

Guide to the Horse Passports Regulations 2009

These guidance notes replace those issued for the Horse Passports Regulations 2004. The Horse Passport Regulations 2009 SI 1611 implement revised requirements with effect from 1 July 2009. Defra intends to review this guidance at the end of October 2009.

Please note that this is a working document and procedures contained within can be revised if required. Please email any suggestions to the Horse Passports Mailbox - horse.passports@defra.gsi.gov.uk

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Guide to the Horse Passports Regulations 2009

Please note that this is not an exhaustive guide to the legislation and has no legal standing. In case of doubt, please refer to the Horse Passports Regulations 2009, Commission Regulation 504/2008/EC, or consult your legal adviser. These guidance notes apply to England only. Separate operational guidance exists for the Food Business Operator and Meat Hygiene Services at abattoirs. This guidance is not included within this document

The term 'horse' used throughout this guide means any wild or domesticated soliped mammals of all species within the genus *Equus* of the family *Equidae*, and their crosses. This definition now includes zebras and all other non-domesticated *Equidae* kept at zoos or safari parks. For the purpose of the Horse Passports Regulations 2009, all horses are regarded as food producing animals unless declared within the passport as not intended for human consumption.

1. Introduction to the Horse Passports Regulations 2009

Why new domestic Horse Passport Regulations are being introduced.

- 1.1 We are introducing new domestic Horse Passport legislation in order to enable Commission Regulation 504/2008, which implements Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae. The provisions of the Commission Regulation are directly applicable in UK law but domestic Regulations are required to define offences, penalties and those exemptions ('derogations') in the Commission Regulation that are being applied in England.
- 1.2 The Commission Regulation has a common commencement of 1 July 2009; its provisions are directly applicable to all EU Member States.
- 1.3 The main provision of the new Commission Regulation is the strengthening of the link between the horse and the information regarding its medical treatment that is recorded on the passport. This measure will reduce the risk of unsuitable horses entering the food chain. The permanent link will be achieved by means of an implanted microchip containing a unique identification number, with passport and microchip details recorded on a database.

The key changes being introduced are:

Mandatory microchipping of foals (and adult horses not previously correctly issued with a passport)

- 1.4 Foals born on or after 1 July 2009 must have an electronic microchip implanted by a qualified veterinary surgeon when being first identified. In addition, adult horses that have not yet been correctly issued with a passport will also require a microchip when being first identified. In order to protect the human food chain, these horses will be declared, by the PIO, as not for human consumption on Part II of Section IX of the passport. Subject to individual Passport Issuing Organisations rules, this method of Identification replaces the need for a completed silhouette [horse diagram].
- 1.5 The implanted microchip contains a unique coded number. Both passport and microchip details will be recorded on the issuers database and, centrally, on the National Equine Database.

Horses to be accompanied by the passport at all times.

- 1.6 A horse may not be moved without being accompanied by its passport. There are exceptions to this rule e.g. when the horse is stabled, at pasture, leaving a competition / event area for training or test purposes or being moved on foot where the passport can be made available within 3 hours. Keepers with primary responsibility for the care of the horse (e.g. keepers of horses on loan, full livery yards, transporters and race horse trainers) will need to make suitable arrangements with the

owner in order to ensure that the passport can be made available without delay.

Offence to keep a horse without a passport – applies to keepers with primary responsibility for care of the horse.

1.7 As from 1 August 2009, it is an offence for a keeper with 'primary care responsibilities' e.g. full livery yards, persons caring for horses under loan agreements, breeders, trainers and transporters, to keep a horse that has not been issued with a passport. Keepers will need to satisfy themselves that a horse has been correctly identified before accepting the animal into their care.

Vet required to see the passport before administration / supply or prescription of veterinary medicines and tightened requirement that the passport must be updated at the time of any administration of veterinary products including vaccinations.

1.8 As from 1 August, Vets are required to ask to see the passport before treating a horse. The vet will need to be aware of the human consumption status of the horse before deciding which category of medicines may be administered to the horse e.g. food chain suitable medicines or otherwise. The Regulation also places a requirement on Vets to record all vaccines administered. This disease control measure will ensure that accurate vaccination records exist for horses resident within the EU.

1.9 Other changes contained within the Regulation are:

- Extends the passport rules to zebra and other exotic equidae not previously covered;
- Provides exemptions from passport and microchip requirements for animals kept under wild or semi-wild conditions;
- Allows Member States to authorise the use of 'smart cards' instead of paper passports to accompany equidae moving within national boundaries;
- Introduces a revised passport format which includes a Certificate of Origin to record pedigree details and a new section to be used in the event of a disease outbreak.

Copies of the legislation

1.10 Copies of the Horse Passport Regulations 2009, can be purchased from The Stationery Office Ltd, PO Box 29, St. Crispins, Duke Street, Norwich NR3 1GN (Tel: 0870 600 5522, fax: 0870 600 5533, internet: www.tso.co.uk/bookshop). It is also available online from Her Majesty's Stationery Office www.opsi.gov.uk.

2. Guidance for horse owners

- 2.1 For the purposes of this guidance, the term 'owner' includes the owner's appointed agent. For exotic equidae resident in Zoos and safari parks, the holding zoo responsible for the care of the animal may act as the owner for the purposes of complying with this Regulation.
- 2.2 It is recommended that the Guidance for keepers is also read along with this section.

Identification of the horse – mandatory microchips

- 2.3 The revised rules introduce a requirement that foals born on or after 1 July 2009, need to be identified by implanted microchip when first issued with a passport. The passport needs to be issued within six months of birth or by 31 December of the year of birth – whatever date is latest. Subject to individual Passport Issuing Organisations rules, this method of identification replaces the need for a completed silhouette [horse diagram]. If a foal is not identified within these deadlines, it must be signed out of the food chain at Part II of Section IX.
- 2.4 In addition, adult horses that have not yet been issued with a valid passport under existing requirements by 30 June 2009 will also require a microchip when first issued with a passport. The Passport Issuing Organisation (PIO) will sign Part II of Section IX (Human consumption declaration) of the passport when it is issued. This measure prevents these older horses entering the human food chain.
- 2.5 Only the owner of a horse (or the owners appointed agent) may apply for a passport. You will need to obtain a passport application form, for each horse that requires a passport, from an approved PIO and make suitable arrangements with a vet for the implantation of the microchip. You should note that microchips may only be inserted by a veterinary surgeon and the PIO will not issue the passport if your horse has been microchipped by someone other than a qualified vet.
- 2.6 Owners may be fined up to £5,000 if found guilty of failing to correctly identify their horses.

Offence to keep a horse without a passport

- 2.7 Owners need to be aware that, from 1 August 2009, it will be an offence for keepers charged with the primary responsibility for care and welfare of the horse to accept the animal into care if it does not have a valid passport. Keepers will need to ensure that the horse has a passport before accepting the horse into their care and may refuse to accept the animal if they are not satisfied that it has been correctly identified. Keepers with primary care responsibilities for the horse include: those caring for horses under loan agreements, full livery yards, racehorse trainers and transporters etc.

Passport to accompany the horse at all times

- 2.8 It is a requirement that the passport should accompany the horse at all times and as from 1 August 2009; it will be an offence to move a horse without a passport. There are exceptions: (a) emergency situations; (b) when the horse is stabled; (c) at pasture; (d) being moved on foot where the passport can be retrieved within 3 hours, and (e) participating in a training or test of an equestrian competition or event which requires the horse to leave the competition or event venue. [For horses at stable or pasture, the owner or keeper with primary care responsibilities for the horse must be able to ensure that the passport can be produced without delay]. Owners who have their horses cared for will need to ensure that the person with primary responsibility for the care of the animal is able to make the passport available and that the passport accompanies the horse if it is being moved in circumstances other than those described above in (a) to (e). Additionally, the passport needs to be available at the time of treatment if the horse is being administered a veterinary medication.

Time limits for identification.

Foals

- 2.9 Foals must be identified with six months of age or by 31 December of the year of its birth. If a foal is not identified within these deadlines – Part II of Section IX must be signed by the PIO in order to exclude the animal from the human food chain.
- 2.10 An unweaned foal will require a passport regardless of its age if it is being exported without its dam or foster mother or sent for slaughter for human consumption. A passport is not required for the purposes of sale if the age of the foal is within the above deadlines.
- 2.11 Separate arrangements exist for foals residing within the derogated areas of Dartmoor, Exmoor and the New Forest.
- 2.12 Foals born by 30 June 2009, and identified by that date, will not require a microchip - although one is still recommended. These animals will be identified by means of the completed silhouette at Section I of the passport. This diagram is completed by either a vet, or someone deemed competent by the PIO. For foals born by 30 June 2009, owners must ensure that the passport application reaches the PIO by 5 July 2009 at the latest. Applications received after this date will be returned to you by the PIO as the foal will need to be microchipped. This transitional measure has been introduced to prevent fraudulent 'back dating' of applications.

How to apply for a passport

- 2.13 Only the owner of a horse (or the owner's appointed agent) may apply for a passport.
- 2.14 There are over 80 organisations, in the UK, authorised to issue passports. The list of approved organisations is available:

- from your local Defra Animal Health Office (see Yellow Pages or local directory)
 - by contacting the Defra help line: 08459 335577
 - or looking at the Defra website (www.defra.gov.uk)
- 2.15 The format of the application forms differ between PIOs. If in doubt, refer to the rules and conditions of the issuer.

Passports for horses which record verified breeding information

- 2.16 If you want the breeding details of your horse verified and recorded in Section II (Certificate of Origin) of the passport you should confirm with the Passport Issuing Organisation that they have access to relevant breeding information and can offer this service. This will apply only to horses that meet the conditions for entry into the studbook of a breed society.

Identifying the horse

- 2.17 After an application form has been obtained, and following any other rules or conditions of the relevant PIO, arrangements should be made for your vet to implant the microchip.

Check for previous implants

- 2.18 Before implanting the microchip, the vet is required to ensure that the horse has not been previously identified. The vet will scan the animal for existing implanted microchips and look for any scars made by previous procedures to either implant or remove a microchip. If the vet finds evidence of an existing microchip, the new microchip will not be inserted. The vet will advise the owner of the existing microchip number (s) and the owner needs to request the PIO to carry out checks on their records, and with the National Equine Database, to ascertain if the horse has been previously issued with a passport. This measure may in some cases lead to the recovery of a lost or stolen horse.
- 2.19 If record checks reveal that another PIO has previously issued a passport for your horse, you should contact the original PIO who will issue a duplicate document. The PIO will sign Part II of Section IX to exclude the horse from the human food chain.
- 2.20 If the identity of the horse cannot be ascertained by checks on its microchip number, the PIO will issue a 'replacement' document and will sign Part II of Section IX declaring the horse as not for the food chain.
- 2.21 In cases where there is evidence that an undocumented surgical removal has taken place, the vet will insert a new microchip and Part II of Section IX will be signed by the PIO to exclude the horse from entry into the human food chain.

Microchip insertion

- 2.22 After the microchip has been inserted, the vet will complete Section I

Part A(5) of the passport. This records the microchip's unique 15 digit number on the passport. In most cases, this number is replicated on a number of self adhesive bar coded stickers - supplied with the microchip. These can simply be applied to the passport or application form depending on the rules of the issuer. The vet will also indicate the position of the implant with a capital 'M' (with a circle around it), on the silhouette. They will also sign and stamp Section I Part A(11).

- 2.23 It is the owner's responsibility to return the completed application form to the issuer for processing. The PIO, before issuing the passport, will carry out record checks to ensure that the microchip implanted into your horse has not been used before.

