in accordance with Article 21;
 - (g) the country of birth as declared by the keeper referred to in point (i);
 - (h) the date of issue and any modification of the identification document;
 - (i) the name and address of the keeper who submitted the application referred to in Article 11(1), 15(1), 29(2) or 32(2) or, where applicable, lodged the identification document as referred to in Article 27(3);
 - (j) the status as registered equidae or equidae for breeding and production;
 - (k) the name of the animal (namely, the birth name and, where applicable, the commercial name), as declared by the keeper referred to in point (i);
 - (l) the known status of the animal as not intended for slaughter for human consumption;
 - (m) the serial number, where such serial number is applied to the identification document referred to in Article 9(1) and (3), and any information concerning new, duplicate or replacement identification documents issued in accordance with Article 12(3), Article 29, Article 30 or Article 32;
 - (n) the country where the holding of the equine animal is located as declared by the keeper referred to in point (i);
 - (o) the notified date of death or loss of the animal as declared by the keeper referred to in point (i) or date of slaughter.
2. The issuing body shall keep the information referred to in paragraph 1 of this Article on record in its database for a period of at least 35 years or a period of at least 2 years from the date of the communication of the equine animal's death in accordance with Article 34.
3. Not later than 15 days from the date of recording the information referred to in paragraph 1 of this Article, the issuing body referred to in that paragraph shall communicate the information referred to in points (a) to (j) and (l) to (o) thereof to the central database established in accordance with Article 39 in the Member State:
- (a) where the issuing body is approved, recognised or designated or has its headquarters in accordance with Article 5(1);
 - (b) where the equine animal was born.

Article 39 Set up of a central database:

1. Member States shall set up a central database for the purposes of this Regulation.

2. By way of derogation from paragraph 1, a central database shall not be required in those Member States that have a single database for registered equidae and a single database for equidae for breeding and production, provided that:
 - (a) both databases can effectively communicate with each other and can cooperate with central databases in accordance with Article 40 to update the identification details for equidae changing their status to either registered equidae or equidae for breeding and production;
 - (b) the competent authority has direct access to any of those databases.
3. The Member States shall make the name, address and contact details of their central databases available to the other Member States and the public on the website provided for in Article 6(1).

Article 40 Operation and cooperation of central databases:

1. Each Member State shall ensure that the issuing bodies referred to in Article 5(1) incorporate the information referred to in point (e) of Article 28 and Article 38(1) relating to equidae identified on its territory in the central database or that the databases of the issuing bodies on its territory are networked with that central database.
2. Member States shall cooperate in the operation of their central databases in accordance with Directive 89/608/EEC and shall ensure that:
 - (a) in accordance with Article 28 of this Regulation, the central database communicates, with a reference to the unique life number, any modification to the identification details referred to in Article 38(1) to the central database of the Member State where the identification document was issued;
 - (b) the competent authorities of other Member States are granted free of charge access to a minimum of information contained in the central database to inquire whether a transponder code, a unique life number or a passport number has been recorded therein.

Article 41 Penalties:

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 1 January 2016 and shall notify it without delay of subsequent amendments affecting them.

CHAPTER IX TRANSITIONAL AND FINAL PROVISIONS

Article 42 Repeal:

Regulation (EC) No 504/2008 is repealed with effect from 1 January 2016.

References to the repealed Regulation shall be construed as references to this Regulation.

Article 43 Transitional provisions:

- 1.** By way of derogation from Article 4(2), the following equidae shall be deemed to be identified in accordance with this Regulation:
 - (a)** equidae which were born by 30 June 2009 at the latest, and identified by that date in accordance with Decision 93/623/EEC or 2000/68/EC, provided that the identification documents issued for those equidae:
 - (i)** were registered in accordance with Article 21(1) of Regulation (EC) No 504/2008 by 31 December 2009 at the latest; and
 - (ii)** contain a Section corresponding to Section IX of the model identification document set out in the Annex to Decision 93/623/EEC, and Part III-A of the identification document is completed where information is entered in Part III-B thereof;
 - (b)** equidae which were born by 30 June 2009 at the latest, but not identified by that date in accordance with Decision 93/623/EEC or 2000/68/EC, provided that they were identified in accordance with Regulation (EC) No 504/2008 by 31 December 2009 at the latest;
 - (c)** equidae identified in accordance with Regulation (EC) No 504/2008 by 31 December 2015.
- 2.** Equidae which were born in the Union or imported into the Union from a third country after 30 June 2009 and which are not identified in accordance with Regulation (EC) No 504/2008 by 31 December 2015 shall be identified in accordance with Article 29 or 32 of this Regulation, depending on the information on their identity available, and shall be classified in Part II of Section II of the duplicate identification document as not intended for slaughter for human consumption.
- 3.** By way of derogation from Article 13(2), Member States which have granted derogations in accordance with Article 7 of Regulation (EC) No 504/2008 before 1 January 2016 and notified the Commission accordingly before that date, shall not be required to re-notify them to the Commission.
- 4.** Member States that have not established a centralised database as provided for in Article 39 shall set up a central database in accordance with Article 39 and ensure it is operational in accordance with Article 40 by 30 June 2016 at the latest.

Article 44 Entry into force:

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2016. However, Article 39 shall apply from 1 July 2016 in those Member States that have not established an operational central database by 1 January 2016.

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

Done at Brussels, 17 February 2015.

For the Commission

The President

Jean-Claude Juncker