

**EXPLANATORY MEMORANDUM TO
THE ZOOTECHNICAL STANDARDS (AMENDMENT) (ENGLAND)
REGULATIONS 2007**

2007 No. 3167

1. This explanatory memorandum has been prepared by the Department for the Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This S.I. amends the Zootechnical Standards Regulations 1992 (S.I. 1992/2370). It gives effect to Directive 2005/24/EC with regard to the use of ova and embryos and storage centres for semen from pure-bred breeding animals of the bovine species. New obligations are placed on recognised organisations in relation to the collection, processing and storage of bovine semen. (The term “recognised organisation” is defined in regulation 2(1) of the 1992 Regulations.) Also, recognised organisations are required to accept for breeding purposes bovine ova and embryos.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 These amending Regulations gives effect to Directive 2005/24/EC with regard to the use of ova and embryos and storage centres for semen from pure-bred breeding animals of the bovine species. Directive 2005/24 amends Directive 87/328/EEC on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- **What is Zootechnics?**

7.1 ‘Zootechnics’ is one of the more esoteric and technical areas of EU legislation and essentially involves the implementation of EU rules relating to the breeding of pedigree animals. The objective is to facilitate trade in pedigree animals and to preserve breeds throughout the European Community. The species involved are equines, cattle, pigs, sheep, and goats. However, this particular amendment relates only to Cattle.

7.2 Zootechnical legislation states that Member States must recognise societies which deal in pedigree animals if they meet some fairly basic criteria. One of the most important of these is that they must have a studbook, herd or flock book into which details of each pedigree animal is entered. Recognised societies must accept similar animals into their studbook, herd or flock book when imported from another Member State. There is also legislation that governs the requirements for entry into a herd, flock or studbook that mainly consist of the pedigree requirements that must be met.

7.3 Government needs to be involved in EU Zootechnical legislation, as there are statutory Member State obligations under the terms of the legislation. If the government did not undertake these activities we would almost certainly be subject to infringement procedures and subsequent fines by the EU Court of Justice. Additionally, the UK pedigree livestock industries actively follow the requirements of Zootechnical legislation and official approval under the terms of the legislation is seen as 'hallmark' of quality. The majority of pure bred breeders are approved and it would be considered unusual for a breed society to not be recognised or to have, at least, sought recognition. If European Zootechnical legislation was not implemented domestically, the UK pedigree livestock industry would lose out financially and perhaps reputationally - as free movement & trade within the Common Market would be hindered significantly.

- **Policy Objectives for domestic implementation of Directive 2005/24/EC**

7.4 This amendment is being made to implement the very minor technical requirements of 2005/24/EC. One of the key purposes of Zootechnical legislation is to ensure that little or no restrictions may be placed on breeders concerning the availability of animals for use in pure bred breeding programmes. Additionally, no restrictions may be placed on the use of 'pure bred' semen, ova and embryos, all of which have been used in breeding programmes for many years. Directive 2005/24/EC addresses a minor deficiency in European Bovine Zootechnical legislation in that the 'no restrictions' requirement on the use of ova and embryos was not previously provided for. Directive 2005/24/EC corrects this and aligns Bovine Zootechnical legislation with that for other species. The requirements of this amendment make no practical difference to the day to day business of cattle breeders who have used semen, ova & embryos for years. However, UK breeders could, under the terms of 2005/24/EC, make a complaint to either the UK Authorities or the European Commission if they found that breed societies elsewhere in the EU were – for whatever reason – placing illegal restrictions on the use of their semen, ova or embryos within breeding programmes. An additional requirement of 2005/24/EC is that semen used in 'pure bred' breeding programmes must now be collected, stored and processed by an approved centre. Whilst this is a new revised requirement within Zoo technical legislation, there is no additional burden to the UK cattle industry as semen for use in 'pure bred' breeding programmes is already collected & stored by approved centres.

Consultation / public & political interest

7.5 The industry has been consulted on the requirements of 2005/24/EC and only one comment was received which confirmed that there was no additional cost or administrative burdens involved. In view of the general lack of interest within industry, we assess that there will be little or no public interest and, therefore, this amendment is neither politically or legally important. Guidance to this amendment is not required.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is minimal – implementation will be enabled by existing resources.

9. Contact

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