

D1 The Farm Animal Breeding Act

Passed on 24 May 1995

(RT* I 1995, 53, 844; consolidated text RT I 1998, 12,

154), entered into force 25 June 1995.

Chapter 1

General Provisions

§ 1. Purpose of Act

The purpose of this Act is to regulate the breeding of farm animals in order to improve their genetic merit and performance ability, retain gene pools, increase the economic efficiency of animal husbandry and obtain quality products.

§ 2. Definitions used in Act

In this Act, the following definitions are used:

- 1) "breeding value" means the genetic merit of a farm animal in comparison with its herd mates, taking into account economic efficiency;
- 2) "breeding population" means a set of individuals in a certain territory belonging to the same breed and used for breeding purposes;
- 21) "animal breeding register" means a database containing data on the parentage, performance and breeding value of hybrid breeding animals,
- 3) "genetic testing" means verification of data concerning the parentage of animals using laboratory methods;
- 4) "genetic merit" means the hereditary performance ability of a farm animal;
- 5) "performance testing" means assessment and recording of the performance of farm animals for the calculation of their breeding value;
- 6) [repealed]
- 7) "farm animal" means bovine animal, pig, sheep, goat, horse, fur-bearing animal, poultry and bees;
- 8) "certificate of parentage" means a document indicating the parentage of a farm animal entered in an animal breeding register;
- 9) "breed" means a group of animals of the same species, with similar parentage, conformation and economic utility, whose number is sufficient for breeding purposes;
- 10) "pure-bred breeding animal" means a farm animal entered or eligible for entry in a herd-book, stud-book or flock-book or whose parents and grandparents are entered in the herd-book, stud-book or flock-book of the same breed;
- 101) "breeder" means a person engaged in the production of pure-bred breeding animals;
- 11) "breeding material" means farm animals used for breeding purposes and their semen, ova and embryos;
- 12) "herd-book, stud-book or flock-book" means a database containing data on the parentage, performance and breeding value of pure-bred breeding animals;
- 13) "pedigree certificate" means a document issued by a breeding organisation indicating the parentage, performance and breeding value of a pure-bred breeding animal.

§ 3. Areas of activity of animal breeding

Animal breeding is the continuous improvement of animal breeds which comprises use of the following breeding methods:

- 1) identification of farm animals, assessment of their performance through performance testing, progeny testing and testing of collaterals and contemporaries;
- 2) maintenance of records and processing of information concerning animal breeding;
- 3) assessment of the breeding value of farm animals in order to increase their economic efficiency;
- 4) purposeful selection of the best farm animals;
- 5) evaluation of pedigree herds;
- 6) use and reproduction of valuable breeding material;
- 7) consultation in the field of animal breeding;
- 8) preservation of genetic resources.

Chapter 2

Animal Breeding Service

§ 4. Animal Breeding Inspectorate

(1) The Animal Breeding Inspectorate operating within the area of government of the Ministry of Agriculture:

- 1) exercises state supervision over compliance with the requirements arising from this Act and other legislation concerning animal breeding;
- 2) monitors the progress of breeding programmes;

- 3) revokes documents accompanying breeding material if they do not comply with the requirements in force;
- 4) requires explanations from persons who have violated animal breeding rules, issues precepts and prepares statements concerning such violations;
- 5) monitors the correct use of state funds allocated to animal breeding;
- 6) issues activity licenses to breeding organisations, persons engaged in animal breeding, semen collection centres and embryo collection centres;
- 7) monitors the use of breeding material;
- 8) collects and stores data concerning animal breeding.

(2) The Minister of Agriculture shall establish, by a regulation, animal breeding rules, including concerning the following:

- 1) identification of breeding material;
- 2) performance testing and conformation evaluation;
- 3) assessment of breeding value;
- 4) evaluation of pedigree herds;
- 5) maintenance of herd-books, stud-books and flock-books and animal breeding registers;
- 6) issue of pedigree certificates and certificates of parentage;
- 7) issue of activity licences to breeding organisations, persons engaging in animal breeding, semen collection centres and embryo collection centres;
- 8) use and reproduction of breeding material;
- 9) marketing of breeding material.

(3) [repealed]

§ 5. Breeding organisation

(1) A breeding organisation is a commercial undertaking or non-profit association founded by breeders and other persons to undertake breeding programmes for one or several breeds. A breeding organisation is officially recognised by an activity licence issued by the Animal Breeding Inspectorate, which is issued if the organisation has:

- 1) a breeding programme which sets out breeding objectives and methods;
- 2) a breeding population for the breeding programme;
- 3) the technical and organisational prerequisites for animal breeding.

(2) The functions of a breeding organisation are:

- 1) performance testing;
- 2) maintenance of herd-books, stud-books and flock-books;
- 3) assessment of the breeding value of pure-bred breeding animals;
- 4) issue of pedigree certificates;
- 5) co-ordination of the work of semen collection centres;
- 6) collection, processing and preservation of semen and embryos;
- 7) use and reproduction of breeding material;
- 8) organisation of insemination and embryo transfer;
- 9) evaluation of pedigree herds;
- 10) consultation of breeders, and publication of information and advertising material on animal breeding;
- 11) organisation of the sale of breeding material;
- 12) approval of male animals for breeding;
- 13) other functions specified in the articles of association.

(3) The foundation, liquidation, organisation of work and profit distribution of breeding organisations shall be conducted pursuant to the procedures prescribed by law and the articles of association.

