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Evaluation of the Animal Health Law (Regulation 3016/429) and related acts

The Danish Veterinary Association (DVA) wishes to thank the EU Parliament and Council for the opportunity for stakeholders to evaluate the functioning of the Animal Health Law (AHL) and the potential for simplification.

The purpose of the regulation is to protect animal and public health through the prevention and control of animal diseases relevant at the EU level. Additionally, the aim is to ensure the safe movement of animals and animal products within the EU internal market.

As part of the evaluation, focus should be placed on whether the rules are effective, proportionate to the effort, and provide added value to the EU.

On behalf of authorized veterinarians in Denmark, the Danish Veterinary Association wishes to submit the following comments for the evaluation of the Animal Health Law and its respective implementing acts.

General remarks

The Animal Health Law is complex and encompasses many elements of regulations related to animal diseases, including preparedness, disease lists, registration, exports, imports, etc. It is reflected in the text that it is a framework law, where subsequent legal acts are intended to clarify the provisions. Unfortunately, this also makes it difficult to navigate in and understand, even for experts. The DVA believes that guidance material should be developed for those parts of AHL that have direct consequences for citizens and the veterinary sector in the Member States.

Rules for the exclusion of horses from consumption

In 2021, a regulation on the identification and registration of animals of the equine family was issued (2021/963). This means that as of January 28, 2022, horse owners can no longer exclude their horses from consumption themselves. In the future, exclusion can only be done by a veterinarian as part of medical treatment or by the competent authority.

This is due to the wording of the regulation, which states that animals of the equine family are considered intended for slaughter for consumption unless irrevocably excluded by filling in and signing the relevant field in the standard identification document for animals of the equine family by either:

- a) the responsible veterinarian prior to treatment in accordance with Article 39(2) of this regulation, or
- b) the competent authority in specific cases, as set out in the Commission's implementing regulation Publications Office (europa.eu)

This means that it is no longer possible for owners to permanently exclude horses from the food chain.

The DVA wishes that the Member States should be able to decide whether it should also be allowed for owners to exclude the horse from the food chain - in addition to the above.

There are very large differences between individual Member States regarding whether horse meat is consumed. In certain countries - especially in Southern Europe - a large proportion of horses are at risk of entering the food chain.

However, the situation is very different in Denmark:

- In Denmark, there is a long tradition of horse owners wishing to permanently exclude their horses from the food chain because horses are seen more as pets than production animals intended for human consumption.
 - Because of this tradition, a large part of the Danish horses have been permanently excluded from the food chain until the rules came into force. We have obtained data for foals in year 2021 and 2023:
 - o The proportion of foals excluded from consumption in 2021: 52%
 - o The proportion of foals excluded from consumption in 2023: 4%
- There is thus a very significant difference, which shows that in the past it was common for horse owners to permanently exclude the foal from consumption.
- With the new Animal Health Law, which has deprived horse owners of this possibility, we expect the numbers to rise even more dramatically.

For horses and veterinarians in Denmark, the new rules where horse owners cannot exclude horses from consumption themselves result in:

- A significant narrowing of medical treatment options for sick or injured horses. This is because horses not excluded from consumption may only be treated with a limited number of drugs.
- Horse owners can only continue treatment if they are certified in it. As a result, some owners opt out of post-treatment, as it requires a revisit by the veterinarian to administer the treatment. Therefore, the current rules are also associated with reduced horse welfare.
- The administrative burden imposed on veterinarians, who are now responsible for ensuring the registration of treatment in passports and national registers and trying to explain the rules to horse owners, becomes unreasonably large. The DVA believes that this does not provide added value compared to if the owner had retained the option to permanently exclude their horse from the food chain.
- Risk of errors and misunderstandings regarding applicable rules when the horse is not permanently excluded but can only be excluded under the rules for drugs with MRL values or special authorized drugs for horses.
- An increased administrative burden for horse owners who must comply with rules on feed and food hygiene and maintain records of feed and supplements given to the horse when the horse is not permanently excluded from consumption.

The DVA therefore sees no risk to animal or public health by allowing horse owners to permanently exclude horses from the food chain themselves. On the contrary.

Therefore, we hope that the Parliament sees the same advantage in granting this opportunity to Member States, which could benefit both horses, horse owners, and veterinarians in countries where there is a strong desire for it.

Please contact us if further clarification is needed.

Sincerely,
Karin Melsen, Policy Consultant, DVA