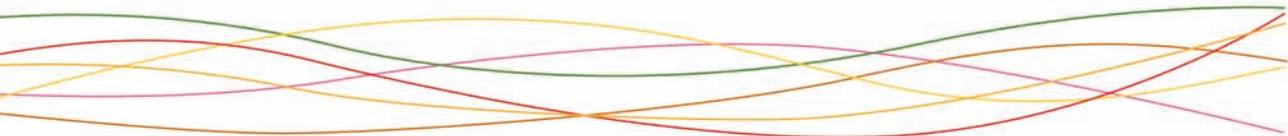




**NATIONAL PROGRAMME FOR THE  
CONSERVATION, IMPROVEMENT AND  
PROMOTION OF LIVESTOCK BREEDS.**



ROYAL DECREE 2129/2008

establishing the national Programme for the conservation,  
improvement and promotion of livestock breeds.

**MINISTRY OF THE ENVIRONMENT, AND RURAL AND MARINE AFFAIRS**

2009

## FOREWORD

The objective of this Royal Decree, the culmination of several years' work with the sector, autonomous communities and scientific bodies, is to give legal coverage to the national Programme for the conservation, improvement and promotion of livestock breeds and to update all zootechnical legislation on the various livestock breeds. This enables the European Union zootechnical rules for all livestock species, as well as the FAO Global Strategy's lines of action, regarding the conservation and sustainable use of animal genetic resources, to be incorporated into a single law.

The increasing commitment to biodiversity and sustainability both in the countryside and in the environment in general, as demonstrated by the different instruments applied in successive agricultural reforms, has stemmed from society's various demands – for the conservation of resources, traceability, good livestock-rearing practices, the production of quality food and animal protection. In all these spheres, livestock breeds feature prominently, particularly native breeds, playing once more a key role in policies, since they have an added value of enormous potential in the current process of decoupling EU subsidies, biodiversity being one of the CAP's main challenges.

In the face of these demands and with the new European agricultural model, native breeds provide a clear example of multifunctionality, combining the three-dimensional benefits required for a development to be considered sustainable economically, socially and environmentally, without forgetting the importance of preserving genetic variability for future generations.

The revival in native breeds' importance must be accompanied by a strategy which facilitates, on the one hand, the recovery and protection of the resources most at risk and, on the other, the selection of the most developed breeds.

For this to be achieved, it is necessary to establish instruments for collective action and the coordination of activities among all the entities involved, through which I am absolutely convinced that the progressive application of this legislation, together with the implementation of other, complementary measures and provisions, will without doubt result in a promising future for our livestock breeds, put to the service of society as a whole.

Carlos J. Escribano Mora  
DIRECTOR GENERAL OF AGRICULTURAL AND LIVESTOCK RESOURCES

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## **Royal Decree 2129/2008, of 26 December, establishing the national Programme for the conservation, improvement and promotion of livestock breeds**

Animal genetic resources are the key to innovation in modern livestock farming, being the source that breeders depend upon to obtain improved varieties and breeds providing quality products, to help to maintain environmentally-friendly farming systems and to preserve traditions, while at the same time allowing us to respond to the new demands of society, confront unexpected situations, promote development and satisfy human needs; through all of this they serve as an example of the multifunctionality of agricultural activity, and their strategic value must be exploited and maintained for future generations.

In recent decades, many native livestock breeds have become endangered, to the point where some have even disappeared, essentially due to the introduction of exotic breeds offering higher production, but farmed in intensive or semi-intensive systems, with consequent impacts on traditional ecosystems.

Under the auspices of the Food and Agriculture Organization of the United Nations (henceforth, 'FAO'), the Global Strategy for the Management of Farm Animal Genetic Resources is being developed, aimed at the conservation and sustainable use of agricultural genetic resources through of a variety of different agreements. There is a firm commitment to achieve these objectives, a commitment formalised by various countries, including Spain, through the signing of the Instrument of Ratification of 16 November 1993 of the Rio de Janeiro Convention on Biological Diversity, of 5 June 1992.

Furthermore, the European Union has already established the bases for orientating the areas of work aimed at the preservation of these resources, while at the same time drafting Community legislation to guarantee free trade in animals of breeds and their genetic material. In addition, there has been harmonisation of the criteria for the recognition of breeders associations, the registration of breeding animals in herd books, their acceptance for breeding, and guidelines for performance testing and the evaluation of the genetic value of different species.

The special features of our country and its varied geographical, climatic and even cultural characteristics means that Spain maintains a high level of genetic diversity and that there is wide range of animal genetic resources vital for the maintenance of a suitable socio-economic, cultural and environmental balance. The activities carried out to date by the public authorities have allowed livestock varieties and species which form part of this biodiversity to be identified, and in recent years the necessary mechanisms have been put in place so that those directly responsible for their conservation and use, the livestock breeders, can form associations capable of managing this process. Although the need to characterise

and conserve animal genetic resources has become a priority, this conservation must be combined with the selection of those breeds in better situations in terms of population and productive capacity, and in all cases, with their sustainable use.

Thus, the preservation of native livestock breeds forms part of the Convention on Biological Diversity and the policy on the protection of these breeds is integrated into the Spanish Strategy on the Conservation and Sustainable Use of Biological Diversity, approved in December 1998, which implements the Convention. Within this context, the third final provision of Law 42/2007 of 13 December, on Natural Heritage and Biodiversity, excluded animal genetic resources from its scope of application, and they will consequently be regulated through this royal decree.

It is the responsibility of the public authorities to effectively regulate and manage our genetic heritage, and this reinforces the need to establish in Spain a national Programme for the conservation, improvement and promotion of livestock breeds which is, together with the updating and consolidation of the current legislation on livestock in our country, the basic objective of this royal decree.

The national Programme must identify and include all the areas of work, carrying out activities for the improvement and conservation of breeds, and complement the measures applicable in the traditional breeding environment (in situ) or away from it (ex situ) with the tools necessary for the future preservation of resources in authorised centres.

The updating and consolidation of the zootechnical legislation effected by this royal decree is based on the objectives for the improvement and simplification of the legislation proposed by the European Council in its conclusions, including those of the Presidency of the European Council in Brussels which took place on 15 and 16 June 2006. As a consequence, this royal decree replaces the regulations incorporated into national law with the European zootechnical legislation for the various species.

The regulations are all based on common criteria for the official recognition of the entities responsible for the herd books, which allows them to operate at Community level, so that animals of one member state can be registered in the herd book held by an entity recognised by another member state.

In order to update and consolidate the zootechnical legislation, it is also necessary to repeal various regulations governing certain aspects of the programme provided for here.

Logically, herd books play a very important part in the conservation and improvement of livestock breeds, which is why under Spanish and European Union legislation they are treated as tools of unquestionable public interest, especially in relation to endangered breeds. They are considered within the wider context, as carrying out an activity to preserve the animal genetic heritage, a function far

beyond that of a mere register of data on animals. The public authorities therefore recognise that there is an obvious need for controls on herd books, specifically the need for official approval for their creation or management, supervision of their operation, and the possibility of withdrawing official approval in cases where they are operated incorrectly, all within the framework of the public authorities' obligation to serve the public interest impartially.

With this objective, and in accordance with the powers of the autonomous communities, this royal decree decentralises certain zootechnical functions of an executive nature, strengthens coordination measures by the Ministry of the Environment and Rural and Marine Affairs, and establishes criteria guaranteeing the homogeneity necessary for the uniform and standardised application of the national Programme throughout the country, providing livestock farmers, through breeders associations, with the information necessary for its development and involving all the administrations, centres and entities which can contribute to its correct operation. This is all combined with the strong determination to promote this sector. The aid for native breeds is currently contained in various pieces of legislation, such as Royal Decree 1724/2007, of 21 December, establishing the legal bases for subsidies for the promotion of production systems for native livestock breeds in extensive regimes, and Royal Decree 1366/2007, of 19 October, establishing the legal bases for subsidies for the promotion of native breeds in danger of extinction.

Circumstances combine to justify the status of this legislation in accordance with the jurisprudence of the Constitutional Court as laid down in its Judgment STC 69/1988, of 19 April, FJ 5, given the eminently technical nature of its subject matter.

The autonomous communities and bodies representing the interests of the affected sectors were consulted during the process of drafting this royal decree.

At the behest of the Minister of the Environment, and Rural and Marine Affairs, with the prior approval of the Minister of Public Authorities, with the agreement of the Council of State, and the prior consideration by the Council of Ministers at their meeting of December the 26th 2008.

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**I HEREBY LAY DOWN:  
CHAPTER 1**

General Provisions

**Article 1. Objective**

This royal decree has as its objective the establishment of the basic rules and coordination rules for the national Programme for the conservation, improvement and promotion of livestock breeds (national Programme) and the regulation of zootechnical legislation on breed animals and registered equidae.

**Article 2. Definitions**

For the purposes of this royal decree, it shall be understood by:

- a) Breed animal: all animals belonging to any breed of interest from a livestock breeding and productive point of view which is catalogued, registered or which can be registered in a herd book managed by an officially-recognised association or an official service, in order to be able to participate in an improvement programme. Animals will be considered to be pure-bred where their parents and grandparents are registered in the herd book of the same breed.

Encastes, blood-lines, and varieties can be established for each breed.