§ 5 1 . Breeder

(1) A breeder shall:

- 1) comply with legislation concerning animal breeding;
- 2) comply with the decisions and precepts of supervisory bodies;
- 3) ensure identification of breeding material;
- 4) comply with veterinary requirements in force;

(2) In addition to the provisions of subsection (1), a breeder belonging to a breeding organisation shall:

- 1) operate according to the breeding programme of the breeding organisation;
- 2) comply with the decisions and precepts of the breeding organisation;

3) provide the breeding organisation and the Animal Breeding Inspectorate with information concerning his or her pure-bred breeding animals.

§ 5 2 . Person engaged in animal breeding

(1) A person engaging in animal breeding provides breeding services.

(2) A person engaged in animal breeding is officially recognised by an activity licence issued by the Animal Breeding Inspectorate.

(3) An activity licence is issued if the person complies with this Act and legislation arising therefrom.

§ 5 3 . Semen collection centre, embryo collection centre

(1) For the purposes of this Act, a semen collection centre is a structural unit of a breeding organisation or a person officially recognised by an activity licence issued by the Animal Breeding Inspectorate.

(2) A semen collection centre is issued an activity licence if it has:

1) the necessary male animals;

2) the technical and organisational prerequisites for the collection, processing, preservation and release of semen according to veterinary requirements.

(3) For the purposes of this Act, an embryo collection centre is a person officially recognised by an activity licence issued by the Animal Breeding Inspectorate.

(4) An embryo collection centre is issued an activity licence if it collects, processes, preserves and transfers embryos.

(5) Semen and embryos are identified after the collection thereof and semen collection centres and embryo collection centres shall maintain registers on the collection, preservation and use of semen and embryos.

Chapter 3

Performance Testing, Breeding Value and Herd-Books, Stud-Books and Flock-Books

§ 6. Performance testing and assessment of breeding value

(1) Breeding organisations and persons engaging in animal breeding officially recognised by activity licences issued by the Animal Breeding Inspectorate shall test the performance and assess the breeding value of farm animals.

(2) Farm animals undergoing performance testing are identified with a permanent unique symbol or are described. This information is entered in their pedigree documents.

(3) Persons engaged in performance testing or assessment of breeding value are responsible for the correctness of performance records and breeding value assessments.

(4) Performance records of breeding organisations of other states may serve as the basis for the assessment of breeding value if the breeding organisation recognises their assessment methods.

(5) Genetic testing is conducted to verify data concerning an animal's parentage.

§ 7. Maintenance of herd-books, stud-books, flock-books and animal breeding registers

(1) Data concerning the parentage, performance, breeding value and ancestors of pure-bred breeding animals of the same breed and related breeds are entered in herd-books, stud-books or flock-books.

(2) Herd-books, stud-books and flock-books are maintained by officially recognised breeding organisations.

(3) An imported animal registered in a herd-book, stud-book or flock-book of the exporting country may be entered in a herd-book, stud-book or flock-book of a corresponding breed in Estonia on the basis of a decision of a breeding organisation.

(4) Data concerning the parentage, performance, breeding value and ancestors of hybrid breeding animals are entered in the animal breeding registers.

(5) Animal breeding registers are maintained by breeding organisations or persons officially recognised by activity licences issued by the Animal Breeding Inspectorate.

§ 8. [repealed]

Chapter 4

Marketing of Breeding Material

§ 9. Procedure for import and export of breeding material

(1) The procedure for import and export of breeding material shall be established by the Government of the Republic.

(2) Imported or exported breeding material is subject to compulsory registration with a breeding organisation designated by the Animal Breeding Inspectorate.

(3) Imported or exported breeding material shall be accompanied by pedigree certificates or certificates of parentage and veterinary certificates.

§ 9 1 . Marketing of breeding material

(1) Breeding material may be marketed if it is accompanied by pedigree certificates or certificates of parentage and if the breeding material is identifiable.

(2) Semen and embryos of breeding animals officially approved for breeding may be marketed as breeding material.

(3) In the case of sale, semen and embryos shall be accompanied by a document which enables their identification and ascertainment of their origin.

(4) The blood groups of male animals shall be entered in the certificates of parentage or pedigree certificates of semen, and the blood groups of the genetic parents shall be entered in the certificates of parentage or pedigree certificates of embryos.

Chapter 5

Final Provisions

§ 10. State funding of animal breeding

The state provides funding for animal breeding. The amount of funding is determined every year by the state budget on the basis of a request by the Ministry of Agriculture.

§ 11. International agreements

If the animal breeding requirements of an international agreement which differ from the provisions established by this Act extend to the Republic of Estonia, the provisions of the international agreement apply.

§ 12. Liability

Persons who violate the requirements of legislation concerning animal breeding bear liability pursuant to the procedure established by law.

§ 12 1 . Supervision over compliance with conditions of activity licences

(1) The Animal Breeding Inspectorate monitors the compliance of the activities of breeding organisations, persons engaging in animal breeding, semen collection centres and embryo collection centres with this Act and legislation arising therefrom.

(2) Breeding organisations, breeders, persons engaged in animal breeding and owners of animals undergoing performance testing shall ensure access by persons authorised to monitor by the Animal Breeding Inspectorate to the territories and premises where animals are kept or where breeding material is stored, and to documentation relating to animal breeding, and shall provide information necessary for the exercise of supervision.

(3) The Animal Breeding Inspectorate may demand that breeding organisations, persons engaged in animal breeding, semen collection centres and embryo collection centres eliminate, by a specified date, deficiencies which become evident.

(4) The Animal Breeding Inspectorate may revoke an activity licence or restrict the extent of activities specified therein if a person active in the field of animal breeding does not eliminate the deficiencies by the date referred to in subsection (3) of this section. [§ 13 omitted] †

* RT = Riigi Teataja = State Gazette

‡ The omitted section amends earlier legislation.