Silhouettes

- 2.24 When you submit your application you may also need to provide a completed silhouette (horse diagram) showing the distinguishing marks for your horse. Whilst silhouettes are not mandatory for horses identified by microchip after 1 July 2009, individual breed society's rules may still require a completed silhouette. This diagram needs to be signed either by a vet or a person authorised by the PIO, dependent on the PIO's rules. The PIO will be able to tell you who they have authorised: they can only authorise someone whom they are satisfied has proven competency in producing the silhouette. Silhouettes may be amended in future years if breed society rules allow.

Additional Methods of Identification

- 2.25 Owners may wish to use additional methods of identification (such as DNA verification or freeze branding). None of these methods, used singularly or otherwise replace the requirement for a microchip for horses identified after 1 July 2009.

Buying and selling a horse

Selling

- 2.26 Horses must not be sold either privately or taken to markets or auctions if the animal has not been issued with a passport.
- 2.27 Passports may not be issued at the premises of sales or auctions as an offence would be committed by moving a horse that does not have a passport to these premises.
- 2.28 If you sell your horse you will need to give the passport to the buyer at the time of sale.
- 2.29 If you are selling your horse through a market or auctioneer, you will need to give them the passport - as they become the keeper of the animal. 'Sell' includes any transfer of ownership.
- 2.30 The passport itself is not an ownership document.

Buying

- 2.31 If you buy a horse, you need to notify the PIO who issued the passport

of your name and address, and the name and identification number of the horse as recorded in Section III of the passport within 30 days. It is an offence to not do so. The rules and conditions of the passport issuer may vary regarding how the passport is actually updated. In cases, where the passport is returned, the PIO will issue a temporary document which will remain valid for 45 days. Owners should contact the relevant PIO for further details on how to update the passport. Details of previous owners are recorded on Section III of the passport and it is not usual practice for PIOs to remove these from the passport.

Imports / Exports

Movements within the EU

2.32 Horses may only be moved within the EU if accompanied by a passport. You should only purchase a horse that has entered the UK from another Member State if it has a valid passport. Owners should contact the PIO or other aligned Society that issued the passport in order to update the document with new owner details etc.

Third country imports

2.33 When bringing a horse into the UK from outside the EU, a passport must be applied for within 30 days of entering the country. This shall not apply in relation to a horse, which remains in the UK for less than 30 days unless the final destination of the horse is within another European Member State.

2.34 Permanent third country imports will need to be identified in accordance with EU rules and will need a microchip when being issued with a passport. There is a possibility that horses imported from a 3rd country may already have a microchip. The vet will check for existing microchips, before implanting a new one. It is acceptable for the unique code number of an existing microchip to be recorded on the passport - if record checks by the PIO show no evidence that the horse has been previously identified in the UK. You are allowed to update existing papers or a passport for a horse that has been permanently imported into the European Community from a third country. Owners should seek advice from the PIO regarding this service and whether the original papers can be amended. It is best to do this before arranging a visit from the vet. In all cases, whether existing papers have been upgraded or a new passport issued, the PIO will sign Part II of Section IX to declare the horse as not intended for human consumption.

Updating your passport – issue of Temporary documents

2.35 Passports should be returned to the issuing PIO for amendment if any of the owner's details change (e.g. change of address or the animal is sold). Only the original PIO may update a passport. If your existing passport does not fully meet the required format e.g. it may be missing a Section IX, only the original issuer can provide the required updates. If the PIO cannot update the passport within five working days, the owner will be issued with a 'temporary document' that will contain at least the Unique Equine Life Number of the horse and, if applicable, the

microchip number. The temporary document will remain valid for 45 days and should accompany the horse at all times or be made available for inspection in three hours. If your horse receives veterinary medication during the period that your passport is with the PIO for updating, it is the owner's responsibility to ensure that the passport is updated with the relevant details. The vet will provide you with a written note detailing medications administered or prescribed and the period of treatment.

Lost, stolen and damaged passports

- 2.36 Owners should ensure that passports are kept safely and securely. In the event of a passport being lost or stolen, owners should apply for another from the original passport issuer.

Duplicates

- 2.37 In most cases, the identity of the horse will be known and the PIO can issue a 'duplicate' document. The PIO will clearly mark the document as 'duplicate' and they will sign Part II of Section IX, declaring the horse as not intended for human consumption.

Replacements

- 2.38 There may be some instances, where the identity of a horse cannot be established (e.g. lost or abandoned animals). In these cases, the new owner should approach an approved PIO who will issue a replacement document. The new passport must be marked as 'replacement' by the issuer and Part II of Section IX declaring the horse as not intended for human consumption will be signed. In terms of establishing ownership; if a horse has been seized under the Animal Welfare Act, the courts can make an order. If the horse was straying on land/causing damage, there are provisions within the Animals Act 1971 to determine ownership.

Veterinary treatment

- 2.39 The passport needs to be available at the time of treatment with a veterinary medicine. All owners must sign the declaration at Part II of Section IX, if substances unsuitable for entry into the food chain have been administered, supplied or prescribed. If the owner declines to sign the declaration, the vet is required to do so after administering, supplying or prescribing the medication.
- 2.40 The substances that should not be administered, supplied or prescribed to a food producing animal are:
- Veterinary medicinal products containing a substance specified in Annex IV to Council Regulation (EEC) No. 2377/90. The declaration must indicate that the horse is not intended for slaughter for human consumption (unless the declaration has already been so signed).
 - Veterinary medicinal products outside of those contained in Annex IV to Council Regulation (EEC) No.2377/90. This includes

Phenylbutazone [bute]. Once a horse has been administered 'bute' it cannot enter the food chain at any time during its life. There are alternative medicines which if administered will not exclude the horse from the human food chain. Your vet will be able to advise you regarding the alternative medications.

[Currently, pharmacologically active substances present in veterinary medicines are classified in four annexes to Council Regulation 2377/90. This regulation sets the community procedures for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs, and was replaced by Regulation 470/2009 in 6 July 2009. However, the annexes I to IV of Regulation 2377/90 will continue to apply until 4 September 2009, when it is expected that a regulation incorporating them without any modification will be in place].

- 2.41 A horse may not be consigned for slaughter for human consumption if Part II of Section IX has been signed to indicate that the horse is not intended for slaughter for human consumption.
- 2.42 You are advised to think carefully about the following points before deciding whether you wish to voluntarily sign your horse out of the human food chain. A 'not intended' declaration at Part II of Section IX cannot be reversed.
- though it may be many years ahead, what do you expect will happen to your horse when it reaches the end of its life, and what might it cost to dispose of it?
 - have you made financial provision for the euthanasia of your horse at the end of its life?
 - are you likely to sell your horse - some future owners might only want to purchase a horse where they have the option to elect for abattoir euthanasia;
 - there are currently a number of options open to owners for dealing with their horse at the end of its life – but these options might not be available in the future;
 - leaving the declaration unsigned doesn't mean you have to elect for abattoir euthanasia – but it does mean you will have kept open that option should your circumstances change in the future;
 - if the declaration at Part II Section IX has not been signed, it will be necessary to keep a record of veterinary medicines administered. Certain medicines must be recorded in the passport itself. Your vet can advise you regarding this.

Unplanned or emergency veterinary treatment of horses without passports

- 2.43 If the vet does not know that your horse is signed out of the food chain he / she is only permitted to administer substances suitable for food producing animals. For horses in full time keepership and where Part II

of section IX is unsigned, it is recommended that the owner make arrangements to ensure that the keeper is aware of what emergency medications may be administered by the vet. The owner may not want the horse to be given certain medicines if the intended disposal method is by elective euthanasia at slaughterhouse.

Requirement to record vaccines

- 2.44 The vet is required to record all vaccinations administered, supplied or prescribed to the horse in Sections V and VI (Vaccination record) of the horse passport, regardless of whether or not the animal is declared as for human consumption. The vet will commit an offence if he / she fails to record vaccines administered supplied or prescribed. Owners should ensure that the passport is available at the time of treatment as the vet is required to ask for the passport before treating a horse.

Death of a horse – requirement to advise PIO

- 2.45 Except where a horse was sold to a slaughterhouse, you are required to return the passport to the PIO within 30 days of death with an indication of the date of death in order that they can update their records and cancel the passport. If you wish, the PIO can return your passport to you after the horse has passed away. You should agree to any terms and conditions with the PIO, if you want them to send the passport back to you after they have finished with it.

National Equine Database

- 2.46 Owners should be aware that PIOs are required to record horse and owner details for all passports issued. These details are passed to the National Equine Database who will publish details of your horse on the public NED website. In line with data privacy legislation, your personal details will not be displayed on the public site but will be available to enforcement bodies. All PIOs should have Data Protection Statements in place advising owners that personal data may be shared with Defra, the Defra family and across Government if required.

Further info can be obtained from www.ned.uk.com.

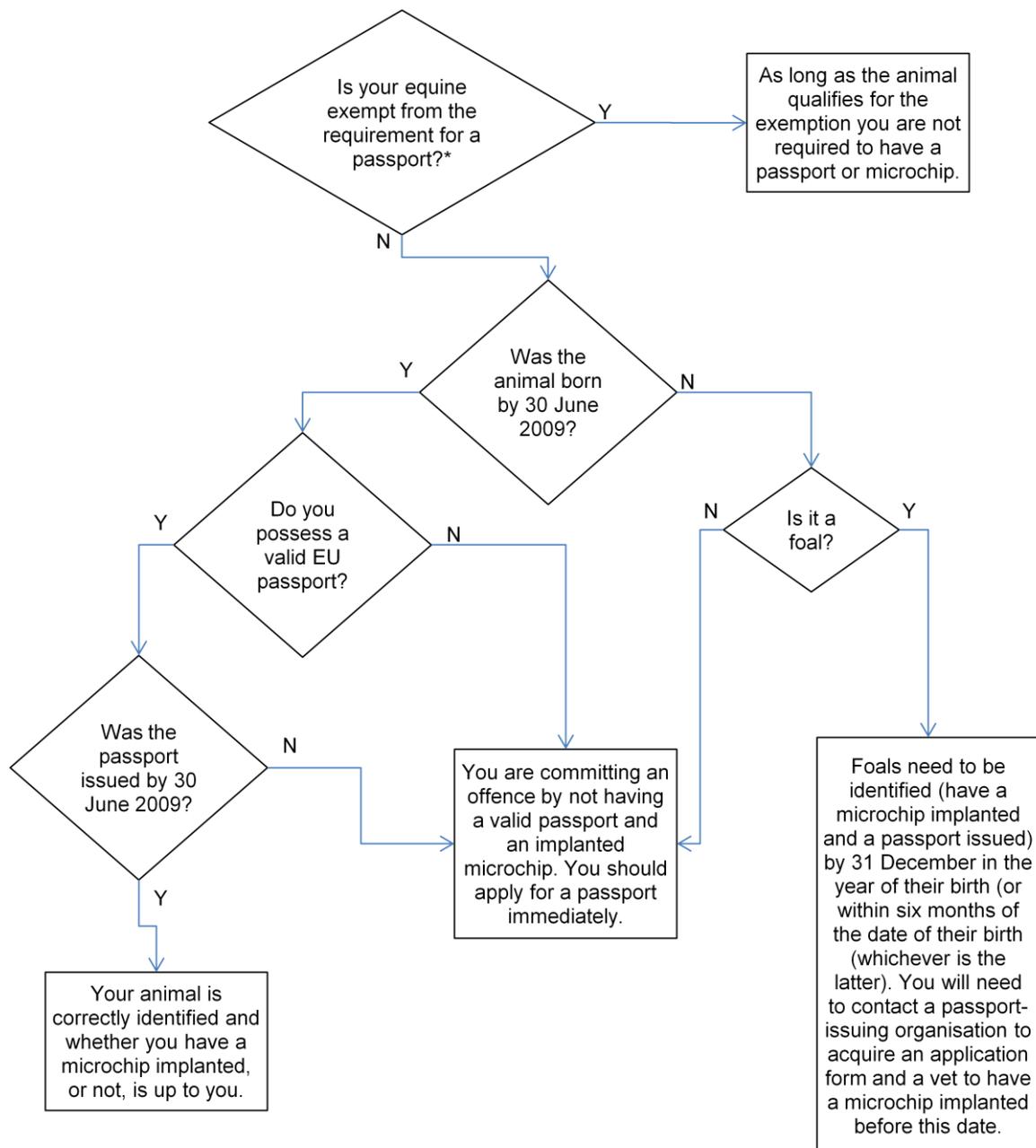
Offences on owners

- 2.47 An owner shall be committing an offence if they fail to comply with:
- regulation 4(1) (failure to pass the passport to the new owner after a sale);
 - regulation 4(2) (failure to notify the issuing body of change of ownership);
 - regulation 5(1) (the keeping of unidentified equidae);
 - regulation 5(2) (applying for a passport outside of the time limits set);
 - regulation 6 (fraudulently applying for a duplicate or replacement

passport);