- b) 'Registered equidae': the domestic animal of the equine or asinine species, or animal obtained by the crossbreeding thereof, registered in a stud-book or which may be so, identified through the document stipulated in the relevant Community legislation. Registered equidae are considered, for the purposes of this royal decree, as breed animals.
- c) Encaste, blood-line or variety: a closed population of animals of one breed, which have been created on the basis of reproductive isolation, always with specific individuals of this breed, without the introduction of distinct genetic material, for at least five generations.
- d) Official Catalogue of Livestock Breeds of Spain: contains the official record and classification of all the recognised livestock breeds in Spain of economic, productive or social value, which are listed in Annex I of this royal decree in accordance with the following classification:

- 1st Native Spanish breeds: Those which have originated in Spain. Those which, in terms of population and organisation, are expanding, are classified as breeds, in Development while those which are in serious

- decline or in the process of disappearing are classified as breeds in danger of extinction, in accordance with criteria established at national or international level.
- 2nd Breeds integrated into Spain: those which have been fully incorporated into Spanish livestock farming, with over twenty years in our country, with known genealogy and performance test results and which have a known number of breeding animals which will allow an improvement programme to take place.
  - 3rd European Union breeds: those breeds recognised by the competent authorities of one or several member states, with animals registered in a herd book, performance testing for the genetic evaluation of the breeding animals and which in Spain have sufficient numbers of pure-bred animals for an improvement programme to take place.
  - 4th Breeds from Third Countries: those originating in these countries and resident in Spain which, in order to be included in the Catalogue of Breeds of Spain, need to have been adequately assessed for their suitability to the Spanish ecosystem and their productive and economic value, following a period of observation and monitoring, as well as having sufficient numbers of pure-bred animals in our country registered in a herd book for an improvement programme to take place.
  - 5th Spanish synthetic breeds: those which have been characterised and developed in Spain from planned crosses of different breeds, which have a defined functional or productive objective within an improvement programme, in sufficient numbers for it to be carried out and which do not meet the other requirements for inclusion in the other categories of the Official Catalogue of Breeds.
  - 6th Other registered equidae: Those which do not belong to any of the breeds in the previous categories.
- e) Associations of breeders of animals of livestock breeds: those officially recognised within the framework of the relevant legislation for the creation or management of herd books and the development of improvement programmes.
  - f) Herd book: any book, file, register or computer system managed by an officially recognised association of livestock breeders or by an official service, in which animals of a specific breed are registered, and their ancestors recorded.
  - g) Improvement programme: a group of activities organised, designed, and carried out by an officially recognised breeders' association or by an official service, aimed at the conservation, improvement and/or promotion of the

relevant breed, designed individually for each breed and which must be endorsed by a qualified animal genetics centre. According to the population, characteristics and cataloguing of the breed, it may be:

- 1st Selection programme: any improvement programme which has as its objective the selection of the best breeding animals of a breed, or, if appropriate, encaste, bloodline or variety, with the aim that the defined desirable traits will be passed down to the progeny.
  - 2nd Conservation programme: any improvement programme which has as its objective the maintenance of genetic diversity to guarantee the conservation of a breed, encaste, bloodline or variety and to prevent its extinction or to increase its population.
- h) Individual evaluation or testing centre: any livestock enterprise, in public or private ownership, officially authorised or recognised for the carrying out of evaluation tests on individuals or progeny within the framework of an improvement programme, guaranteeing environmental and management conditions common to all the subjects and standardised information collection.
- i) Performance testing: the group of activities designed to systematically check the production and functional capacities of the animals and to gather any other valid information for the establishment of the genetic value of the breeding animals, according to an established model, in accordance with the improvement programmes officially approved for the different breeds and the legislation in force for their regulation.
- j) Individual evaluation test: the series of procedures carried out on a specific potential breeding animal to obtain individual phenotypic measurements of the variables which are the subject of the test, within a specific timetable and with the aim of obtaining a genetic index.
- k) Genetic evaluation: the series of procedures carried out on the population through performance testing and recording of genealogies to obtain individual genetic values for the target traits established in the improvement programme, together with the clarification of them. The genetic evaluation of the breeding animals enables them to be classified according to their genetic merits, in order to select the best as progenitors for subsequent generations.
- l) Conformation scoring: the assignment of a numerical value to an individual of a specific breed, obtained through the sum of scores assigned to the different parts of the body, carried out by duly accredited judges or specialists in conformation, or other professionals appointed under the improvement

programme, and based on a comparison with the breed model established in the specific rules for the herd book for each breed.

- m) Linear scoring: a system of conformation scoring in which different anatomical regions or traits of the animal of zootechnical interest are given a score, according to a scale of values, at the extremes of which are the phenotypic values which are the limit for each region or trait.
- ñ) Breeding centre: any officially authorised centre for animals engaged in collecting and obtaining genetic material for its use in various livestock breeding techniques or for the creation and maintenance of germplasm banks.
- n) Storage centre: an installation, autonomous in nature or linked to a breeding centre, established for the purpose of maintaining and conserving in optimum conditions semen, ova, undifferentiated cells or other types of genetic material, basically for commercial ends.
- o) Germplasm bank: an installation, autonomous in nature or linked to a breeding centre or storage centre, established for the purpose of storing genetic material indefinitely, with the aim of preserving the national genetic heritage. The genetic material shall be sourced from animals registered in the herd book of their breed, shall have been obtained with the consent of the owner of the animal concerned and shall enable DNA to be extracted in sufficient quantity and quality to guarantee the intended activities, even after the death of the individual concerned. When the biological material to be used is exclusively DNA, the term 'DNA bank' shall be used.
- p) Dissemination of the improvement: Any activity carried out for the dissemination, in the rest of the population, of the genetic advances achieved through the improvement programmes.
- q) Events for selected livestock: any grouping together of breed animals which has as its aim their sale in whatever form, their participation in a competition, simply to exhibit them, or a combination of the previous alternatives in order to disseminate the improvement. Such events may be virtual or telematic in nature, without the physical presence of the animals.
- r) Technical inspection of a breed: an activity whose objective is the verification, using the means determined by the competent authority, of the appropriate management of the breed by the officially recognised associations or by the official services responsible, as well as, where appropriate, the verification of the correct management and application of the public subsidies which these associations may receive. In the case of associations recognised by the Ministry of the Environment and Rural and Marine Affairs, the technical

checks of the breed will be carried out by the breed inspector, who will fulfil the functions defined at Article 14.

- s) Improver animal: that which has been subjected to a genetic evaluation within the framework of the improvement programme, and which has proven quality and a genetic value exceeding the thresholds established in this programme and with the minimum reliability defined within this.
- t) Collaborating farm: any livestock farm, distinct from the breeding centres defined at section n), which has animals registered in the herd book of a specific breed and which participates in the improvement programme for this breed.
- u) Official animal genetics centre: the qualified animal genetics centre, officially recognised by the competent authority, as well as university centres and those of the public authorities, which has adequate material and human resources, experience and technical training in the field of genetic improvement.

### ***Article 3. Scope of application***

This royal decree shall apply:

- a) To all breeders associations officially recognised for the creation and management of herd books and the development of programmes for the improvement of breeds from the Official Catalogue of Livestock Breeds of Spain and of registered equidae, to the official services which have the same functions and to livestock breeders who have animals registered in these books or registers.
- b) To animals of breeds in the Official Catalogue and registered equidae, registered in the herd books.
- c) To the centres, farms and installations defined in Article 2.

### ***Article 4. Competences for the national Programme***

1. The autonomous communities shall be the competent authorities for the application and regulation of all the activities included in the national Programme, in their respective areas of responsibility.
2. Notwithstanding the previous paragraph, the Ministry of the Environment and Rural and Marine Affairs will exercise the functions laid down in this royal decree with respect to the associations whose official recognition lies with it, as well as those of coordination, publicity, registration and imports from third countries.

## CHAPTER II

### **National Programme for the conservation, improvement and promotion of livestock breeds**

#### ***Article 5. Content***

The national Programme includes, as a minimum, the following activities:

- a) Characterisation and classification of breeds for their inclusion in the Official Catalogue of Livestock Breeds of Spain, as well as their various encastes, bloodlines and varieties.
- b) Recognition of associations of breeders of animals of livestock breeds.
- c) Approval of the specific regulations on herd books and their amendments.
- d) Approval of the improvement programmes and modifications to them.
- e) Performance testing.
- f) Evaluation of breeding animals and genetic evaluation.
- g) Development of a national information system and data bases for the management of breeds and dissemination of information on them.
- h) Creation and registration of breeding centres, storage centres, germplasm banks and teams for the collection or production of embryos.
- i) Approval and implementation of programmes disseminating the improvement and the holding of livestock events.
- j) Establishment and designation of analysis and coordination bodies, consisting of representatives from the different administrations, entities and sectors affected.
- k) Designation of authorised centres and reference centres on breeding and animal genetics.
- l) Encouragement of measures to stimulate research in the field of conservation, improvement and promotion of livestock breeds and the creation of national working networks on any of the areas of the programme to encourage the coordination and exchange of experience and knowledge.
- m) Lines of aid under the national Programme, which shall be established by the authorities responsible for its implementation.

## SECTION 1

### OFFICIAL CATALOGUE OF LIVESTOCK BREEDS OF SPAIN

#### ***Article 6. Official Catalogue of Livestock Breeds of Spain and amendments to it***

1. The breeds in the official catalogue are listed in Annex I of this royal decree.
2. The recognition, classification and incorporation of breeds in the official catalogue will be carried out in accordance with the procedures established for these purposes by the National Coordinating Committee, provided for at Article 34, which will include in all cases the presentation and analysis of the documentation on the breed in question, as well as the compulsory report on it.

## SECTION 2

### ASSOCIATIONS OF BREEDERS OF ANIMALS OF LIVESTOCK BREEDS

#### ***Article 7. Recognition of breeders' associations which may create or manage herd books.***

1. The official recognition of any breeders' association for the creation or management of the herd book relevant to them will be conferred, at the association's request, by the competent authority.
2. The associations may only manage the books of the breeds they represent.

#### ***Article 8. Requirements for the official recognition of breeders' associations which may create or manage herd books.***

The associations shall be recognised if they meet with at least the following general requirements, and this without prejudice to compliance with specific requirements stipulated in relation to the species or breed, by the legislation applicable in each case:

- a) Have legal personality.
- b) Be non-profit-making.
- c) Have at their disposal the following resources:
  - 1st Sufficient and qualified personnel to ensure that the functions of the herd book and the improvement programme are carried out satisfactorily, which shall include a Technical Director for the herd book, responsible

for the coordination and monitoring of the improvement programme who must be a university graduate with knowledge of and training in zootechnical matters.

