

European Commission  
Rue de la Loi / Wetstraat 200  
1049 Brussels  
Belgium

11<sup>th</sup> December 2014

Dear Commissioner,

We are writing on behalf of the 34 Approved thoroughbred Stud Books which form the membership of the European and Mediterranean Stud Book Liaison Committee (EMSBLC) to seek your help concerning the proposals under consideration by the Commission on the subject of zootechnics. EMSBLC operates under the direction of the International Stud Book Committee (ISBC) which comprises all 70 Approved thoroughbred Stud Books worldwide.

The over-riding objective of the ISBC and therefore EMSBLC is to promote harmony in the policies and procedures of all these Stud Books to ensure the free movement of thoroughbreds throughout the world. This facilitates and protects trade across the global thoroughbred racing and breeding industry which makes a multi-billion euro contribution to the world economy.

Our serious concern is that requirements contained in 6444/14 Proposal for a Directive of the European Parliament and of the Council, amending Directives 89/608 EEC, 90/425/EEC and 91/496 EEC as regards zootechnic legislation – COM (2014) 4 final, dated 13<sup>th</sup> February 2014, would impose conditions and requirements of Thoroughbred Stud Books in Member States which would be at odds with the provisions of the International Agreement on Breeding, Racing and Wagering (IABRW). This embodies the harmonised rules and procedures of all Approved Stud Books and of the world's Horseracing Authorities. The prospect therefore is that, if approved, those in Member States participating and investing in the thoroughbred industry within the European Union would find trade in their horses outside of the EU severely hindered and possibly precluded altogether.

The items of evident concern for us in the above context, which we have noted from the draft legislation which has reached us thus far, are as follows:

1. All forms of artificial breeding are precluded in production of thoroughbred horses and this policy which has applied since the emergence of the breed in the Eighteenth Century and has worldwide support within the thoroughbred racing and breeding industry, is embodied in the provision of Article 12 of the IABRW a copy of which is attached. This defines the thoroughbred and consequently any horse of thoroughbred parentage produced using artificial techniques will not qualify as a thoroughbred and consequently will not be eligible to race or to be recorded for breeding purposes in an Approved Thoroughbred Stud Book. There would also be a risk that should the practice of artificial breeding be adopted within EU Member States in thoroughbreds, as a result of new legislation, thoroughbred racing and breeding authorities elsewhere would cease to accept all thoroughbreds from the country concerned even if produced naturally. (*Article 21 and 23 of the Commission document*)

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2. The envisaged separation of health documentation and that produced for identification purposes again runs contrary to the provisions of the IABRW and the important harmonised worldwide procedures facilitating free movement and trade in thoroughbreds. It is Article 15 of the IABRW (copy enclosed) which records the agreed worldwide approach to identification and you will see in section 2.1 that it is the Stud Book Authority alone which is permitted to issue the original passport for a thoroughbred. Furthermore the content and essential provisions of the passport are itemised and have been established to meet the requirements of breeding and racing authorities in overseeing all activities of thoroughbreds throughout their careers. Thoroughbreds are notably mobile throughout their life being reared and prepared for competition and when pursuing their racing career. The thoroughbred passport and the management regime which has developed around it takes full account of this and this single comprehensive document is a key element in the processes which facilitate free movement of and trade in the thoroughbred. *(Clause 29 (page 11) of the Commission document)*

In this context and by implication in the provisions of this Article and in Article 12 of the IABRW (copy enclosed) there can only be one Approved Thoroughbred Stud Book in each country where thoroughbreds are produced and all thoroughbreds born in a country and for which it is demonstrated they fulfil all ISBC requirements must be registered in the Stud Book of that country. The worldwide accord which has led to this requirement is based on the need for effective supervision of the standards of registration and of documentation for thoroughbreds which must be if the highest possible level given their considerable value. *(Paragraph 6 (page 11) and paragraph 33 (page 11) of the Commission document)*

3. It is a long established principle in the evolution of the thoroughbred breed that selection is made through racecourse performance which is the intended purpose and career for thoroughbreds and was instrumental in their origin as a breed. Again, a global approach to testing and then denoting meritorious and outstanding performance applies. Under the supervision and control of the International Federation of Horseracing Authorities working in conjunction with the Society of International Thoroughbred Auctioneers, all the best races around the world are classified in Grades/Groups at four levels. The quality of the competition in all these races is monitored annually through an international ranking process to test whether they continue to merit their inclusion in the official list of the world's best races. This system facilitates the publication of pedigree and performance pages for each horse advertised for sale at public auction. Horses that win or fill the places in these internationally recognised races become what is termed 'black type' performers, a reference to the fact that in pedigree and performance pages published in all sales catalogues the race reference and the horse's performance is shown in bold black type. It may be that this long established and globally based system for selection of thoroughbreds will be considered to comply with the requirements as laid down in the draft legislation but, our first reading of the relevant section raises concerns that the Racing and Breeding Authorities in Member States will be required to adopt new methodology at odds with all other Authorities worldwide.

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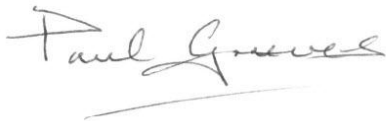
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This will cause very considerable disruption and most probably unhelpful and cumbersome duplication, as the existing system of testing and denoting the performance of thoroughbreds on the racecourse will have to be maintained. (*Chapter 1 Article 1b) and c) of the Commission document*)

In conclusion therefore, we must ask that these proposals in the draft legislation are either modified or that special provision is made for the thoroughbred such that the proven and mature processes and practices which have evolved through global agreement and are embodied in the International Agreement on Breeding, Racing and Wagering (a full copy can be accessed in the website of the International Federation of Horseracing Authorities – [www.ifhaonline.org](http://www.ifhaonline.org)) are undisturbed.

Should you require any further explanation of the reasons behind our very serious concerns and should you require our assistance in any way to resolve the issues we have raised, including a visit to you in Brussels, we are available to help as you require.

Yours sincerely



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Roland Devolz  
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