- regulation 7 (time limits for applying for documents for imported equidae);
- regulation 10 (documentation accompanying equidae during transport);
- regulation 11 (movement to slaughter without passport);
- regulation 17 (destroying, defacing or altering a passport or knowingly being in possession of a forged passport);
- regulation 21 (obstructing the enforcement of these Regulations);
- regulation 2 of the Schedule (failure to identify an animal exempted as a semi-feral after veterinary treatment);
- regulation 3(1) of the Schedule (movement off the designated area);
- regulation 3(4) of the Schedule (failure to apply for a passport within 30 days of movement off the designated area after sale);
- regulation 3(5) of the Schedule (movement from the holding of destination after the sale without a passport).

Flowchart 1: Does my horse need a microchip?



* Certain conditions exempt an equine from the requirement to have a passport (and, after 1 July 2009, a microchip). These include those animals living in wild or semi-feral conditions (e.g. New Forest, Dartmoor and Exmoor) or foals moving directly from the holding of birth to slaughter. See guidelines for full details.

3. Keeper Guidance

Offence to keep a horse without a passport

- 3.1 As from 1 August 2009, it is an offence for a keeper with 'primary care responsibilities', to keep a horse that has not been correctly identified. In most cases, the owner of the horse is responsible for the day to day care and welfare of the animal. However, sectors of the industry that have owner delegated responsibilities for the care of the horse, will need to satisfy themselves that a horse has been correctly identified with a valid passport before accepting the animal into their care.

Passport to accompany the horse at all times

- 3.2 It is a requirement that the passport should accompany the horse at all times and as from 1 August 2009; it will be an offence to move a horse without a passport. There are exceptions: (a) emergency situations; (b) when the horse is stabled; (c) at pasture; (d) being moved on foot where the passport can be retrieved within 3 hours, and (e) participating in a training or test of an equestrian competition or event which requires the horse to leave the competition or event venue. Keepers with primary responsibility will need to make arrangements with the owners of the horse(s) in their care to ensure that the passport(s) can be made available without delay.

Unplanned or Emergency Veterinary Treatment of horses without passports - Section IX declaration

- 3.3 In certain situations, a vet is only permitted to administer, supply or prescribe substances suitable for food producing animals i.e. if (a) the passport is unavailable at time of treatment and (b) the horse and its Part II Section IX human consumption declaration status is unknown to the vet. For horses in full time keepership and where Part II of section IX is unsigned, it is recommended that the owner make arrangements to ensure that the keeper is aware of the status of the horse. Some commonly used emergency medications (including 'bute') require the horse to be signed as 'not intended for human consumption' if administered. The owner will not want the horse to be given these medicines if they wish to leave open the option of elective euthanasia at slaughterhouse.

Offences on keepers

- 3.4 A keeper shall be committing an offence if they fail to comply with:
- regulation 5(1) (the keeping of unidentified equidae);
 - regulation 5(2) (applying for a passport);
 - regulation 10 (documentation accompanying equidae during transport);
 - regulation 11 (movement to slaughter without passport);

- regulation 17 (destroying, defacing or altering a passport or knowingly being in possession of a forged passport);
- regulation 21 (obstructing the enforcement of these Regulations);
- regulation 3(1) of the Schedule (movement off the designated area).

4. Guidance for Passport Issuing Organisations

- 4.1 This section will not repeat the guidance issued in the Guidance notes for the Horse Passports (England) Regulations 2004. These notes focus on the changes that you can expect resulting from the introduction of the revised legislation. Passport-issuing organisations (PIOs) should familiarise themselves with all aspects of this Guidance.

Format of the Passport

- 4.2 As from 1 July 2009, PIOs must ensure that passports are issued in the revised format. Breed Society passports must include section I – X and 'Identification Only' passport must contain at least sections I, III, IV and VI to IX. The new format contains a new section II (Certificate of Origin), section VIII (Invalidation/revalidation for movement purposes) and Section X (Basic health requirements). The Regulation states that the order of the sections and their numbering must remain unaltered in the identification document (except Section I which may be placed centrefold of the document). The passport should also be indivisible – ring / glue binding or rivet stapling meets this requirement.

Microchips to replace mandatory silhouettes

- 4.3 From 1st July, all horses must be microchipped when they are first identified. Foal applications must be submitted by 6 months after its birth or 31st December in the year of its birth whichever is the later. Any applications for new passports received outside of this timeframe must be signed out of the food chain and section IX part II should be clearly marked as such.

Foals

- 4.4 Foals born on or after 1 July 2009 will need to have a microchip inserted as part of the passport application process. PIOs cannot issue a passport for a foal born on or after 1 July 2009 if the foal has not been microchipped. This means that any application you receive should include a silhouette which marks where the microchip is inserted (a circle with an 'M' in it), a microchip bar code and number along with a vets signature confirming that the horse has been microchipped and no evidence of previous chipping or marking has been detected.
- 4.5 Foals born by 30 June 2009, and identified by that date, will not require a microchip - although one is still recommended. These animals will be identified by means of the completed silhouette at Section I of the passport. For foals born by 30 June 2009, the application must reach your offices by 5 July 2009. Applications received after this date must be returned to the owner as the foals will need a microchip. This transitional measure has been introduced to prevent fraudulent 'back dating' of applications

Adult Horses – not yet issued with a passport under existing requirements

- 4.6 An implanted microchip is not required for an adult horse if a passport is applied for before 30 June 2009 and the PIO receives the application

before 5 July 2009. The horse may also enter the human food chain if it has not been treated with substances unsuitable for food chain animals. All passport applications made after 30 June 2009, will require the horse to have a microchip implanted when first issued with a passport. Additionally, Part II of Section IX will be signed by the PIO on issue of the passport excluding the horse from entry in the human food chain.

Detection of existing microchip or signs of undocumented removal

- 4.7 Before implanting the microchip, the vet is required to ensure that the horse has not been previously identified. The vet will scan the animal for existing implanted microchips and look for any scars made by previous procedures to either implant or remove a microchip. If the vet finds evidence of an existing microchip, a new one will not be implanted. The vet will advise the owner of the unique microchip number and the owner needs to request the PIO to carry out checks on their records, and with the National Equine Database (NED) - to ascertain if the horse has been previously issued with a passport. This measure may in some cases lead to the recovery of a lost or stolen horse. If the identity of the horse cannot be ascertained by checks on its microchip number, the PIO will issue a 'replacement' document and will sign Part II of Section IX declaring the horse as not for the food chain.
- 4.8 In cases where there is evidence that an undocumented surgical removal has taken place, the vet will insert a new microchip and Part II of Section IX will be signed by the PIO to exclude the horse from entry into the human food chain.

Checks before issue of new passport

- 4.9 The PIO, before issuing the passport, must carry checks in their own records and on NED, to ensure that the microchip implanted into the horse has not been used before. This is to ensure that no previous passport has been issued for the horse and to prevent the fraudulent re-use of microchips. These checks should include records relating to freeze brands and hot brands (if applicable). If evidence of any existing passport is found then the new document must not be issued and the owner must be redirected to the original PIO and a duplicate issued. The horse must be signed out of the food chain where any duplicate passport is issued. If no evidence of a previous passport can be found the PIO may issue a replacement passport and sign the Section IX at Part II to show that the horse is not intended for slaughter for human consumption.
- 4.10 PIOs may find it easier to check and record microchip number using an inexpensive bar code reader. Using a reader avoids human error when writing down the bar code numbers)

Section IX – human consumption declaration

- 4.11 The owner is required to sign Part II of Section IX if the horse has been treated, supplied or prescribed substances unsuitable for entry into the human food chain. The vet administering, supplying or prescribing the

substance is required to sign this section if the owner declines. When PIOs re-issue a passport or issue duplicate and replacement documents, the PIO is required to sign Part II of section IX. See below on guidance for cancellation / re-issue and the issue of duplicate & replacement passports.

Change of ownership applications and passport updates

4.12 These do not require the horse to be microchipped.

Temporary documents

4.13 If a passport is submitted to you for updating or to change ownership, you must issue a temporary document containing at least the UELN and microchip number (where available) within 5 working days of receipt. If the passport can be returned within the 5 days then a temporary document is not required. The temporary document remains valid for 45 days from the date of issue. If the passport is not going to be returned within 45 days, another temporary document must be issued.

Provision of data to NED

4.14 PIOs should continue to update NED on a monthly basis as a minimum in 'data pack 4' format and it is recommended that you do this more frequently if possible. The microchip number is now a mandatory field (a revised Secretary of State letter to PIOs applies this requirement). This information is very important so please enter this number carefully. Accurate recording of Microchip information is part of the PIO efficiency criteria and you may wish to scan the number in via the barcode on the passport. If you have any problems uploading your data in the correct format please contact the NED Ltd team.

Death of the horse

4.15 PIOs must notify NED when you receive a notification of the death of a horse.

UELN

4.16 All passports must be issued with a UELN number – see separate section in this guidance.

Third country Imports

4.17 Permanent third country imports will need to be identified in accordance with the new EU rules and will need a microchip when issued with a passport. PIOs may update existing papers if they can practically be updated to meet the new format.

Cancellation and Re-issue (rescinding) of passports

4.18 The European Regulation provides the legal base for the cancellation and re-issue of wrongly issued passports. This provides for instances

an 'identification only' document has been previously issued for a horse that at a later point in time is found to be eligible for entry into the stud book of a 92/353/EEC approved society by virtue of the provisions contained in 96/78/EEC (which sets out the criteria for entry into an approved studbook). In these cases the original passport may be cancelled and replaced with a breed society passport. Defra has previously issued instructions on this procedure. These are contained in Annex I.

Issuing Duplicates & Replacements

Duplicates

4.19 In most cases, the identity of the horse will be known if a passport is lost and the PIO can issue a 'duplicate' document. The PIO will clearly mark the document as 'duplicate' and they will sign Part II of Section IX, declaring the horse as not intended for human consumption.

Replacements

4.20 There may be some instances, where the identity of a horse cannot be established (e.g. lost or abandoned animals). In these cases, the new owner should approach an approved PIO who will issue a replacement document. This will essentially be a new passport but must be marked as 'replacement' by the issuer and Part II of Section IX declaring the horse as not intended for human consumption will be signed on issue. In terms of establishing ownership; if a horse has been seized under the Animal Welfare Act, the courts can make an order. If the horse was straying on land/causing damage, there are provisions within the Animals Act 1971 to determine ownership.