- 2nd Adequate computer or mechanical equipment and material for the functions to be carried out, especially for processing the information.
  - 3rd Standardized forms for information and the entry of data in the various registers, or the detailed description, where the rules related to the herd book allows for the electronic transmission of such data.
  - 4th Prove that it has the means to conduct analytical tests to determine lineage, which include the availability of laboratory services, whether or not its own, using techniques officially approved by the National Animal Genetics Reference Centre.
- d) Have sufficient financial resources for the management of the herd book and to implement the improvement programme, according to the breed's population size and geographical distribution.
  - e) Possess a minimum number of animals and breeders to permit the implementation of the improvement programme.
  - f) Provide, for its approval by the competent authority, the proposal for the specific regulations on the herd book, and for the improvement programme, or, where appropriate, amendments to the preexisting regulations and programme, endorsed by a qualified genetics centre, which shall include at least the obligatory elements laid down in articles 16 and 21(2). Where its approval is the responsibility of the Ministry of the Environment and Rural and Marine Affairs, the competent authority shall be the Director General of Agricultural and Livestock Resources.
  - g) Have statutes or an internal operational regulation established in statutory form, which specifically stipulates the absence of discrimination when exercising its functions in relation to the management of the herd book by its members, and between them and other livestock breeders, and which offers membership to any livestock breeder who wishes it and who meets the requirements laid down.

### ***Article 9. Competences for the recognition of associations***

1. The competent authority for the recognition of associations of breeders of livestock animals for the creation and management of herd books is:

- a) The Ministry of the Environment and Rural and Marine Affairs, when the scope of the association is national and relates to a breed whose population is distributed in at least three autonomous communities, provided that the population in the predominant autonomous community does not exceed 60 per cent of the total number of female breeding animals.
  - b) In other cases, the autonomous community where the majority of the population of the breed is located.
2. Where official recognition of the association is the responsibility of the Ministry of the Environment and Rural and Marine Affairs, the competent authority shall be the Director General of Agricultural and Livestock Resources, and the maximum period in which the decision shall be reached and notified will be six months from the time that the application has been entered in the register of the competent authority.

Where this notification has not been received within this period, the application for recognition will be understood to have been considered and the applicant recognised, except where the essential requirements have not been met, as laid down in Article 62(1)(f) of Law 30/1992, of 26 November, on the Legal Regime of the Public Authorities and Common Administrative Procedure.

### ***Article 10. Concurrence of associations.***

1. Where there are already in existence one or several breeders' associations officially recognised for the management of a herd book for the breed, any other association which requests official recognition must prove that it represents at least 25 per cent of the rearers of that breed and that it includes at least 30 per cent of the population of female breeding animals registered in the main section of the book, without prejudice to compliance with other requirements stipulated by the legislation on applications, and in particular, the obligations contained in Article 11.
2. In all cases, the second or subsequent associations which apply for official recognition for the management of a breed's herd book, must respect the specific regulations of that book and the improvement programme officially approved for that breed.
3. Compliance with the above requirements notwithstanding, the competent authority shall refuse recognition where this may jeopardise the improvement programme for the breed, either because of the lack of links to the breed data base, or because, in absolute terms, the breed's population is below the minimum needed to guarantee its viability, or for other reasons which may compromise the improvement programme, in all cases in accordance with the officially approved regulations and with regard to each breed's situation.

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## **Article 11. Obligations of the associations**

The recognised associations shall comply, as a minimum, with the following obligations:

- a) Establish the objectives for the conservation, improvement and promotion of its breed.
- b) Maintain and manage its breed's herd book, issuing documents related to the proper functioning of the herd book, particularly pedigree certificates and charts.
- c) Implement the improvement programme officially approved for each breed.
- d) Where appropriate, present, for approval by the competent authority, proposals for amendments to the specific regulations for the herd book or to the improvement programmes. The latter must be endorsed by a qualified genetics centre.
- e) Report, as required by the competent authority, and at least annually, on the operation of the relevant herd book and the improvement programme, as well as on developments of interest relating to the breed, particularly those regarding its population size, national and international expansion, tests for scoring and selection, events and, where appropriate, the regulations in force.
- f) Guarantee access to its data bases, as well as committing itself to establishing mechanisms for electronic communication, with the form and conditions determined by the competent authority, to facilitate the exchange of data on the herd book and the improvement programme, necessary for the development of the single data base for each breed, as laid down at Article 27.
- g) Carry out the programme for the dissemination of the improvement, defined at Article 30.
- h) Allow the herd book to be used, without discrimination, to any owner of a farm of pure-bred animals who requests it, regardless of whether he or she is a member, and of his or her location, under conditions established in the specific regulations for the herd book of the breed.
- i) Ensure the coherence of the actions carried out for the conservation, improvement and promotion of the breed for the management of whose herd book the association is officially recognised, and establish the mechanisms necessary for achieving the breed's sustainable use.

**Article 12. Withdrawal of recognition.**

The competent authority shall withdraw recognition of an association in at least one of the following circumstances:

- a) If the association persistently fails to meet the requirements for recognition laid down in Article 8.
- b) If the association repeatedly fails to meet any of the obligations stipulated in Article 11.

**Article 13. Second-level associations.**

1. Associations of breeders of animals of livestock breeds can form federations, confederations or groups consisting of the various entities which exist for the different breeds, generically designated as second-level associations, for the defence and representation of the interests of its associates before the public authorities, as well as for establishing the mechanisms to facilitate appropriate and homogeneous management of such breeds for their promotion, conservation and improvement.
2. The public authorities may promote the formation of second-level associations consisting of associations of breeders of the same or different breeds, for the management and coordination of the herd book or books, as well as the development of the improvement programme or programmes.
3. Where one or several of the associations which become members of the second-level entity are already recognised for the management of the herd book, they will retain this recognition, except where the competent authority authorises the second-level entity to manage the herd book in question, subject to a prior application by this entity and the express relinquishment of this recognition by the entity originally recognised for the management of the herd book.
4. The official recognition will be conferred by the autonomous community in cases where the coverage of the second-level association is limited to only one such autonomous community, and by the Ministry of the Environment and Rural and Marine Affairs when its activities are carried out in more than one autonomous community.

**Article 14. Technical inspections of the breed**

The technical inspections of the breed will be carried out by the competent authority using the means it so determines, in the case of the national public authorities, by the breed inspector, and will include, as a minimum, the following functions:

- a) Conduct the technical inspections related to the application of the rules and regulations established for each breed, checking their correct application and verifying compliance with the criteria of the herd book, performance testing and the improvement programme.
- b) Oversee compliance with the zootechnical and genealogical requirements by the animals presented at events for selected animals.
- c) Report on the situation of the breed and the association, and propose actions in relation to the management of the herd books and improvement programmes which have to be re-examined.
- d) Collaborate in the verification of the correct application of public subsidies, as well as in the justification of the activities financed.
- e) Where appropriate, become a member of the management committee of the improvement programme.

### **SECTION 3**

#### **COLLABORATING FARMS**

##### ***Article 15. Register of collaborating farms.***

1. Each recognised breeders' association will hold a register where it will record the 'collaborating farms'.
2. All farms which collaborate with the improvement programme must be recorded in this register, and their owners must participate in all that the programme may entail.
3. Each one of the collaborating farms must be associated with the code or codes assigned for its entry onto the general Register of livestock farms as provided for in Royal Decree 479/2004, of 26 March, establishing and laying down the rules for the general Register of livestock farms.
4. Without prejudice to the above, nor to what the legislation specific to each breed may establish, the recognised association, for internal operational purposes, may assign one or several numbers or letters to each 'collaborating farm'.
5. The respective specific regulations shall lay down the requirements with which the collaborating farms must comply, among which may be included the need to have a minimum number of breeding animals. This requirement may also be stipulated in the case of breeds classified as in danger of extinction, although using a quantitative criterion in line with the population size of such breeds.

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## SECTION 4

### SPECIFIC REGULATIONS ON Herd books

#### ***Article 16. Minimum content of the specific regulations on herd books***

The minimum content of the specific regulations on herd books is:

- a) Determination of the breed's characteristics, including its name, breed model, and scoring system.
- b) Specific methods used in the identification of the animals, where appropriate.
- c) Division of the herd book, where there are different conditions for recording the animals in the book or different procedures for classifying the animals recorded in the book.
- d) Requirements for the recording of the animals in the herd book.
- e) Measures established to guarantee the reliability of the paternity assignment.
- f) Where the association applies for recognition for the management of the herd book of a new breed, an indication of the duration of the period of time during which the entry of animals onto the foundation register is possible.

#### ***Article 17. Identification methods.***

1. All breed animals registered in the herd book must be individually identified, in accordance with the legislation concerning the identification of each species, and the code which features in this identification shall be the one used for registration in the book, as well as in the rest of the zootechnical documentation which refers to the animal.
2. In addition to this identification, other systems of identification specific to each species or breed may be used, such as ear tags, tattoos, electronic means of identification, genetic markers or other scientifically suitable methods, provided that they are in accordance with the legally established criteria and legislation specific to that breed.
3. In cases where there are no official rules on the individual identification of a species, identification systems specific to each breed must be used, from among those cited in the above paragraph.

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**Article 18. Division of the herd book.**

1. Every herd book will have at least a Main Section, which may be formed by the following registers:
  - a) Birth Register: for those animals of both sexes which meet the conditions of Article 19 and the legislation specific to each species or breed.
  - b) Definitive Register: for those breeding animals entered on the birth register and which meet the conditions of Article 19 and the regulations specific to each species or breed.

Within this register there may be, provided that the legislation in force does not prohibit it, one or several registers of breeding animals recording the animals which have passed the evaluation tests required in each case.

2. Furthermore, except in those cases where it is not possible under international legislation, the following registers or appendices may be established, which shall conform to the technical criteria for each breed:
  - a) Foundation Register: for newly-created herd books or those which have few animals registered, in which will be included, provided that they are subject to a time-limit from the date of the creation of the book or register, those animals which have the minimum characteristics for the breed's revival or which meet the statutory conditions established for the opening of this new register, or, in cases where the competent authority expressly and specifically authorises it, for reopening it, if this is necessary for the maintenance or revival of the breed.
  - b) Supplementary Register (Appendix): for those animals or their progeny, or only for females, where appropriate, whose lineage is partly unknown, or which were not registered at the due time, but which have passed the evaluation or scoring test laid down for each livestock breed and which display – whether themselves or through their progeny – notable conformation, productive or functional qualities, provided that they conform with the Community legislation for each species.
  - c) Merits Register: in which are entered breeding animals belonging to the main section of the book which have displayed outstanding conformation, productive, reproductive, or functional genetic qualities, in accordance with the legislation specific to each breed.

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**Article 19. Registration of animals in the herd book**

1. Only those animals which meet the conditions specified in this royal decree, the legislation of the autonomous communities and the regulations specific to each breed, without prejudice to other legislation in force, can be entered in their respective herd books.
2. In the Main Section of the herd book corresponding to each of the breeds shall be entered those animals which meet at least the following requirements:
  - a) Are the progeny of parents and grandparents entered or registered in the herd book of the same breed. Notwithstanding the above:
    - 1st In the case of species whose specific rules provide for the entry of parents and grandparents in the main section of the herd book, the foundation register will be considered, for these purposes, part of the main section of the herd book.
    - 2nd In the case of registered equidae, animals may be entered, by virtue of their ancestry, where they are descended from ancestors entered in the stud-book of the breed, or from ancestors admitted to cross-breed to produce this breed. Furthermore, the progeny of animals entered in the supplementary register may be admitted onto the birth register if the animals on the supplementary register breed with breeding animals from the definitive register, under conditions established for each breed.
  - b) The mating, artificial insemination, or the implantation of the embryos, will have been declared by the livestock breeder or the veterinary surgeon responsible for them, and the birth declared through the procedure established for this purpose by the association responsible for the herd book, or electronically, if appropriate. Exceptions may be established for the requirement to declare mating in cases where the breeds are farmed in extensive systems.
  - c) Have been identified in accordance with the provisions in this royal decree, as well as, where appropriate, the legislation of the autonomous communities.
  - d) Have an established lineage, in line with the rules of the herd book of each breed and the provisions of Article 20 of this legislation.
3. Animals may be entered or registered in the Supplementary Register (Appendix) of the herd book in any of the following cases:
  - a) When a female does not meet the requirements for entry in the Main Section (Birth Register or Definitive Register), the breeders association

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managing the herd book may decide that this female should be entered in the Supplementary Register (Appendix), of the book, provided that it meets the following conditions:

- 1st It is identified in accordance with rules established for the herd book.
  - 2nd It conforms to the standard of the breed.
  - 3rd It meets the criteria set for minimum yields, where they exist, according to the rules established for the improvement programme.
- b) The last two requirements mentioned in the previous section may be waived if the female belongs to the breed, although her ancestry is not known, or is the product of a breeding programme approved by the breeders association managing the herd book.
- c) Exclusively for those species or breeds for which it is permitted by Community legislation, the males which meet the requirements which the competent authority approves for this purpose.
4. Without prejudice to the above:
- a) A female whose mother and grandmother are entered in the Appendix to the book (Supplementary Register) in accordance with the criteria laid down at Paragraph 3 a), and whose father and both grandparents are entered in the Main Section (Birth or Definitive Register), will be considered to be a pure-bred female and shall be entered in the Main Section, provided that it is in accordance with community legislation.
  - b) Those animals entered in the Supplementary Register which, it can be demonstrated, have the ancestry necessary to be admitted onto the Main Section, through genetic markers or, where appropriate, by other valid means and mechanisms recognised internationally, which must be determined, may be entered in the Main Section.
5. Animals originating in another Member State which satisfy Community zootechnical legislation may be entered in the herd book register if they meet the criteria, provided that they are accompanied by the documentation which contains the information necessary to make the entry, in accordance with the legislation specific to each species and breed. No officially recognised association may oppose such an entry in their herd book.

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**Article 20. Paternity Assignment.**

1. The officially recognised breeders associations and the official services must establish control mechanisms related to the paternity assignment to safeguard the lineages of the animals entered in the herd books, through analysis of genetic markers or, where appropriate, by other valid means or mechanisms internationally recognised, which must be established in the regulations specific to the breed and in accordance with the guidelines of the National Animal Genetics Reference Centre.
2. The checks on the paternity assignment of the animals entered in the herd books will be carried out through random sampling and mandatory checks. The random samples will be taken from animals on the stock farms of that breed and, as a priority, from those which have been produced through the application of assisted reproduction techniques, while the mandatory checks will be carried out in the following cases:
  - a) On males which participate in individual evaluation tests.
  - b) On improver animals, as defined in Article 2.
  - c) On males destined for breeding, whether through artificial insemination, or natural mating, in the case of stock farms with different owners which share the same location, albeit temporarily.
3. At all events, the breeders' associations officially recognised as responsible for the herd book may establish that, on an obligatory basis, lineage tests are carried out on the populations that they consider necessary.

**SECTION 5****IMPROVEMENT PROGRAMMES****Article 21. Improvement programmes**

1. In accordance with the classification of the breed, its degree of development, population size, zootechnical value and productive capacity, improvement programmes can be divided into selection programmes and conservation programmes.
2. The improvement programmes shall include the activities specified at Annex II and, in any case, the following minimum elements:
  - a) The description of the situation at the outset of the programme.
  - b) The objectives and criteria for selection or conservation.

- c) The phases of the improvement programme and its timetable.
  - d) Details of the participating farms, breeding centres, storage centres, testing centres, germplasm banks or collection or embryo production teams which it is envisaged will be involved in the improvement programme.
  - e) The activities planned to prevent in-breeding, genetic drift, loss of genetic variability, loss of animals or loss of productive characteristics.
  - f) The designation of a qualified genetics centre to endorse the improvement programme.
  - g) The planning and introduction of mechanisms for disseminating the genetic improvements and the sustainable use of the breed.
  - h) The establishment of a management committee to facilitate the coordination and monitoring of the improvement programmes.
3. The improvement programmes shall be carried out by the breeders association officially recognised as responsible for the herd book or, where appropriate, by the official service responsible.
  4. The competent authority shall approve, where appropriate, the improvement programmes or the proposals for the modification of those already approved. In all cases the endorsement by a qualified genetics centre will be necessary.

***Article 22. Participation in the improvement programme.***

1. The improvement programme for each breed will establish the detailed arrangements for the collaboration and involvement of livestock breeders, as well as for the participation of breeding centres, storage centres, testing centres, germplasm banks, and embryo collection and/or production teams.
2. For those breeds, encastes, bloodlines or varieties for which a conservation programme has been approved, participation in this programme will be obligatory for all those livestock breeders who belong to the breeders association in the form that the competent authorities stipulate.
3. The public authorities and the breeders associations may establish mechanisms to facilitate the involvement of livestock breeders in improvement programmes and to set priorities to support the collaborating farms in complying with the plans which the programme has established for the dissemination of the improvement.

**Article 23. Performance testing.**

1. The performance testing of dairy livestock shall be conducted in accordance with the provisions of Royal Decree 368/2005, of 8 April, regulating the official performance testing of dairy livestock for the genetic evaluation of bovine, ovine and caprine species, and other legislation which may be applicable.
2. The detailed rules for the performance testing of meat livestock are described at Annex III, without prejudice to the provisions of Community decisions.

In order for the data resulting from the official performance testing of meat livestock to be published as data of an official test, it will be necessary, at least, for the rules and methods used for the performance testing to be included in the improvement programmes, for these to have been approved by the competent authority and for the numbers of animals on the national territory to be sufficiently high to allow such a programme to take place.

3. For bovine animals destined for bull-fighting, the tests shall be, at least, based on the general criteria in place for the genetic evaluation of the other livestock, but adapted to take into account their particular situation, their aptitude for bull-fighting, behavioural traits and the aims of selection.
4. For equidae, they may be conducted, at least, by the following means:
  - a) Selection tests for young horses for the various disciplines and aptitudes.
  - b) Tests conducted at individual evaluation centres and authorised training centres, to standardize the conditions of the animals and the environment in which they are carried out.
  - c) Individual evaluation tests on breeding animals.
  - d) Field tests.
  - e) Linear conformation scoring tests.
  - f) Conformation and functional competitions.
  - g) Competitions in the various equestrian disciplines.
  - h) Locomotion laboratories or centres.
5. The competent authority may define and approve other, additional performance testing methods, in other livestock.

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**Article 24. Appraisal of breeding animals and genetic evaluation**

1. The appraisal of breeding animals shall be the responsibility of the associations officially recognised as responsible for the herd books, except in the case of breeds managed by the official services, in which case it will be the responsibility of these services, through the scoring systems established in the regulations specific to the pedigree records of each breed and through evaluation tests defined in the improvement programme.
2. The appraisal of breeding animals shall be conducted using all or some of the following methods:
  - a) Evaluation by ancestry: valid both to choose the pairs which will be used for mating and for selecting the candidate sire animals during the subsequent individual evaluation of the animal. A greater or smaller number of preceding generations may be taken into account, and the information will contain genetic values (maternal and paternal), and phenotypic and genealogical characteristics.
  - b) Individual evaluation of the animal: This is conducted directly on the animal, by assessing its characteristics and by performance testing. It may be carried out in the field, the station or other locations acceptable under the improvement programme. The individual evaluation of animals belonging to breeds which are difficult to handle may be conducted only on the farm itself.
  - c) Evaluation by progeny and collaterals: This is carried out on an individual through the tests on progeny and other animals related by blood, distributed in the different stock farms.
3. The genetic evaluation will be conducted on the basis of genealogical and phenotypic information. The results shall be expressed in the form of genetic values, in the pedigree documentation and in the breed's registers of improver sires and dams, for the different selection targets. When publishing the results of the evaluation, information will be included on the reliability and date of the evaluation.
4. The genetic evaluation may be supplemented by the calculation of summary indices specific to each target.
5. The statistical methods applied to the genetic evaluation of the animals, and their accuracy, must conform with Community legislation and the principles established by the International Committee for Animal Recording (ICAR).