Updating 'old style' passport

4.21 Occasionally, you may be requested to update older style passports that were issued as per the requirements of the Horse Passports Order 1997. These passports will have been issued by breed societies for horses registered in their studbooks. These passports will not contain Section IX pages, but may be updated by the original issuer. Part II of Section IX must be signed by the PIO to exclude the horse from the human food chain.

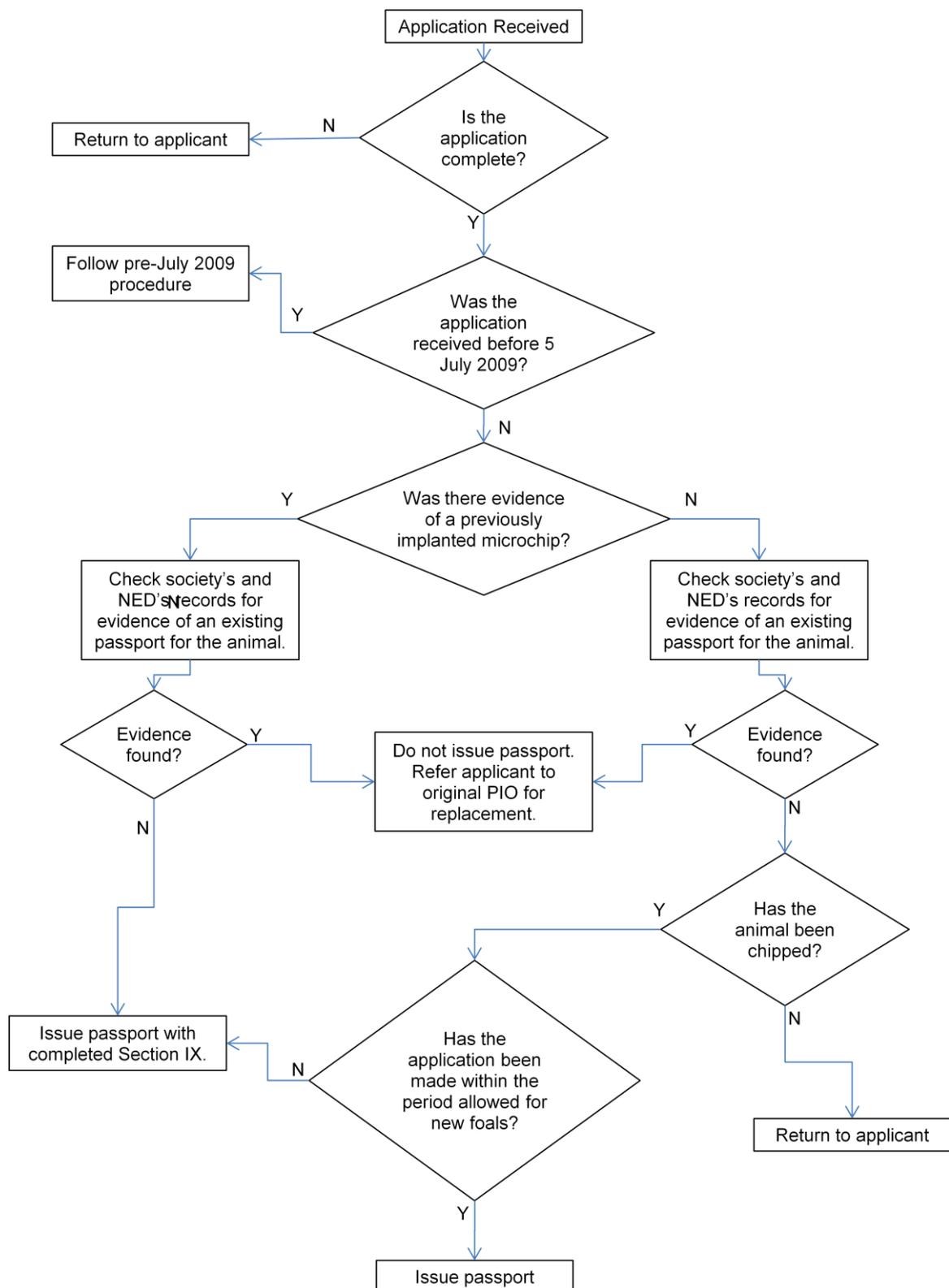
Offences on PIOs

4.22 A PIO shall be committing an offence if they fail to comply with:

- regulation 9(1) (ensuring that equidae have had a microchip implanted when first identified);
- regulation 12(1) (failure to endorse a duplicate passport as such and signing Section IX);
- regulation 12(3) (failure to endorse a replacement passport as such and signing Section IX);

- regulation 16(1) (submitting data to national database);
- regulation 17 (destroying, defacing or altering a passport or knowingly being in possession of a forged passport);
- regulation 21 (obstructing the enforcement of these Regulations).

Flowchart 2: Processing an application for a new passport



5. Guidance about the Unique Equine Life Number

The UELN system

- 5.1 The European Regulation provides the legal basis for the use of a Unique Equine Life Number in all horse passports. A UELN is required to efficiently administer and manage horses within the equine industry. In the UK the UELN system should be used to create the Passport Identification Number on the horse passport.
- 5.2 All passports must be issued with a UELN using the first six digits allocated to the PIO at the time of approval.
- 5.3 The objective of the UELN system is designed to ensure that each horse in the world can be identified using a single reference number. However, the UELN system enables the historic registration numbers contained in stud books of birth to remain when included within this number.
- 5.4 The key principles of the UELN are documented on www.UELN.net, but due to variations in terminology, these guidance notes have been produced to clarify how the UELN is applied within the United Kingdom.
- 5.5 A full UELN should only be created when a Passport is issued and the Passport Issuing Organisations should ensure that they keep details of the UELN number allocated to each horse passport that they issue.

Example of an UELN

- 5.6 The first three digits determine the country that issued the passport and the second three digits identifies the organisation within that country that issued the passport. In practice this code will never be maintained as two separate fields and will be issued as a single six digit code. The central UELN register maintains a list of these codes. The remaining nine digits uniquely identify the horse within an organisation.

8	2	6	0	0	4	1	2	3	4	5	6	7	8	9
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Detailed rules and exceptions

Country Identifier

- 5.7 The Country Identifier is a three digit numeric code that identifies the country that is issuing the passport. In the United Kingdom this will always be allocated as the numeric code from ISO-3166 country table and will consequently be 826. Horses issued with passports of another country will start with a corresponding three digit numeric from the ISO-3166 country table. For all historic records of horses where a UELN has not been created, the UELN code for the horse will be that of the Organisation that issued the passport.
- 5.8

8	2	6												
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 N system refers to the Country Identifier as the “Country of Birth”, but this will only be the case if an organisation is governed by an international body such as the World Arabian Horse Organisation

(WAHO), International Stud Book Committee ISBC, and World Breeding Federation for Sport Horses (WBFSH). These international bodies mandate that the foals must be issued with a passport of the country of birth. Therefore, a foal cannot obtain a passport from a foreign organisation and consequently the Country Identifier will always denote the country of birth.

- 5.9 If a horse is not governed by one of these international bodies and the owner wishes to obtain a passport from a foreign organisation, the Country Identifier will not reflect the “Country of Birth”. In this instance the best place to record the country of birth is embedded in the nine digit horse identifier.
- 5.10 In some instances an organisation may manage the passports of another country by appropriate agreement from WAHO, ISBC or WBFSH. In this instance it is the passport country that is reflected as the Country Identifier, not the physical location of the organisation. The following are foreign passports that are maintained in Great Britain:

- Arabs born in Greece 300002
- Arabs born in Malta 470008
- Arabs born in Ireland 372008
- Irish Standard and Trotting horses 372007

Organisation Identifier

- 5.11 The second three digits are numerics that have been assigned to uniquely identify the organisation that issued the passport.



- 5.12 In order to accommodate historic identification numbers of the ISBC for Thoroughbreds, character codes are used e.g. Weatherbys Thoroughbreds use “0GB”. This exception results from the ISBC adopting an alphabetic suffix to denote country of birth in 1999. Where there is a two digit code, e.g. GB for Great Britain and FR for France, the code is preceded by a 0 – “0GB” and “0FR”.

Horse Identifier

- 5.13 The last nine digits are alphanumeric which uniquely identify a horse that is registered within a particular organisation:



- 5.14 If the internal reference of the organisation is shorter than nine alphanumeric digits, zeros may be added to the front, to pad out the horse identifier to the required nine digits.
- 5.15 If the internal reference is longer than nine digits, look at the composition of this reference and strip out any data that may be part of the identifier but is not required to uniquely identify the horse in your

organisation. Occasionally, a date, the sex or the height of the horse may be included as part of the identifier. If this is the case strip out this additional data and provide a unique reference shorter than nine digits.

Further Information

- 5.16 More about Unique Equine Life Numbers can be found at www.ueln.net. This website also provides details of the UELN numbers for all approved breed societies and international sport and competition organisations.

6. Guidance for veterinary surgeons

What the legislation means for vets as from 1 July 2009

- 6.1 As from 1 July 2009, Veterinary surgeons (vets) have new responsibilities under the Horse Passport Regulations. These are outlined below and there are new offences that vets will need to be aware of.
- 6.2 None of this advice is intended to over-ride the duties of vets to alleviate suffering whenever possible by administration of appropriate medicines. However, in this respect, vets should be aware of their legal obligations under the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997 (as amended) and the Veterinary Medicines Regulations 2008.
- 6.3 Vets should also be aware that currently pharmacologically active substances present in veterinary medicines are classified in four annexes to Council Regulation 2377/90. This regulation sets the community procedures for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs, and has been replaced by Regulation 470/2009. However, the annexes I to IV of Regulation 2377/90 will continue to apply until 4 September 2009, when it is expected that a regulation incorporating them without any modification will be in place.
- 6.4 This guidance does not cover clinical implantation techniques. Advice regarding the procedure may be obtained by members from the British Equine Veterinary Association website www.beva.org.uk under 'Topical Veterinary Information.'
- 6.5 It is the opinion of the RCVS that the microchipping of horses constitutes an act of veterinary surgery and we are minded to follow this advice. Therefore, as veterinary surgery may only be carried out by a veterinary surgeon, in the UK this procedure must be carried out by someone who is a member of the Royal College of Veterinary Surgeons. Veterinary nurses are not permitted to implant microchips.
- 6.6 Further information can be obtained from the Royal College of Veterinary Surgeons www.rcvs.org.uk.

Implications for vets

- 6.7 The horse passports requirement has the following implications for vets:

Compulsory microchips from 1 July 2009

- 6.8 You will be approached by owners to implant a microchip in both foals and adult horses. Foals born after 1 July 2009 must be micro chipped when first identified (e.g. issued with a passport). This must be performed by 31 December of the year of birth or six months after the day of its birth – whichever is the latter. Foals not identified by these deadlines must be signed out of the food chain. Additionally, older

horses born before 30 June 2009, that have not yet been issued with a passport, must also be micro chipped when identified for the first time and signed out of the human food chain.

- 6.9 The rationale for microchipping of equidae is that the transponder provides a firm link between the horse and the information recorded on its passport, ensuring that horses treated with banned substances do not enter the human food chain and that withdrawal periods are observed for those medicines with an established MRL.
- 6.10 Both passport and microchip details will be recorded on the passport issuers database and centrally on the National Equine Database. Exceptions apply for the areas of the New Forest, Dartmoor and Exmoor. See Section 14.

Silhouette

- 6.11 The primary means of identifying a horse under the previous requirements (Horse Passports {England} Regulations 2004) was by completed silhouette. It is no longer a statutory requirement to complete a silhouette if the horse has a microchip, although the PIO is permitted to ask that silhouette be completed. Silhouettes are still used extensively throughout the industry, particularly with breed societies that issue passports for registered or sport and competition horses. At the time that you are asked to identify the animal by inserting the microchip, you may also be asked to complete or verify silhouette details and sign it. It is a skilled task to accurately record whorls, neck feathers and other marks. A guidance booklet entitled 'Identification of Horses, Instructions for Veterinary Surgeons' has been produced by Weatherbys in conjunction with the Royal College of Veterinary Surgeons.

Microchip and reader specifications

Microchips

- 6.12 You must only use uniquely coded microchips which conform to the ISO standard 11784 and apply HDX or FDX –B technology. Microchip companies have been reminded that they should not be producing or selling microchips starting with the code '826'. This is because under an agreement with the International Standards Organisation (ISO) – '826' is reserved to identify the UK only where a governing body has been established to oversee the use of codes commencing with '826'. No such governing body has yet been established. Vets must only insert microchips whose numbers do not start with '826'.

Readers

- 6.13 You must only use readers that conform to ISO standard 11785. It is recommended that you only use readers that are capable of detecting a transponder to a minimum tissue depth of 5cm
- 6.14 Further information on the above ISO standards can be obtained from the British Standards Institute. www.StandardsUK.com

How to handle applications to identify foals and horses for passport purposes

- 6.15 You will be asked to microchip foals and older horses as part of the passport application process. The following will guide vets through the requirements for microchipping foals and the procedures for identifying adult horses born before 30 June 2009 that have not previously been issued with a passport, voluntary microchipping of an adult horse with an existing passport and third country imports.
- 6.16 The basic procedures that should be followed in all cases are contained below in the guidance for microchipping foals. Clinical implantation techniques are not described.

Step by Step Guide

Foals

- 6.17 Foals born on or before 1 July 2009, and not identified by that date, will need to have a microchip inserted when first identified (i.e. issued with a passport). Separate arrangements exist for foals residing within the derogated areas of Dartmoor, Exmoor and the New Forest. The British Equine Veterinary Association has advised it is their opinion that the insertion of a microchip does not compromise the welfare of the foal.
- 6.18 Foals born by 30 June 2009 and identified by that date will not require a microchip - although one is still recommended as an implanted microchip may aid the recovery of a lost or stolen horse. These animals will be identified by means of the completed silhouette at Section I of the passport.

Application forms / blank passports

- 6.19 When you attend to implant a microchip, the owner will provide you with a passport application form provided by an approved Passport Issuing Organisation (PIO). These forms may vary considerably in appearance and content depending on the conditions of the particular PIO. Some PIOs may provide vets with blank application forms and also in some cases, the microchip for implantation. Application forms contain pages to identify the horse for which the passport has been issued.

Check for previous active marking of horses

- 6.20 There is a mandatory requirement to check for previous implants – vets will commit an offence if they fail to do this before inserting a microchip.
- 6.21 Article 10(1) of the European Regulation requires Vets to check for previous implants and alternative markings before inserting a microchip. Article 8 of the Horse Passports Regulation 2009 makes it an offence to fail to perform these checks. The measures to detect previous implants should include;
- scan the body surface with an ISO standard 11785 reader on the area where under normal circumstances a microchip is implanted. It is recommended that you scan both sides of the horse, in the area

between poll and withers in the middle of the neck - in the area of the nuchal ligament). You should be aware that microchips are sometimes incorrectly inserted (i.e. not in the nuchal ligament) or inserted in other body areas - such as the gluteals. Vets should ensure that pre – implantation checks are thorough enough to pick up such microchips.

- check for any clinical signs (e.g. scar) of a previous implant and any evidence that a transponder previously implanted has been removed

Additional Marking

- 6.22 Vets may see a variety of markings on a horse such as hot brands, freezemarks or tattoos. None of these marks replace the need for a completed silhouette for passports issued for foals /horses born on or before 30 June 2009 or an implanted microchip for foals and horses issued with a passport post 1 July 2009.
- 6.23 If a previous marking is detected, vets should follow the guidance provided below at 'Detection of previous markings'.

Insert the microchip

- 6.24 The microchip should be inserted aseptically, following standard clinical practice, between poll and withers in the middle of the left hand side of the neck - in the area of the nuchal ligament. It is recommended that vets ensure that the microchip is functioning in accordance with manufacturer's specifications before insertion, and again after the procedure has been completed. If the microchip has failed, another should be inserted.

Update application form / blank passport

- 6.25 You will be required to update Section I (Part A / 4) Identification details with the unique coded 15 digit number of the implanted microchip. Most microchip suppliers provide self adhesive bar codes that contain the microchip number. If provided, it is best practice to use bar codes as opposed to entering the code number by hand. Additional copies of the bar code may be retained by the vet for practice records and /or owner so that these may be forwarded to the PIO for internal record keeping purposes and manufacturers or insurance databases etc. Vets are also required to indicate the point of insertion of the microchip and the side of the animal where it is inserted on the silhouette (Section I Part B Outline Diagram). This should be by means of an encircled M. Section 11 of Section 1 Part A – Identification details should then be signed and stamped. The application form / 'blank' passport should then be passed to the owner. It is the owner's responsibility to ensure that the application is then forwarded to the PIO.

Treatment of a foal without a passport

- 6.26 Vets treating a foal which does not yet have a passport must record the medicines prescribed, administered or supplied in their own records and shall give the owner / keeper of the foal a written record of the treatment prescribed, administered or supplied. The owner must retain

this information until such a time that a passport is obtained for the foal and then append it to the passport.

6.27 If you prescribe, administer or supply:

- any medicines containing active substances listed in Annex IV to European Council Regulation 2377/90/EEC or
- medicines containing active substances not included in any of the Annexes (this includes Phenylbutazone)

you must give a written note of the medicines to the owner and advise that the passport must be signed at Part II of Section IX that the horse is not intended for slaughter for human consumption. Defra recommends that vets do not administer, supply or prescribe the above medicines to foals in order to keep the slaughter route open for the future. If possible vets should seek the agreement of the owner that alternative substances suitable for food producing animals be given to the horse.

Older horses (born before 30 June 2009) – not previously identified with a valid passport

6.28 Older horses born before 30 June 2009, that have not yet been correctly issued with a passport, must also be micro chipped when identified for the first time. The basic procedures detailed above for foals should be followed. However, the PIO is required to sign Part II of Section IX of the passport declaring that the horse is not intended for slaughter for human consumption. This is in order to protect the human health by preventing banned substances entering the human food chain.

6.29 Treatment of older horses where the passport is not available is covered below.

Voluntary microchipping of older horses (that have been correctly issued with a passport)

6.30 Owners may request vets to implant a microchip into an adult horse that has been correctly issued with a passport and is identified within that document by completed silhouette. The ante and post insertion procedures detailed above for foals should be followed and the passport updated and returned to the owner. The owner should be encouraged to ensure that subsequently the records of the relevant PIO are updated with the microchip details

3rd country imports

6.31 Owners of equidae permanently imported into the Community from third countries must request vets to check for existing microchips and implant one if the horse has not been previously microchipped. Owners of third country imports have 30 days, from the date of the customs procedure, in which to identify the horse. The basic procedures detailed above for foals should be followed. However, equidae imported from

third countries may not have been microchipped in the expected area of the animal. It is recommended that vets thoroughly scan both the neck and surrounding areas for previous implants. Owners have 30 days in which to obtain a valid passport for horses imported from third countries. Some horses may initially be accompanied by papers that do not comply with the standard EU format. The Owner may request PIOs to upgrade these papers if it is possible to amend them to meet the EU format. If existing papers cannot be amended, they shall be considered invalid and the PIO will issue a new passport. In both cases, the PIO will sign the declaration at Section IX Part II as not intended for human consumption. In all cases, the horse must have a microchip inserted if one has not been previously inserted.

Detection of previous implant

6.32 If a previous implant is detected, vets in all cases should not continue with the procedure to implant the microchip. A previous microchip may mean that the horse has been previously identified. It is important to clarify the situation as previous identification papers may exist for the horse. Vets should provide the owner with the unique code of the microchip detected and advise that they contact the PIO dealing with the passport application. The PIO is required by law to carry out further checks to ascertain, as far as is possible, whether the horse has been issued with a previous passport. After the PIO has carried out these checks, the owner and vet will be advised of the outcome. The additional checks may lead to ownership issues or the recovery of a lost or stolen horse. If no such issues arise, the PIO may issue a replacement passport and record the previous microchip code thereon. The PIO is required to declare the horse as not for human consumption at Section IX Part II.

Horses and ponies grazing in the New Forest on Dartmoor or Exmoor – semi-feral animals

6.33 Refer to Section 14 of this guidance which contains information about the derogations.

Administration, supply and prescription of veterinary medicines

6.34 Veterinary surgeons will be required to administer, supply or prescribe medicines to:

- horses that have a passport signed that the horse is intended for human consumption;
- horses that have a passport signed that the horse is unintended for human consumption;
- a horse whose the passport is not available – but the horse and its Section IX declaration status as a food producing animal is known to the vet and
- a horse whose passport is unavailable and the animal is unknown to

the vet.

Administration, supply and prescription of veterinary medicines to a horse that has a passport where the declaration at Section IX is unsigned

- 6.35 Refrain from prescribing, administering or supplying any medicines containing active substances listed in Annex IV to Council Regulation 2377/90 or not included in Annexes I, II or III of this Regulation (this includes Bute). These medicines must never be given to a food animal. If there is no alternative to using these medicines, you will need to explain that the declaration at Part II of Section IX (not for human consumption) now needs to be completed by the owner or his authorised representative. If the owner or authorised representative declines to sign the declaration, the vet is required to do so. This is to protect human health by preventing harmful substances from entering the human food.
- 6.36 Record in Part IIIB of Section IX of the passport the administration, supply or prescription of medicines containing substances included in the Prescribing Cascade or List of Essential Substances (Regulation 1950/2006) including the date of the last treatment. The relevant withdrawal periods must be recorded on the passport. [The Prescribing Cascade requires a minimum withdrawal period of 28 days and a six months withdrawal period is required for substances on the List of Essential Substances.
- 6.37 It is a requirement that all vaccinations administered, supplied or prescribed be recorded at Sections V and VI of the passport. It is an offence not to record the administration of any vaccine.

Administration, supply and prescription of veterinary medicines to a horse that has a passport where the declaration at Section IX signed that the horse is not intended for human consumption

- 6.38 The vet is permitted to treat the horse with any authorised Veterinary Medicinal Product (VMP) or under the cascade, or with any other drugs where a suitable authorised VMP is not available. There is no need to record this treatment in the passport. Vaccinations should be recorded at Sections V and VI of the passport regardless of whether Part II of Section IX is signed. It is an offence not to record the administration of any vaccine.

Administration, supply and prescription of veterinary medicines to a horse where the passport is unavailable but the animal is known to the vet

- 6.39 If the horse is known to have an unsigned Section IX declaration, the vet should treat in line with instructions above at 6.35 for a horse eligible for the food chain. If a product containing an active substance listed in Annex IV, or containing active substances not listed in any of the Annexes I, II or III (e.g. phenylbutazone) the passport [when available] must be signed as 'not for human consumption' at Section IX. The vet is required to provide a note of medicines administered, supplied or prescribed to append to the passport when available.

- 6.40 If the horse is signed as not intended for human consumption at Section IX, the vet should treat the animal in accordance with instructions above at 6.38 for a horse where the Section IX is signed and the animal excluded from the human food chain.