## SECTION 6

### NATIONAL INFORMATION SYSTEM AND DATABASES ON BREEDS

#### ***Article 25. National Information System on breeds***

The National Information System for the knowledge and management of breeds is under the authority of the Ministry of the Environment and Rural and Marine Affairs, with the collaboration and participation of the autonomous communities and breeders associations, for shared use and is established as a computer application with internet/intranet technology which includes an electronic database containing, as minimum, data relating to:

- a) Officially recognised breeders associations, as well as details of any amendment or withdrawal of recognition from them.
- b) Owners of the stock farms, REGA [farm registration] code and other identification number, where appropriate.
- c) Users of the system.
- d) Information on the pedigree record, including the number of animals on the different registers.
- e) Data on the improvement programme and the genetic evaluation.
- f) Up-to-date lists of the breeding centres, storage centres, germplasm banks and embryo collection or production teams, including, according to its nature, the REGA code, the zootechnical code laid down in Article 28(3), or both.
- g) Information on the genetic material held by the breeding centres, storage centres, germplasm banks, and DNA banks, especially information from the National Reference Centre for Animal Breeding and Animal Germplasm Bank, provided for at Article 29.

#### ***Article 26. Location of and access to the information.***

1. The central server of the Ministry of the Environment and Rural and Marine Affairs will hold all the information listed in previous paragraph.
2. The competent authorities will facilitate access to this information, by electronic means, for the rest of the users, establishing different access levels, without prejudice to the legal limits which relate to the protection of personal data, if they are present, and that established in Chapter IV.
3. The competent authorities shall register with the respective Data Protection Agencies those files which, because of the nature of their content, fall within

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the scope of application of Constitutional Law 15/1999, of 13 December, on the Protection of Data of a Personal Nature.

**Article 27. Breed databases**

1. Every recognised association must hold a database containing the following information:
  - a) The pedigree record or records which it manages, with the data on the animals.
  - b) The results of the evaluation of the breeding animals and of the improvement programme.
  - c) The results of the performance tests.
  - d) The list of breeders and their animals.
  - e) The list of collaborating farms.
  - f) Any other information of value for the conservation and promotion of the breed.
2. The associations must give access to their databases to the public authorities, to each breeder or owner and to other citizens who prove that they have a right or legitimate interest, without prejudice to the due protection of data of a personal nature in accordance with Constitutional Law 15/1999, of 13 December, on the Protection of Data of a Personal Nature.
3. In cases where different recognised associations exist for the same breed, the data relating to the pedigree record and improvement programme must be integrated into a single database managed by one of them, by a second-level association as provided for in Article 13 or by a public or private agent designated by them and with the agreement of the competent authority.
4. For different breeds which share the same selection objective, common electronic databases may be established which integrate the information on animals which participate in the approved improvement programmes. The associations involved will collaborate in the maintenance and updating of the data necessary for the operation of these databases.

## SECTION 7

### BREEDING AND GERMLASM BANKS

#### ***Article 28. Breeding centres, storage centres, germplasm banks and embryo collection or production teams***

1. Breeding centres may only keep on their premises animals selected according to the criteria laid down in the improvement programmes officially approved for each breed.
2. Germplasm banks will be created, whether autonomous or belonging to the breeding and storage centres, where will be conserved the genetic material described in the corresponding improvement programme (semen, ova, embryos, somatic cells, DNA or any other authorised material). This genetic material may be obtained even after the death of the animal, and will preferably be derived from:
  - a) Animals from breeds classified as in danger of extinction, to guarantee its future conservation.
  - b) High quality improver animals, for the dissemination of improvements to the breed.
  - c) Animals from breeds for which it is necessary to guarantee the maintenance of its genetic variability.
3. The breeding centres, storage centres, and germplasm banks, as well as the embryo collection or production teams, must be authorised by the competent bodies of the autonomous communities, in accordance with the legislation applicable in each case, must possess a registration or zootechnical code and be communicated to the Minister of the Environment, and Rural and Marine Affairs, which will, where appropriate, notify the European Commission, in line with Community legislation.

#### ***Article 29. National Reference Centre for Animal Breeding and Animal Germplasm Bank***

1. The Animal Selection and Breeding Centre of Colmenar Viejo, of the Autonomous Community of Madrid, is designated the National Reference Centre for Animal Breeding and Animal Germplasm Bank.
2. The breeders associations and autonomous communities will send the National Reference Centre for Animal Breeding and Animal Germplasm Bank a sample of the material stored on their territory, so that there are two sets of samples,

to reduce risks and to safeguard the conservation measures for the genetic material.

3. The characteristics and functions of the Centre are listed at Annex IV.

## SECTION 8

### DISSEMINATION OF THE IMPROVEMENT AND EVENTS FOR SELECTED LIVESTOCK

#### ***Article 30. Programme for the dissemination of the improvement and events for selected livestock***

1. Each breeders association shall establish and present to the competent authority for its approval, a programme for the dissemination of the improvement of its breed which will include, at least, the stipulated activities and the data at their disposal relating to:
  - a) Technical advice to the farms.
  - b) Training of livestock breeders.
  - c) Publications and information programmes on the breed and its products and uses.
  - d) Programmes for the distribution of doses of semen for the pedigree tests, or, where appropriate, for natural mating, or for the loan of breeding animals.
  - e) Events for selected livestock.
  - f) Organisation and sale of elite breeding animals and genetic material.
  - g) Plans for promotion and export.
2. The second-level associations may carry out dissemination and improvement programmes involving one or several of the breeds whose pedigree records are managed by the member associations, under conditions established by the competent authorities.

#### ***Article 31. Types of events for selected livestock.***

1. With regard to their purpose, the events for selected livestock may take the following forms, individually or in combination:
  - a) Breed competition: a specialist event consisting of animals of one breed, to score them and, where appropriate, award prizes to them in relation to

their conformation or performance testing, in accordance with the regulations established for this purpose.

- b) Breed auction: in which participate animals registered in the breed's herd book, where the livestock are sold at a public auction, with the animals destined for breeding on the farms belonging to the successful bidder. Virtual or electronic auctions may be held.
  - c) Breed shows: in which participate animals registered in the breed's herd book, and where different species and breeds may be shown, the main aim being to exhibit them or their functional characteristics.
  - d) Mixed events: any combination of those listed above.
2. With regard to their geographical scope or the origin of the participating breeds, which may belong to one or several species, the events may be at autonomous community, national or international level.

### ***Article 32. Requirements.***

1. Without prejudice to the health requirements laid down in Articles 54 and 55 of Law 8/2003, of 24 April, on animal health, the elite livestock events must, in addition, be authorised before they take place by the competent body of the autonomous community, in accordance with the legislation in force, for which purpose and in the case of national events, must comply, at least, with the following requirements:
- a) Have at their disposal installations and resources adequate for their function, especially livestock housing and show runs, installations for handling livestock and separate offices adequately equipped, which allow for due compliance with the legislation applicable.
  - b) Only admit animals registered in the pedigree records, and on condition that these and the farms of origin meet the legally established zootechnical and animal health and welfare requirements, without discrimination by reason of origin.
  - c) In the case of national livestock auctions, only admit those animals that have received positive evaluations or are the progeny of improver animals.
2. The competent authority will oversee the event by suitable means, which may include, where appropriate, the appointment of a Technical Director.
3. In the case of virtual auctions, the breeders association must lay down in a regulation the conditions for holding them and will be responsible for communicating this to the competent authority.

**Article 33. Calendar.**

1. The official calendar of elite livestock events which are national in nature shall be approved by the Director General of Agricultural and Livestock Resources of the Ministry of the Environment, and Rural and Marine Affairs.
2. The officially recognised breeders associations, second-level associations and, where appropriate, the autonomous communities and other public bodies, will present to the Director General, before 30 November of the preceding year, the proposal for national events to be held the following year, stating the dates, locations, and participating species and breeds.

**SECTION 9.****COORDINATING BODIES****Article 34. National Coordinating Committee for the conservation, improvement and promotion of livestock breeds**

1. The National Coordinating Committee for the conservation, improvement and promotion of livestock breeds (hereafter 'National Coordinating Committee') is established as a collegiate body with representation from the relevant public authorities, and assigned to the Ministry of the Environment, and Rural and Marine Affairs, through the Directorate General of Agricultural and Livestock Resources.
2. The functions of the National Committee are:
  - a) To serve as the permanent body for liaison between the national authorities and the autonomous communities in zootechnical matters and, where appropriate, act as the body responsible for the study, analysis and planning of zootechnical activities concerning breeds and their associations.
  - b) The monitoring and coordination with the autonomous communities of the implementation of the relevant legislation, in relation to the livestock breeds which are the subject of the national Programme.
  - c) Periodical review of progress in this implementation, proposing amendments specifically aimed at effective compliance with the objectives or, where appropriate, presenting proposals for legislation.
  - d) To submit to the competent authorities proposals allowing for better implementation of this legislation and advising on zootechnical matters, when this is requested.

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- e) To pronounce on draft amendments to the Official Catalogue of Livestock Breeds in Spain, carrying out monitoring and control, in accordance with the procedures established by the Committee.
  - f) To propose studies and requests for reports which are considered necessary from the scientific and representative bodies on the subject of animal breeding, rare breeds and genetics.
  - g) To consider the proposed calendar of events referred to at Article 33.
  - h) To coordinate, become acquainted with and, where appropriate, pronounce on applications for official recognition of breeders associations and the proceedings for its withdrawal, or propose measures or actions to guarantee the adequate operation of these entities, as well as identifying and analysing any source of concern and resolving any related discrepancies which may arise.
  - i) To know and, where appropriate, analyse the regulations specific to the pedigree records and the improvement programmes, as well as proposals for amendments to those officially approved.
  - j) To coordinate, evaluate and inform, in matters of animal breeding, storage centres and germplasm banks, encouraging cooperation among the different centres, and proposing specific actions and regulations.
  - k) To coordinate, know, pronounce upon and analyse the situation of performance testing.
  - l) To update periodically the list of competent authorities referred to at Article 9(1), in accordance with changes in the population distribution of the various livestock breeds.
3. The National Committee shall be composed of the following members:
- a) Chair: The Director General of Agricultural and Livestock Resources of the Ministry of the Environment, and Rural and Marine Affairs.
  - b) First Vice-Chair: Deputy Director General for the Conservation of Resources and Animal Feeding.
  - c) Second Vice-Chair: a representative of an autonomous community.
  - d) Members: representing the national authorities, an official from the Sub-Directorate General for Conservation of Resources and Animal Feeding appointed by the Chair. Representing the autonomous communities, a representative from each of those which agree to join this body, appointed by the competent autonomous entity.

- e) Secretary: An official of the Directorate General of Agricultural and Livestock Resources, appointed by the President, a member without voting rights.

In cases where the post is vacant, or of absence or illness, the first Vice-Chair will substitute for the Chair.

In addition, those who, because of their professional competence, are expressly invited by the Chair on his or her own initiative or at the suggestion of any other member of the Committee, may attend meetings of the National Committee meetings in an advisory capacity, without voting rights.

4. The Committee shall approve its own rules of operation and, in all cases where there are no specific provisions in these rules and in this article, the provisions applicable will be those of Chapter II, Section II of Law 30/1992 of November 26 on the Legal Regime of the Public Authorities and Common Administrative Procedure, as it relates to collegiate bodies. The Committee may agree to establish special working groups.
5. The National Committee shall meet at least half-yearly, and as many times as the situation demands, and will be convened by the Chair. The Committee may establish working groups or special committees for the study of and proposals on specific questions.
6. The Ministry of the Environment and Rural and Marine Affairs will supply the material and human resources for the operation of the committee. However, expenses incurred in the form of payment for service, arising from participation in Committee meetings, shall be the responsibility of the respective administrations.

## SECTION 10

### GENETICS LABORATORIES AND CENTRES

#### ***Article 35. National Animal Genetics Reference Centre***

1. The Central Veterinary Laboratory of the Ministry of the Environment and Rural and Marine Affairs, located in Algete, is designated the National Animal Genetics Reference Centre for the standardization of methods of analysis of genetic markers for the identification and paternity assignment of the animals and, where appropriate, the determination of the genes linked to improvements in production and the transmission of diseases, as well as the detection of chromosomal abnormalities with implications for production.
2. The functions of the National Reference Centre are established at Annex V.

**Article 36. Official genetics centres in the autonomous communities**

1. The competent bodies of the autonomous communities may establish public genetics centres or, where appropriate, recognise private ones, which thereby have the powers to conduct analyses of genes and genetic markers which are official in nature and validity, and designate that or those centres which may, within the framework of the national Programme, conduct analyses of the genotypes of animals belonging to farms within their jurisdiction.
2. The genotyping of livestock breeds, for the purposes of the national Programme, may only be carried out in the National Reference Centre or in the official centres referred to in this article.

**CHAPTER III****Intracommunity exchanges and imports from third countries****Article 37. Intracommunity exchanges**

For the intracommunity exchange of live animals, sperm, ova and embryos, and without prejudice to the relevant community zootechnical legislation, included in the Directives cited in the final provision (first paragraph), nor to the health legislation in force, exchanges of breeding animals and their genetic material may not be prohibited, restricted nor impeded. Furthermore, it will be subject to the provisions below, for each one of the following species:

1. Bovines:
  - a) Without prejudice to the provision at sub-paragraph f), it is forbidden to prohibit, restrict or impede:
    - 1st The admission of bovine pure-bred females for breeding.
    - 2nd The admission of pure-bred bulls for natural mating, and
    - 3rd The use of ova and embryos from bovine pure-bred females.
  - b) The official evaluation of a pure-bred sire through the use of its sperm will be conditional on a quantitative limit on the dose to be used and an official request by the officially recognised breeders associations. In cases where this application gives rise to disputes, in particular with regard to the interpretation of the test results, the interested parties have the right to request the opinion of an expert, in line with the provisions of Article 8 of Directive 77/504/CEE.
  - c) The admission of pure-bred bulls for artificial insemination or the use of their semen, when these bulls have been admitted for artificial insemination in a member state, will be based on the positive and up-to-date results of the tests carried out in accordance with the specific legislation applicable.

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- d) The use of bulls of an elite breed and its semen, referred to at sub-paragraphs b) and c), will be dependent on the identification of these bulls through blood tests or any other suitable method adopted according to the procedure laid down in Community legislation.
- e) The semen referred to in sub-paragraphs b) and c), when subject to an intracommunity exchange, will be collected, processed and stored in a collection centre or, where appropriate, it will be stored in an authorised storage centre, in line with Royal Decree 2256/1994, of 25 November, laying down the requirements for health controls applicable to intracommunity exchanges and imports of sperm of animals of the bovine species.
- f) The competent bodies of the autonomous communities shall require that pure-bred bovines for breeding, as well as sperm, ova, and embryos derived from them, are accompanied in intracommunity exchanges by a pedigree certificate which conforms with the requirements laid down in Community legislation.
2. Ovines and caprines: the Community legislation shall apply.
3. Porcines:
- a) It is forbidden to prohibit, restrict or impede:
- 1st The admission of pure-bred breeding males for artificial insemination or the use of their sperm, when these animals have been admitted for this purpose in another member state, taking into account the performance testing carried out and the appraisal of the genetic value of the animals, conducted in line with the provisions of the relevant Community legislation.
  - 2nd The admission of pure-bred breeding males for official tests or the use of their sperm, within the quantitative limits necessary to carry out performance testing and the evaluation of their genetic value, conducted in line with the provisions of the relevant Community legislation by officially recognised associations or, where appropriate, by the official service of the competent authority.
  - 3rd The admission of pure-bred females for breeding.
  - 4th The admission of pure-bred males for natural mating.
  - 5th The use of ova and embryos from pure-bred females.
- b) In cases where the application of points 1st and 2nd of the above sub-paragraph gives rise to disputes, in particular with regard to the interpretation of the test results, the interested parties have the right to request the opinion

of an expert. In the light of this opinion, the Ministry of the Environment and Rural and Marine Affairs may request, through the appropriate channels, the adoption of measures by the Community bodies in line with the provisions of Article 11 of Directive 88/661/CEE.

- c) The sperm referred to at points 1st and 2nd of sub-paragraph a), as well as the ova and embryos, when they are to be marketed, will be collected, processed and stored by the competent body of the autonomous community or by the personnel authorised by this administration.

#### 4. Equidae.

##### a) Live animals.

Registered equidae must be accompanied, for their movements, with an identity document conforming to the standard laid down in Community legislation.

When a registered equidae originating in another European Union country is transferred to Spain, it must be entered in the pedigree record for its breed managed in Spain, with exceptions made only by mutual agreement between the two officially recognised associations concerned, or between the officially recognised Spanish association and the official service of the other European Union country.

Where permitted by the associations' statutes, the original name of the equid may be preceded or followed by another name, including one which is provisional in nature, provided that the original name is maintained within parentheses during the life of the equid concerned, and its country of birth is indicated by means of the codes recognised in international agreements.

##### b) Intracommunity trade in sperm, ova and embryos.

The sperm, ova and embryos of pure-bred equidae which are traded shall be accompanied by a zootechnical certificate of origin and identification issued by the officially recognised association concerned, which shall be at least written in Spanish and the language of the destination country, and in conformity with the model established by Community legislation.

### ***Article 38. Imports from third countries.***

1. For the importation of live animals, sperm, ova and embryos from third countries, and without prejudice to the health legislation in force, the provisions of Royal Decree 52/1995 shall apply, on the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, semen, ova and embryos, implementing Council Directive 94/28/EC of 23 June 1994 laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen,

ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species. Community legislation shall also apply.

2. Without prejudice to the above paragraph, for the import of equidae and their registration in the relevant stud-book, they must meet the following requirements:
  - a) Notify the import to the association officially recognised as responsible for the stud-book in which they will be registered.
  - b) Provide the accompanying document stipulated in the relevant European Union legislation or, where appropriate, the export certificate issued by the association officially recognised as responsible for stud-books and which manages the stud-book of origin or, where appropriate, the relevant official service.
  - c) Verification of the identity of the imported equid by the association officially recognised as responsible for stud-books and which manages the stud-book of origin.
  - d) Compliance with the conditions for registration in the stud-book of this breed.
3. The bodies responsible for external controls on products of animal origin will conduct random checks on the semen doses originating in third countries, and will send them to the National Reference Centre for Animal Breeding and Animal Germplasm Bank or to other authorised centres.

## CHAPTER IV

### Information and registers

#### ***Article 39. Information exchange between public authorities, and registers***

The autonomous communities will send the Ministry of the Environment, and Rural and Marine Affairs the following information for inclusion in the National Information System and, where appropriate, for notification to the European Commission:

- a) The list of the associations of breeders of animals of livestock breeds, officially recognised as responsible for the herd books and, where appropriate, the resolutions for withdrawal or expiry of this recognition, in accordance with the provisions of this decree, as well as the names of breed inspectors or

other means which have been established for the technical inspection of the breeds.

- b) The specific regulations on herd books and the approved improvement programmes.
- c) The list of breeding centres, storage centres, germplasm banks, embryo collection and/or production teams and the authorised centres, or amendments to it.

#### ***Article 40. Publicity.***

By way of a resolution by the Director General of Agricultural and Livestock Resources, to be published in the Official Bulletin of the State, publicity will be given to the official recognition of the associations for the management of the Herd books at state level, as well as to the approval of the specific regulations on herd books, and of the improvement programme corresponding to each official recognition within his or her jurisdiction and, where appropriate, to amendments and changes to them, applicable to the respective breed and entity, with a view to breeders, proprietors and other interested parties becoming duly aware of them.

#### ***Article 41. Register of entities***

1. The Ministry of the Environment and Rural and Marine Affairs shall hold a general, public and informative register of breeders associations and, where appropriate, official services, which will include all those which have received official recognition, whether by the Ministry or by the autonomous communities, in accordance with the provisions of this royal decree or prior to it.
2. The human and material resources of the Ministry of the Environment and Rural and Marine Affairs shall be employed to establish and manage it.

#### ***Single additional provision. Application of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.***

The competent authorities shall adopt the measures necessary to guarantee the application of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, within the scope of this royal decree.

#### ***First transitional provision. Adaptation to the current legislation.***

1. The associations officially recognised under the prevailing legislation before the entry into force of this royal decree which do not meet all the requirements laid

down within this, with the exception of those established in Article 10 for the case of the concurrence of associations, shall have a maximum period of three years to provide evidence of their compliance. In cases where this evidence is not produced, official recognition shall be withdrawn, following proceedings carried out by the competent authority which conferred the recognition, with a hearing with the association concerned.