Administration, supply and prescription of veterinary medicines to a horse where the passport is unavailable and the animal is not known to the vet

- 6.41 The vet should treat the horse as a food producing animal and only administer, supply or prescribe substances suitable for food chain animals (see 6.35 above) and avoid the use of phenylbutazone. This is to protect the horse's possible status as a food producing animal. The vet will provide a written record of medicinal treatment details to append to the passport when available.

6.42 Medicines that must never be given to a horse destined to the human food chain:

- 6.43 Medicines containing active substances included in the Annex IV of Council Regulation 2377/90.

- 6.44 These substances are banned from use in food-producing animals because no safe limit can be set. If one of these substances is administered, then the 'not intended' declaration at part II of Section IX must have already have been so signed or must be so signed at this point.

- 6.45 The list of current Annex IV substances is:

- Chloramphenicol
- Chloroform
- Chlorpromazine
- Colchicine
- Dapsone
- Dimetridazole
- Furazolidone
- Metronidazole
- Nitrofurans (including Furazolidone)
- Ronidazole

- 6.46 Medicines containing active substances that have not been included in any of the annexes to Council Regulation 2377/90 should also not be administered, supplied or prescribed to a food producing animal.

- 6.47 These substances were not given a recommendation for inclusion in Annexes I, II or III. It should be noted that the administration of phenylbutazone ('bute') will cause the animal to be excluded from the human food chain. If 'bute' has been given to a horse, Part II of section IX must be signed. Vets are encouraged to administer, supply or prescribe appropriate alternatives to bute if possible. This is in order to protect the future status of the horse as a food producing animal. Future owners of the horse may wish to consider elective slaughter for human consumption as a possible disposal means.

Medicines that can be given to a horse destined to the human food chain

- 6.48 Products which have specific marketing authorisations for use in horses and which have an established withdrawal period for this species: these products have active ingredients listed in Annexes I, II and III to Council Directive 2377/90 and the Marketing Authorisation Holders of the products have presented safety data to establish a specific withdrawal period for meat. The administration, supply or prescription of these products along with period of treatment must be recorded in the passport by the vet administering or supplying the medication. The product literature will indicate withdrawal periods. Information on authorised products can be found on the Veterinary Medicines Directorate website (www.vmd.gov.uk).
- 6.49 Products authorised for other food-producing species: these products can be used under the Prescribing Cascade but only when there is no authorised medicine indicated for use in a food-producing horse (guidance on the use of the Cascade can be found at: www.vmd.gov.uk/General/VMR/vmgn/VMGNote15.pdf). In this case, the statutory withdrawal period is at least 28 days for meat and 7 days for milk. Use must be recorded on the passport.
- 6.50 Products containing substances authorised for use in food producing horses according to the list of "Substances essential for the treatment of equidae". If there are no suitable alternatives, horses destined to human consumption can be treated with products containing substances in the list of essential substance (Commission Regulation 1950/2006). In this case the statutory withdrawal period is 6 months. The treatment must be recorded in the animal's passport.
- 6.51 The information above relates to the details that the Vet must record in the passport. It does not include the responsibility of veterinary surgeon or other people administering veterinary medicines to keep records under other legislation. For guidance on record keeping requirements for veterinary medicinal products please refer to VMD's website: www.vmd.gov.uk/General/VMR/vmgn/VMGNote16.pdf.

Requirement that the vet must see the passport before treatment

- 6.52 When the requirement arises to prescribe, administer or supply a medicine to a horse for investigative or therapeutic reasons, the vet must be shown the horse's passport. The vet must satisfy him /herself that the horse is the animal described in the passport by checking the

implanted microchip matches the one recorded in the passport. The Regulations place a requirement on vets to record all vaccines administered, supplied or prescribed in Sections V and VI of the passport regardless of whether Part II of Section IX is signed. It is an offence not to record the administration, supply or prescription of any vaccine.

Temporary Documents

6.53 Passports are often returned to PIOs for updating. If the PIO cannot update the passport within five working days, the owner will be issued with a 'temporary document' that will contain at least the Unique Equine Life Number of the horse and, if applicable, the microchip number. The temporary document will remain valid for 45 days. If a horse receives veterinary medication during the period that the passport is with the PIO for updating, you must provide the owner with a written note detailing medications administered or prescribed and the period of treatment. It is the owner's responsibility to ensure that the passport is updated with the relevant details.

Validity of document for movement purposes section VIII

6.54 The use of this section is being confirmed.

For questions on the policy of administering the scheme

6.55 The Defra Helpline (Telephone 08459 33 55 77) is also available Mon-Fri 8am to 6pm to provide advice on these requirements.

6.56 A list of the Defra authorised Passport Issuing Organisations (PIOs) can be obtained from:

- Defra Animal Health Offices
- Defra telephone help line 08459 33 55 77
- Defraweb page
- http://www.defra.gov.uk/animalh/tracing/horses/horses_index.htm

6.57 This advice has been prepared in consultation with the Royal College of Veterinary Surgeons, British Veterinary Association, the British Equine Veterinary Association and the Veterinary Medicines Directorate. The Veterinary Medicines Directorate can be contacted on 01932 336911 or by email through the website to obtain further clarification if required.

Offences on vets

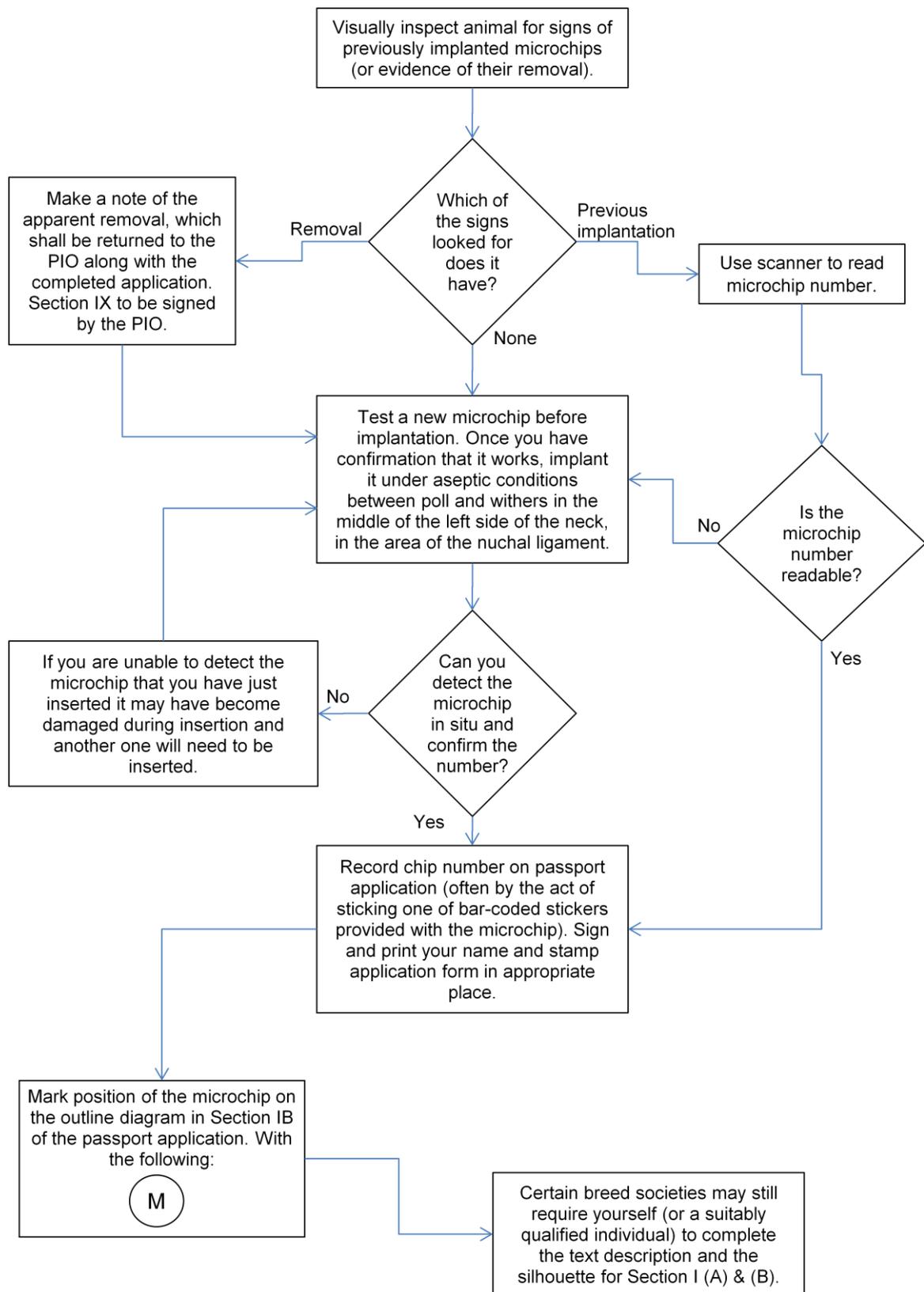
6.58 A vet shall be committing an offence if they fail to comply with:

- regulation 8 (checking for signs of previous identification before the implantation of a microchip);
- regulation 15(1) (failure to comply with Article 20 of the Commission

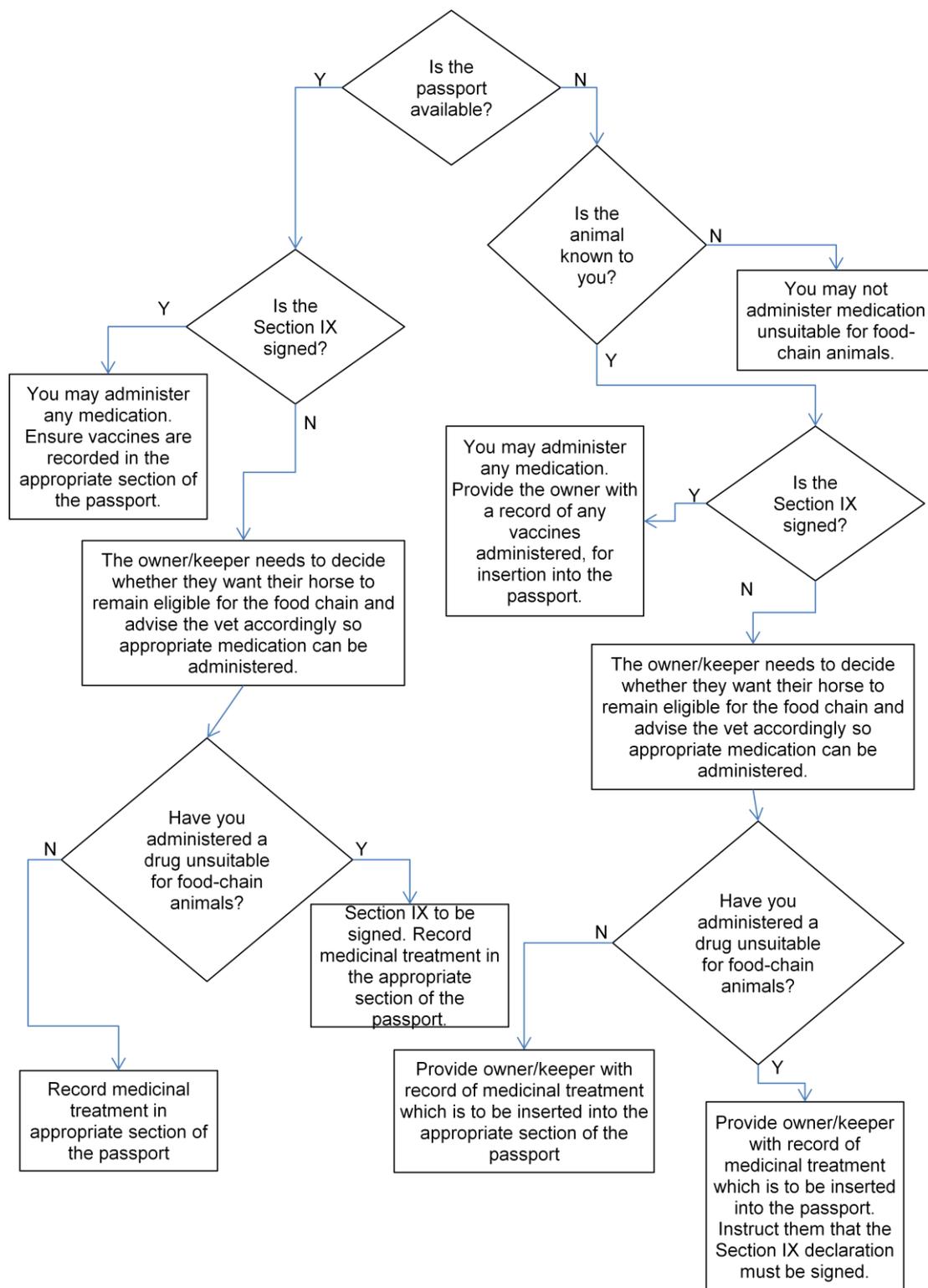
Regulation (EC) No. 504/2008);

- regulation 15(2) (recording of veterinary medicines administered, supplied or prescribed in the passport).