2. Notwithstanding the provisions of the single repeal provision, the specific regulations on the herd book of each breed, listed in that provision, and the improvement programmes, will remain in force until the competent authority has approved the relevant specific regulations and programmes in application of this royal decree.

### ***Second transitional provision. Genetic laboratories and centres.***

The animal genetics centres shall have a time period of two years in which to conform with the requirements of this royal decree, from its entry into force.

### ***Single repeal provision. Repeal of legislation.***

Without prejudice to the provisions of the first transitional provision, those rules and regulations of equal or lower status which are contrary to the provisions laid down in this royal decree are repealed, specifically the following:

1. Decree 733/1973, of 29 March (Agriculture), approving the regulations governing herd books and performance testing of livestock.
2. Royal Decree 420/1987, of 20 February, on the selection and breeding of pure-bred bovine livestock.
3. Royal Decree 723/1990, of 8 June, on the selection and breeding of pure-bred porcine livestock.
4. Royal Decree 286/1991, of 8 March, on the selection and breeding of pure-bred ovine and caprine livestock.
5. Royal Decree 1682/1997 of 7 November, updating the Official Catalogue of Livestock Breeds of Spain.
6. Royal Decree 1866/1998, of 28 August, recognising the Animal Selection and Breeding Centre of Colmenar Viejo, of the Autonomous Community of Madrid, as the National Reference Centre for Animal Breeding and Animal Germplasm Bank.

7. Royal Decree 662/2007, of 25 May, on the selection and breeding of pure-bred equine livestock.
8. Order of 30 May 1981 establishing the technical conditions for the importation of animal genetic material.
9. Order of 30 September 1982 updating the application of subsidies to herd book collaborating entities.
10. Order of 25 April 1985 approving the regulations governing the herd-book and performance testing of cattle of the Asturiana de los Valles breed
11. Order of 25 April 1985 approving the regulations governing the herd-book and performance testing of cattle of the Tudanca breed.
12. Order of 25 April 1985 approving the regulations governing the flock-book and performance testing of the Agrupación Caprina Canaria.
13. Order of 12 September 1985 approving the specific flock-book regulations for the Segureña ovine breed.
14. Order 13 March 1986 approving the national genético-functional evaluation scheme for bovine sires of dairy breeds.
15. Order of 13 March 1986 approving the evaluation of Spanish ovine breeds suitable for milk production.
16. Order of 14 November 1986 establishing the specific herd-book regulations for the Asturiana de la Montaña bovine breed.
17. Order of 19 December 1986 establishing the specific flock-book regulations for the Verata goat breed.
18. Order of 19 December 1986 establishing the specific herd-book regulations for the Limousin bovine breed.
19. Order of 15 September 1987 establishing the specific herd-book regulations for the Fleckvieh bovine breed.
20. Order of 15 September de 1987, implementing Royal Decree 420/1987, of 20 February, on the selection and breeding of pure-bred bovine livestock.
21. Order of 27 October 1987 updating the criteria for the specific herd-book regulations for the Retinta bovine breed and for the performance testing and evaluation of breeding animals entered in this book
22. Order of 30 January 1988 approving the specific herd-book regulations for the Belgian Landrace, Pietrain, Duroc and Hampshire porcine breeds.

23. Order of 6 February 1988 approving the official model pedigree certificate for pure-bred bovine breeding animals and the information which must be included in it.
24. Order of 26 February 1988 approving the specific herd-book regulations for the Pirenaico bovine breed.
25. Order of 14 March 1988 approving the methods for evaluating the genetic value of pure-bred beef bovine sires.
26. Order of 17 March de 1988 updating and regulating national and international events for pure-bred livestock, and establishing incentives for participating in them.
27. Order of 10 June 1988 approving the specific flock-book regulations for the Castellana ovine breed.
28. Order of 25 February 1989 updating the specific regulations on the herd-book, performance testing and evaluation of breeding animals of the Pardo bovine breed.
29. Order of 12 March 1990 approving the specific herd-book regulations for the bull-fighting bovine breed.
30. Order of 6 June 1990 approving the specific flock-book regulations for the “lacha” and “carranzana” ovine breeds.
31. Order of 30 July 1990, approving the scheme for the evaluation of rasa aragonesa rams.
32. Order of 30 November 1990, on official performance testing of meat livestock in Spain.
33. Order of 22 July 1991, on the selection and breeding of pure-bred porcine breeds.  
  
Order of 6 September 1994 closing the foundation register of the lacha and carranzana ovine breeds.
34. Order of 12 January 1998 establishing the Livestock Breed Committee of Spain.
35. Order of 11 December 1998 establishing the Committee on Animal Breeding and Germplasm Bank of Spain.
36. Order APA/3277/2002, of 13 December, establishing the zootechnical rules for the Hispano-Arabe equine breed.
37. Order APA/3318/2002, of 23 December, establishing the zootechnical rules for the Caballo de Deporte Español.

38. Order APA/3319/2002, of 23 December, establishing the zootechnical rules for the Pura Raza Española horse.
39. Order APA/86/2003, of 17 January, approving the specific flock-book regulations for the Florida caprine breed.
40. Order APA/87/2003, of 17 January, approving the specific flock-book regulations for the Ojinegra de Teruel ovine breed
41. Order APA/17/2004, of 7 January, approving the specific herd-book regulations for the Parda de Montaña bovine breed.
42. Order APA/201/2004, of 5 February, approving the basic Regulation on selection tests on young horses for the improvement plans for equine breeds.
43. Order APA/3234/2004, de 30 September, approving the specific flock-book regulations for the Manchega ovine breed.
44. Order APA/961/2005, of 7 April, approving the specific herd-book regulations for the Frisona Española bovine breed.
45. Order APA/1350/2005, of 28 April, approving the specific herd-book regulations for the 'berrenda en colorado' and 'berrenda en negro' bovine breeds.
46. Order APA/2104/2005, of 23 June, establishing zootechnical rules for the Anglo-Arab equine breed.
47. Order APA/3656/2005, of 17 November, amending the Order of 25 March 1992, updating the zootechnical conditions for intracommunity trade in pure-bred bovines for breeding.
48. Order APA/3376/2007, of 12 November, approving the Herd-Book Regulation for the Ibérico Porcine breed.

### ***First final provision. Incorporation of Community law.***

Through this royal decree, the rules and regulations are replaced by those which have been incorporated into national law, Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species, Council Directive 88/661/EEC of 19 December on the zootechnical standards applicable to breeding animals of the porcine species, Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats, Council Directive 87/328/EEC of 18 June 1987 on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species, Council Directive 90/118/EEC of 5 March 1990 on the acceptance of pure-bred breeding pigs for breeding, and Council Directive

90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae.

***Second final provision. Amendment of Royal Decree 391/1992, of 21 April, regulating the official recognition of organisations and associations of breeders of breed animals who hold or create herd books.***

Article 1 of Royal Decree 391/1992, of 21 April, regulating the official recognition of organisations and associations of breeders of breed animals who hold or create herd books, is drafted as follows:

For the purposes of this royal decree, 'breed animal' will be understood to be any breeding animal included in Annex II of the founding Treaty of the European Economic Community, the exchange of which has not been the subject of more specific Community zootechnical legislation and which does not belong to any breed included in the Official Catalogue of Livestock Breeds of Spain, nor is a registered equidae, and which is entered or registered in a herd book or register held by an officially recognised breeders organisation or association.

***Third final provision. Amendment of Royal Decree 558/2001, of 25 May, regulating the official recognition of organisations or associations of breeders of pure-bred dogs***

The reference made in the first final provision (powers of implementation) of Royal Decree 558/2001, of 25 May, regulating the official recognition of organisations or associations of breeders of pure-bred dogs, to the Livestock Breed Committee of Spain, established by Royal Decree 1682/1997 of 7 November, updating the Official Catalogue of Livestock Breeds of Spain, shall be understood to be to the National Coordinating Committee, provided for in Article 34 of this royal decree.

***Fourth final provision. Title of Competence***

This royal decree constitutes basic legislation, with the exception of articles 26, 40 and 41, and is issued in accordance with the provisions of Article 149 (1) (1st) of the Constitution, which assigns to the State exclusive competence with regard to the bases and coordination of the general planning of economic activity.

Furthermore, Article 38 is excluded from this designation of basic legislation, and is issued in accordance with Article 149 (1) (10th) and (16th) of the Constitution, which assigns to the State exclusive competence with regard to external trade and external health matters.

***Fifth final provision. Powers of implementation.***

The Ministry of the Environment, and Rural and Marine Affairs has the power to amend the contents of the annexes of this royal decree, to adapt it to Community and international legislation, as well to amend, following a report by the National Coordinating Committee, the Official Catalogue of Livestock Breeds at Annex I.

***Sixth final provision. Entry into force.***

This royal decree shall enter into force on the day following its publication in the 'Official Bulletin of the State'.

Done in Madrid, December the 26<sup>th</sup> of 2008

JUAN CARLOS R.

SUBMITTED TO THE COUNCIL OF MINISTERS

The Minister of the Environment,  
and Rural and Marine Affairs

ELENA ESPINOSA MANGANA

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**ANNEX I****Official Catalogue of Livestock Breeds of Spain**

## 1. Native Spanish Breeds:

## a) In Development:

- 1st Bovine species: Asturiana de los Valles, Avileña Negra Ibérica, Lidia, Morucha, Pirenaica, Retinta and Rubia Gallega.
- 2nd Ovine species: Carranzana, Castellana, Churra, Latxa, Manchega, Merino, Navarra, Ojinegra de Teruel, Rasa Aragonesa and Segureña.
- 3th Caprine Species: Majorera, Malagueña, Murciana-Granadina, Palmera and Tinerfeña.
- 4th Porcine Species: Ibérico, Ibérico (Retinto variety) and Ibérico (Entrepelado variety).
- 5th Equine species - Horse: Española
- 6th Avian species: Combatiente Español

## b) In danger of extinction:

- 1st Bovine species: Albera, Alistana-Sanabresa, Asturiana de la Montaña, Avileña-Negra Ibérica (Bociblanca variety), Berrenda en Colorado, Berrenda en Negro, Betizu, Blanca Cacereña, Bruna de los Pirineos, Cachena, Caldelá, Canaria, Cárdena Andaluza, Frieiresa, Limiá, Mallorquina, Marismeña, Menorquina, Monchina, Morucha (Black variety) Murciana-Levantina, Negra Andaluza, Pajuna, Palmera, Pasiega, Sayaguesa, Serrana Negra, Serrana de Teruel, Terreña, Tudanca and Vianesa.
- 2nd Ovine Species: Alcarreña, Ansotana, Aranesa, Canaria, Canaria de Pelo, Carranzana (black variety), Cartera, Castellana (black variety), Chamarita, Churra Lebrijana, Churra Tensina, Colmenareña, Gallega, Guirra, Ibicenca, Lojeña, Maellana, Mallorquina, Manchega (black variety), Menorquina, Merina (black variety), Merina de Grazalema, Montesina, Ojalada, Palmera, Ripollesa, Roja Mallorquina, Roya Bilbilitana, Rubia del Molar, Sasi Ardi, Talaverana, Xalda and Xisqueta.
- 3th Caprine Species: Agrupación de Las Mesetas, Azpi Gorri, Blanca Andaluza or Serrana, Blanca Celtibérica, Bermeya, Del Guadarrama, Florida, Gallega, Ibicenca, Jurdana, Mallorquina, Moncayo, Negra Serrana, Payoya, Pirenaica, Retinta and Verata.

- 4th Porcine Species: Celta, Chato Murciano, EuskalTxerria, Gochu Asturcelta, Ibérico (Torbiscal, Lampiño and Manchado de Jabugo varieties), Negra Canaria and Negra Mallorquina.
- 5th Equine species - Horses: Asturcón, Burguete, Caballo de Monte de País Vasco, Caballo de Pura Raza Gallega, Hispano-Arab, Hispano-Breton, Jaca Navarra, Losina, Mallorquina, Marismeña, Menorquina, Monchina and Pottoka.
- 6th Equine Species – Donkeys: Andaluza, Asno de las Encartaciones, Balear, Catalana, Majorera and Zamorano-Leonés.
- 7th Avian Species: Andaluza Azul, Valenciana de Chulilla, Euskal Oiloa, Gallina Empordanesa, Galiña de Mos, Gallina del Prat, Mallorquina, Menorquina, Murciana, Pita Pinta, Penedesenca, Utrerana, Oca Empurdanesa and Euskal Antzara

## 2. Breeds integred into Spain:

- a) Bovine species: Blonde d'Aquitaine, Charolais, Fleckvieh, Friesian, Limousin, Parda (Brown) and Parda de Montaña (Swiss Brown).
- b) Ovine species: Berrichon du Cher, Charmoise, Fleischschaf, Ile de France, Landschaff and Merino Precoz.
- c) Porcine species: Belgian White (Blanco Belga), Duroc, Hampshire, Landrace, Large White and Pietrain.
- d) Equine species - horses: Arabe, Anglo-Arabe, Pura Sangre Inglés, Trotador Español.

## 3. European Union breeds.

- a) Ovine species: Lacaune.
- b) Caprine species: Alpine.

## 4. Breeds form third countries:

- a) Ovine species: Assaf.

## 5. Spanish synthetic breeds.

- a) Ovine species: Salz.

## 6. Other registered equidae:

- a) Caballo de Deporte Español (C.D.E.)

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## ANNEX II

### Specific contents of the improvement programmes

#### 1. Selection programme.

- a) Definition of the objectives of selection and of the specific criteria for selection which will have to be taken into account, with a description of the desirable traits with regard to:
  - 1st Heritability and reliability.
  - 2nd Associated economic value.
  - 3rd Possibility of efficient checks.
  - 4th No incompatibility with other equally important traits.
- b) A detailed description of every stage in the programme.
- c) The obligations and, where appropriate, rights of the livestock breeders on the collaborating farms when participating in the selection programme, particularly in relation to the use of the breeding animals in accordance with what is recommended under the programme, with the aim of creating links between different stock farms in order to conduct the genetic evaluation and the dissemination of the improvement.
- d) The arrangements for the animals' participation in the evaluation tests and the evaluation centres.
- e) The guidelines and methods used for performance testing and the assessment methods used (ancestors, individual, descendants and collaterals) for the genetic evaluation of the breeding animals, including the methods of statistical analysis and the parameters used for the qualified genetics centre which endorses the programme.
- f) The activities to carry out and the timetables to achieve the declared objectives, both in the collaborating farms and the breeding centres, storage centres, test centres and germplasm banks, including the controlled mating, the use of artificial insemination or other techniques for assisted reproduction and the type of genetic material which it is anticipated will be used.
- g) In the absence of specific legislation, the selection programmes may include:
  - 1st Incorporation into the selection objectives criteria such as:
    - I. Quality of the product.
    - II. Efficiency of production.

III. Markers associated with traits of value in terms of production.

IV. Increase in genotypes resistant to specific diseases.

V. Detection of genetic or chromosomal abnormalities and strategies to prevent, control or eradicate them.

2nd Technical studies with the aim of including in the genetic evaluations, where appropriate, the economic value of the different production parameters subject to performance testing.

1. Conservation programme.

a) Documentation which demonstrates that the programme takes into account the social, economic and environmental implications of the breed in question, in line with the principles of sustainable development.

b) Definition of the conservation objectives and criteria.

c) The obligations and, where appropriate, the rights of the livestock breeders on the collaborating farms when participating in the conservation programme.

d) Description of the method of conservation, by means of any or several of the following mechanisms:

1st Conservation on the farms and in the animals' natural surroundings (conservation in situ).

2nd Conservation of the genetic material cryogenically (semen, ova, embryos, somatic cells, DNA) in breeding or storage centres and germplasm banks (conservation ex situ) , providing a security copy, which would be sent to the National Reference Centre for Animal Breeding and Animal Germplasm Bank.

3rd Conservation ex situ in vivo: maintaining live animals outside their habitat.

4th With regard to the breed's situation, it will be necessary to have a phase defining it in terms of its genetic, morphological, productive and/or functional aspects.

e) Indications of the genetic material which will be used.

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## ANNEX III

### Performance testing of meat livestock

#### 1. Performance testing of meat livestock on-farm.

It can have various objectives, depending on the phase of the improvement programme, although two basic ones, with their accompanying testing parameters:

- a) Appraisal of the performance of all the animals in order to evaluate genetically the breeding animals through their descendants and collaterals.

- 1st Numerical productivity based on prolificacy tests.

- 2nd Individual productivity based on weight and growth tests of each individual.

- b) Appraisal of the individual performance of potential sires resulting from controlled mating. There shall be tests of the parameters which are compulsory under the specific legislation and those required under the relevant improvement programme.

#### 2. Performance testing of meat livestock in the evaluation or testing centres.

A protocol must be presented for their approval, as part of the improvement programme, which includes at least:

- a) Conditions for admission to the centre.
- b) Zootechnical, health and age requirements for the admission of the animals.
- c) Where appropriate, on-farm performance of the animals analysed before their entry into the centre.
- d) Identity of the owner of each of the animals analysed.
- e) The maximum age of the animals analysed which enter the centre and the age range of the animals already in the centre.
- f) Characteristics of the tests, timetable, and parameters tested.
- g) Duration of the adaptation period and, specifically, of the test.
- h) Management and feeding system.

#### 3. Testing in processing centres, slaughterhouses and butchery centres to take into account the desired meat characteristics.

## ANNEX IV

### **National Reference Centre for Animal Breeding and Animal Germplasm Bank**

1. The Centre will have at least the following installations and equipment:
  - a) A laboratory suitably equipped to conduct the analysis and testing of the genetic material, as well as the study of its viability.
  - b) Installations for the storage of the genetic material (semen, ova, embryos, somatic cells or DNA, where appropriate), with sufficient tanks available for the different breeds, species and health conditions.
  - c) Computer equipment for the processing of information.
  - d) The infrastructure necessary to obtain genetic material away from the Centre's installations.
2. The National Reference Centre for Animal Breeding and Animal Germplasm Bank has the powers to fulfil the following functions:
  - a) Custom of the genetic material which is the property of the Animal Germplasm Bank, sent by the different entities involved.
  - b) Obtaining, transport, storage and use of genetic material obtained away from the Centre's installations, in coordination with the competent authorities.
  - c) Support of and collaboration in the improvement programmes
  - d) Management of the information on the trade of genetic material, linked to the analytical results derived from it.
  - e) Analysis of the samples of genetic material sent to it.
  - f) Conduct of comparative tests with other authorised laboratories and the proposal of guidelines for the standardization of the techniques at national level.
  - g) Organisation of meetings with other authorised laboratories to standardize methods of analysis.
  - h) Coordination of techniques for freezing genetic material and the use of dilution and preservation agents and culture media.
  - i) Proposals for technical requirements for the establishment and coordination of germplasm banks.
  - j) Information to the Ministry of the Environment and Rural and Marine Affairs and to the autonomous communities on the results of the analyses conducted.

- k) Tests on the samples of semen doses from third countries. In particular, the viability of the sperm must be checked.

## **ANNEX V**

### **National Animal Genetics Reference Centre**

The functions of the National Reference Centre are the following:

1. To coordinate the necessary actions with the laboratories of all the public authorities, or authorised private ones, with the aim of standardizing the laboratory techniques in all of them, and to standardise the methods used.
2. Establish the necessary collaboration with the research centres, both public and private, where they be of the autonomous communities, national, of third countries or international bodies, when these centres work on areas related to the functions of the National Reference Centre.
3. Transfer, to the official centres of the autonomous communities and the national public authorities, information and new techniques developed by the European Union reference centres.
4. Conduct the analyses or tests which, for judicial or other purposes, are requested.
5. Confirm the result obtained by the official or approved private centres of the autonomous communities, when this is not definitive.
6. Organise comparative and collaborative tests with the official or approved private centres of the autonomous communities.
7. Participate in the tests conducted at international level with the aim of standardizing internationally the methods used.
8. Send to the National Reference Centre for Animal Breeding and Animal Germplasm Bank samples of genetic material which, because of their special value, are suitable for conservation.