Flowchart 3: Inserting a microchip



Flowchart 4: Recording veterinary treatment



7. Guidance for Local Authorities

Responsibility for enforcing the Horse Passports Regulations 2009

- 7.1 Local Authorities (LAs) enforce a range of legislation relating to the health and welfare of farmed animals, animals being transported and livestock and horses at markets and shows. They carry out routine checks of vehicles and transport and have a presence at shows and markets. Local Authorities decide how to deliver these services according to local risks and needs, and with regards to the Animal Health and Welfare Framework Agreement in England & Wales.
- 7.2 Local authority enforcement of the horse passport rules is fair and proportionate, in line with the statutory Regulators Compliance Code (<http://www.berr.gov.uk/files/file45019.pdf>). When considering what action to take in relation to non-compliance, local authorities consider the circumstances of the breach and the course of action most likely to achieve compliance. This may include giving consideration to the intent of owners to comply with the regulations and any backlogs the Passport Issuing Organisations may be experiencing.
- 7.3 The Meat Hygiene Service, which is an executive Agency of the Food Standards Agency, is already required to undertake documentary checks as part of their anti-mortem work at the slaughterhouse. They are also responsible for carrying out post-mortem checks and residue sampling on carcasses.

Enforcement of the Horse Passports Regulations 2009

- 7.4 Local Authorities are empowered under the European Communities Act 1972 and Part 3 of the Horse Passports Regulations 2009 to enforce the provision of the Regulations.
- 7.5 LAs have an important role to play in supporting compliance.

Education

- 7.6 Q & A Documents are available from the Defra website at:
www.defra.gov.uk/animalh/id-move/horses/index.htm
- 7.7 Notes for Guidance are available from Defra by calling 0207 238 6039 or downloading a copy from the website (address as above).

Enforcement

- 7.8 As part of the routine enforcement of the Welfare of Animals (Transport) Order 2006 (WATO) when checking livestock vehicles carrying horses and checking for the presence of passports. As part of routine attendance at shows, fairs, markets, auctions, ports and sales to check the presence of passports and attendance at slaughter houses.

Key changes to Horse Passports legislation

Mandatory microchipping of foals (and adult horses not correctly issued with a passport)

- 7.9 Foals on or before 1 July 2009, must have an electronic microchip implanted by a qualified veterinary surgeon when being first identified. This method of identification replaces the previous *mandatory* need for a completed silhouette (horse diagram). The use of a silhouette is optional after 1 July 2009. In addition, adult horses that have not yet been correctly issued with a passport will also require a microchip when being first identified. Microchip readers complying with ISO 11785 will be needed to support enforcement.

Horses to be accompanied by the passport at all times

- 7.10 A horse may not be moved unless accompanied by its passport. There are exceptions to this rule e.g. when the horse is stabled, at pasture, leaving a competition / event area for training or test purposes or being moved on foot where the passport can be made available within 3 hours. Keepers with primary responsibility for the care of the horse need to make suitable arrangements with the owner in order to ensure that the passport can be made available. This measure prevents passport being issued at slaughter house or sale as the horse needs a passport to be legally transported to those premises.
- 7.11 Defra has publically announced that the enforcement of the above '3 hour' rules will be pragmatic and proportionate to the risk to the human food chain. It would be unlikely that prosecution would be the most appropriate course of action in cases where owners are clearly using their horses for a hack in the local area. Suitable arrangements should be made (if necessary) for the passport to be produced at a later date.

Transportation of Thoroughbreds & Thoroughbred sales

- 7.12 Defra has agreed that existing agreements (under the Horse Passports (England) Regulations 2004) that Thoroughbred race horses may be moved from sale without the passport - provided that it follows after within a reasonable time. These horses are invariably correctly identified with both passport and microchip as these are required under the rules of thoroughbred racing in order to compete. Therefore, the risk to human health due to non-compliance is considered to be low. Defra recommends that enforcement officials take a sensible and pragmatic approach when inspecting TB sales and transporters.

Keeping a horse without a passport

- 7.13 From 1 August 2009, it is an offence for a keeper with 'primary care responsibilities', to keep a horse that has not been issued with a passport. In most cases, the owner of the horse is responsible for the day to day care and welfare of the animal.

Action to be taken on finding a breach of the Horse Passports Regulations 2009

- 7.14 Where non – compliance is found, local authorities will take action in accordance with their council’s enforcement policy and the Regulators Compliance Code. Advice and guidance on the Regulations can be obtained from the Defra Horse Passports Team on 0207 238 6039 during office hours or by e-mail to horse.passports@defra.gsi.gov.uk.

Documentation checks

- 7.15 Microchips scanners will allow local authority inspectors to identify horses that are microchipped. An implanted microchip replaces the need for a mandatory completed silhouette for horses identified on or before 1 July 2009 and it can be expected that the number of completed silhouettes appearing in passports will gradually reduce over time. The advantage of an implanted microchip is that a horse may be firmly identified in the absence of its passport. PIOs are required to record details of microchips used to identify the horse for passport purposes and these can be directly referenced by both the PIO and the National Equine Database.
- 7.16 Examples of fraudulent activities or non–compliance in relation to these Regulations may be:
- fraudulent passports (e.g. documents not issued by a recognised PIO);
 - incomplete or incorrect passports (e.g. absence of Section IX);
 - passports that do not relate to the animal(s) in question (e.g. different sex, colour);
 - absence of a passport;
 - multiple passports for one horse;
 - for horses born and identified by 1 July 2009 where the unique code of the implanted microchip does not match the details that appear on the passport and
 - passports annotated as ‘Replacement’ or ‘Duplicate’ not signed out of the food chain at Section IX

Format of a passport

- 7.17 The format of the passport is set out in the EU legislation. Passport issued on or before 30 June 2009 should conform to the format as laid down in the Horse Passports (England) Regulations 2004.

Sources of help

- 7.18 If a LA Inspector is dealing with a case of non-compliance or is presented with a passport, the validity of which he is not sure about, he should contact the organisation that issued the passport. Personal details submitted to the PIO are submitted to the National Equine Database and this information can be released to LA inspectors for enforcement purposes. Advice and guidance can be obtained from the Defra Horse Passports Team on 0207 238 6039 during office hours or by e-mail to horse.passports@defra.gsi.gov.uk.

Welfare Organisations

- 7.19 These organisations often take on abandoned animals and/or those that are given to them as a result of cases of neglect and cruelty. On these occasions passports may not always be available immediately or at all for animals in these categories. Appropriate action will depend on the circumstances found, but where there is no immediate risk of such animals entering the food chain or being presented for slaughter; LAs may wish to take an advisory role.
- 7.20 This advice has been prepared in consultation with Local Authorities

8. Guidance for Animal Health Enforcement Officials {caveat – these details are to be confirmed}

- 8.1 It is currently being discussed that Animal Health Enforcement Officials (AH) may assist with enforcing the Horse Passports Regulations.
- 8.2 This is in addition to the established enforcement roles presently undertaken by Local Authorities and Meat Hygiene Services. Horse passport enforcement activities will be carried out as part of the 'on farm' health and welfare surveillance inspection duties that are presently undertaken by AH officials. Inspection visits will be carried out (usually by appointment) at farm premises where horses are kept. Typically, the farm premises will have a rented 'DIY livery' yard - where the owner of the farm does not assume the role of primary keeper and is, therefore, not responsible for ensuring that the horses resident on the farm have been correctly identified. Prior to the visit, AH officials will request the farm owner to ensure that passports for horse's resident on the farm can be made available at the time of the inspection. AH officials will report cases of non – compliance to Local Authorities for appropriate enforcement action to be taken. AH will provide regular inspection reports to Defra and additionally, Defra will be provided with details of instances where a passport has not been available at the time of inspection but has been applied for. This will enable Defra to subsequently ensure that the horse has been correctly issued with a valid passport.
- 8.3 Detailed guidance for carrying out on farm visits will be contained in the Animal Health Instruction manual.

9. Guidance for Auctioneers

Selling a horse

- 9.1 An owner who sells a horse must give its passport to the buyer at the time of the sale. If the auctioneer is acting as the owner's agent, arrangements must be made to ensure that the buyer receives the passport without delay at the time of sale. The buyer must notify the PIO for registration of the new ownership within 30 days, and include (a) the buyer's name and address, and (b) the identification of the horse.

Keeper Responsibilities

- 9.2 Auctioneers and the owners of other premises where horses are sold become the 'keeper' for the purposes of the Horse Passport Regulations. You will need to be satisfied that a horse has been correctly identified with a valid passport before accepting the animal into the sale or auction premises.
- 9.3 As from 1 August 2009, it is a requirement that the passport should accompany the horse at all times and it will be an offence to move a horse without a passport. Horses illegally transported to sale that have not been issued with a passport cannot, therefore, be issued with one at the equine sale premises prior to the horse being sold. If the passport has not been given by the owner to the person responsible for the sale, arrangements should be made with the owner or, if different, the keeper with primary care responsibilities that the passport can be made available for inspection by enforcement officials.
- 9.4 Auctioneers should also read Section 3 of this guidance.

Thoroughbred Sales

- 9.5 At Thoroughbred race horse auctions or sales, Defra has agreed that the passport does not have to leave the sale with the horse – provided that it follows within a reasonable period. Defra has allowed this approach as the rules of Thoroughbred racing require all horses to be identified by means of passport and microchip. Therefore, there is a low risk that any horses would pass through these sales without being correctly identified. Guidance for Local Authority enforcement officials is that a sensible and pragmatic approach be taken when inspecting these sales for passport compliance and also when the horses are being transported to the premises of the new owner or keeper.
- 9.6 'Sell' includes any transfer of ownership. The passport itself is not an ownership document.

Offences on auctioneers

- 9.7 A PIO shall be committing an offence if they fail to comply with:
- regulation 4(1) (failure to pass the passport to the new owner after a

sale);

- regulation 17 (destroying, defacing or altering a passport or knowingly being in possession of a forged passport);
- regulation 21 (obstructing the enforcement of these Regulations);
- regulation 3(1) of the Schedule (movement off the designated area).

10. Guidance for Transporters

- 10.1 From 1 August 2009, it is an offence for a keeper with 'primary care responsibilities', to keep a horse that has not been issued with a passport. Horse Transporters will become the 'keeper' for the purposes of the Horse Passport Regulations when the horse is being transported. As from 1 August 2009, it is a requirement that the passport must either (a) accompany the horse when it is being moved or (b) make arrangements that the passport can be made available within three hours if inspection of the document is required by Local Authority enforcement officials. If the passport is not accompanying the horse, transporters will need to ensure that arrangements have been with the owner (or keeper) to ensure the passport can be made available within three hours. In both cases, transporters need to be satisfied that the horse being transported matches the details that appear in its passport.
- 10.2 Transporters should also read Section 3 of this guidance.

Transporting Thoroughbreds and Thoroughbred Sales

- 10.3 Defra has agreed that existing agreements (under the Horse Passports (England) Regulations 2004) enabling Thoroughbred race horses to be moved without the need for the passport to accompany the horse may continue. There is a low risk to the human food chain as it is a requirement under the rules of racing that Thoroughbreds must be identified by both passport and implanted microchip. Additionally, Defra has agreed that the established practice whereby the auctioneers retain the passport of a horse sold at the auction (pending full payment) may continue.

Offences on transporters

- 10.4 The offences on keepers shall apply.

11. Guidance for Zoos and Safari Parks

- 11.1 The definition of equidae for the purposes of passport legislation has been extended to include any wild or domesticated soliped mammals of all species within the genus *Equus* of the family Equidae, and their crosses.
- 11.2 The extension of this definition now includes zebras and all other exotic equidae kept at zoos or safari parks. These establishments will be required to identify all equidae resident within these premises. Passports for older horses and foals should be obtained in accordance with the time limits set out in Section 1 (Owner Guidance). For exotic species, the holding zoo or Wildlife Park may act as the 'owner' for the purposes of complying with Horse Passport requirements.
- 11.3 After discussions with the British and Irish Association of Zoos and Aquariums and Association of British and Irish Wild Animal Keepers, it has been agreed that it is not necessary to fill in the silhouette for passports for zebras. Instead the inclusion of three digital photographs (one of each side and one a front view of the head) in the passport will suffice. It should be noted that this provision in no way exempts zebras and other exotic species from the requirement for a microchip to be implanted.

Offences on zoos and safari parks

- 11.4 The offences on owners and keepers shall apply.

12. Guidance for Welfare Organisations

- 12.1 This section is incomplete. We are working on a system where selected welfare organisations may be granted a specific derogation from the requirement that only an owner may apply for a passport. This will enable welfare organisations to apply for a passport and then ensure that the keeper (if applicable) will have the passport etc.

13. Special arrangements covering semi feral populations

Where the derogations apply

- 13.1 Dartmoor, Exmoor and the New Forest have been designated as areas containing defined populations of horses living under wild or semi-wild conditions that do not need to be identified with passports while they remain within the defined areas. Where a horse is individually identified in the lists kept by [a] the Verderers of the New Forest, or entered in the stud book of the New Forest Pony Breeding and Cattle Society [b] identified in the lists kept by the Dartmoor Commoners Council or [c] entered in the stud book of the Exmoor Pony Society, an owner is not required to apply for a passport provided the horse is not moved (other than temporarily for welfare reasons) from the designated areas.

Veterinary treatment

- 13.2 If a horse entered on the lists or studbooks of the above organisations is treated with any veterinary medicinal product the owner must ensure that it is fully identified within 30 days of treatment. It is recommended that the microchip is inserted at the time of treatment. The Associations and Organisations responsible for the New Forest, Dartmoor and Exmoor have agreed to this procedure as these horses are very rarely handled. Veterinary treatment requiring the horse to be handled provides an ideal opportunity for the horse to be microchipped. This approach is considered to be beneficial in terms of both welfare and costs. Failure to fully identify the animal within 30 days is an offence.
- 13.3 The above replaces the previous requirement to provide the owner with a written record of what was prescribed or supplied and a notice that this should be entered in the lists].
- 13.4 Horses / Ponies resident within the derogated areas may well have full passports. If you are shown a passport, you should administer medicines in line with the horse's status as a food producing animal.
- 13.5 Whilst it is an offence to move a horse entered on the lists of the above organisations off the designated areas with the horse being issued a full passport, this offence does not apply if the horse has been moved for emergency or welfare reasons.

Movement off the designated area

- 13.6 It is an offence – other than for emergency or welfare reasons - to move a pony without a passport off the designated area unless the animal has been marked with a unique sticker issued by an approved PIO. The sticker must show the date on which it was attached to the horse and bear a unique identification number.
- 13.7 Ponies must also be accompanied by a passport application containing its silhouette and the number of the identifying sticker. The owner or

keeper with primary responsibility for the care of the pony must take it directly to the holding of destination outside the designated area. The owner (or the owners appointed agent) must then apply for a full passport within 30 days of arrival at the holding of destination. Failure to apply for a passport is an offence. Additionally, it is an offence to move the pony off the holding of destination until it has received its passport.

- 13.8 Ponies under one year old may be moved directly to slaughter from the designated areas without a passport application. The unique sticker, issued by an approved PIO, must show the date on which it was attached to the animal and bear a unique identification number. The foal must be slaughtered within seven days from the date that the sticker was applied to the animal. It is an offence to slaughter a foal if this deadline has expired.

14. Annex I: Rules for the cancellation and reissue ('upgrading') of passports from breeding/production to pedigree

- 14.1 Defra has arrangements that permit owners of pedigree horses, who have previously obtained 'ID-only' passports for their animals, to replace these documents with a passport issued from the relevant breed society. The replacement passport will contain verified pedigree information that would have been absent in the original 'ID-only' document. After replacement, the original passport will be deemed as being permanently cancelled and may no longer be used for any purpose. *It should be noted that Defra reserves the right to review and withdraw these arrangements at any time.*
- 14.2 For the purposes of these rules, a 'Breed Society' Passport Issuing Organisation (PIO) is defined as an equine studbook recognised under the terms of Commission Decision 92/353/EEC.

Circumstances where a passport issued by one PIO can be upgraded

- 14.3 This procedure is to be used when changing an animal's status from breeding/production to registered horse. Upgrading is possible as the original passport is deemed to be incomplete as because the breed or pedigree information (sire, dam and dam's sire) has not been completed or is stated as 'unknown' and can now be completed. In addition where the pedigree information is stated as 'not verified' and has been found to be in need of correction and can now be completed in verified form.

Circumstances where a passport cannot be upgraded

- 14.4 A passport that is otherwise complete except that it does not have a Section IX.
- 14.5 A passport containing verified breed and pedigree information.
- 14.6 If it is not possible for any reason to transfer all the information from the old passport to the new passport, the passport should **not** be cancelled and replaced.
- 14.7 Disputes about quality of silhouette or other information apart from the pedigree information in the passport. Such matters should be referred to the PIO that issued the passport.

Procedure to be followed by the horse owner

- 14.8 The initiative for requesting a passport to be cancelled and re-issued by another PIO, which can verify breed or pedigree information, should always rest with the individual horse owner.
- 14.9 If a horse owner wishes to cancel a passport, he/she should send the passport to the new 'Breed Society' PIO requesting that the passport

should be cancelled and re-issued. PIOs may charge for this service – according to their own individual terms & conditions.

Procedure for the new PIO

- 14.10 Acknowledge the receipt of the application and current passport from the owner, and state *approximately* how long it will take for a new passport to be issued. This is provided it meets the requirements set out in paragraphs 3 to 7 above.
- 14.11 Send the current passport and the owner's request for cancellation to the original PIO by first-class registered post asking them to:
- note that the original passport is being cancelled at the request of the horse owner;
 - make copies of the passport for record keeping purposes – pursuant the Horse Passports (England) Regulations 2004;
 - notify the National Equine Database (NED) and
 - return the original passport to you along with their written permission allowing you to remove pages from the old passport for inclusion within the replacement. None of the pages from the old passport should be marked as 'cancelled' as they should now be included within the replacement.
- 14.12 When the cancelled passport is returned, issue the replacement passport using the existing UELN and ensuring that it contains the information, including original pages, that was contained in the old passport. Part II Section IX of the new passport must be completed, irreversibly removing the animal from the human food chain.
- 14.13 Send the new passport to the horse owner.
- 14.14 Provide NED with details of the replacement passport issued and state that this has replaced the passport issued by the original PIO. Quote the Passport Identification Number from the old passport so NED can match both passports on the database. Keep a copy of these transactions so that there is an audit trail between the cancellation of the old passport and the issue of the new one.

Procedure for the original PIO

- 14.15 Following a request and the receipt of a passport by the horse owner via a PIO:
- note the request for replacement of the passport and ensure that it meets the requirements set out in paragraphs 3 to 7 above;
 - update your records accordingly and keep a copy of the original passport and of all correspondence relating to the replacement. This will ensure that there is an audit trail between the cancellation

of the old passport and the issue of the new one;

- provide written permission for the passport issuer providing the replacement document, that they may transfer pages from the original passport to the replacement. Retain a copy of this for your records;
- inform NED of the cancellation and keep a copy of these transactions and
- return the passport to the PIO who submitted the request. The pages in the old passport should not be marked as cancelled, as they need to be transferred to the replacement passport.

Important Facts

14.16 These rules only apply to passports issued to a PIO whose headquarters are located in England. The principle set out in EU legislation is that the passport is primarily an identification document, which should normally be issued when the animal is a foal and remain with that horse for life.

14.17 PIOs must not deface pages contained within a passport issued by another PIO. Pages for inclusion in the replacement passport should not be removed if this cannot be done without damage or defacement.

14.18 Be very careful not to give the impression, to a horse owner, that a passport issued by another PIO is less than valid and that they should cancel the passport and get a passport issued by yourselves. This would infringe the ruling, by the Office of Fair Trading, that it is the horse owner's decision as to where he/she goes to obtain a passport.

Duplicate Passports

14.19 The above rules relate to replacement passports. These are not duplicate passports, which are those issued in circumstances where the original passport is lost or damaged. Such passports must have Section IX completed, irreversibly removing the animal from the human food chain. The legal basis for this is contained in the Horse Passports (England) Regulations 2004.

Provision of a Certificate of Origin

14.20 Certificates of Origin may be issued by studbook PIOs either:

- as part of an original registration procedure (in which case they may either be bound into the passport or issued as a separate sheet of information) and the procedures governing their provision will form part of the original registration and passport issuing process or
- as part of an updating procedure providing verified breeding information relating to an existing passport issued by another PIO in circumstances where the complete updating of a passport

described in Section 11 is inappropriate.

14.21 In either of these situations the Certificate of Origin must always include the UELN issued by the original passport-providing PIO.

14.22 When providing Certificates of Origin relating to a passport originally issued another PIO, the studbook PO must use following procedure:

- i. The owner must notify the ID-only PIO of the requirement for additional breeding information.
- ii. The owner must then send the ID-only horse passport to the relevant studbook PIO. The studbook PIO will then issue a Certificate of Origin, containing the information as specified in annex to Draft Regulation on the Identification Equidae (Section II). The means by which each studbook PIO verifies the breeding details is a matter for that individual organisation. Defra is aware that a number of Breed Societies do use DNA testing.
- iii. The studbook PIO must include the UELN on the Certificate of Origin. This will enable the Certificate of Origin and the horse passport to be linked.
- iv. The Certificate of Origin will either be attached to the horse passport or given to the owner as a separate document. Breed societies may wish to laminate this document to prevent tampering. Any charges for the Certificate of Origin are at the discretion of the issuing breed society. NB: Under no circumstances should a new UELN be issued.

Further Information

14.23 Please refer to the Horse Passport Team at Defra. Queries relating to data for NED should be directed to that organisation.