

EU-legislation in connection with SCNT – Zootechnics and Animal Welfare –

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http://europa.eu.int/comm/food/animal/index_en.htm

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Legislation in general aims at ...

- facilitating intra-Community trade
- ensuring food safety
- ensuring animal welfare
- protecting the environment
- ... etc.

Legislation does not regulate a technique "per se".

Reproductive techniques currently used in animal breeding

- Natural mating
- Artificial insemination
- Embryo transfer
- Embryo splitting
- In-vitro-fertilisation
- Sexing of sperm
- ...
- SCNT ?

Basic aim of EU zootechnical legislation

- free trade of breeding animals and their germinal products (semen, ova, embryos) as standardised products
- Member States shall not restrict trade and acceptance for breeding of 'pure-bred' breeding animals

What is pure-bred?

- an animal the parents and grandparents of which are entered in a herd-book
- an SCNT-copy of a pure-bred animal also pure-bred (?)

EU-zootechnical legislation - http://europa.eu.int/comm/food/animal/zootechnics/legislation_en.htm

	bovine	pigs		sheep/goats	equidae	other animals
		pure-bred	hybride			
Basic Directives: herdbook, breeders organisations, trade semen, ova, embryos	Dir. 77/504	Dir. 88/661		Dir. 89/361	Dir. 90/427	Dir. 91/174
acceptance for breeding	Dir. 87/328	Dir. 90/118	Dir. 90/119	C.D. 90/257	--	--
recognition breeders organisations	C.D. 84/247	C.D. 89/501	C.D. 89/504	C.D. 90/254	C.D. 92/353	C.D. 92/354
entering in herdbooks	C.D. 84/419	C.D. 89/502	C.D. 89/505	C.D. 90/255	C.D. 96/78	--
performance testing and genetic value assessment	C.D. 86/130 (C.D. 94/515)		C.D. 89/507	C.D. 90/256	--	--
pedigree certificate						
- animals	C.D. 2005/379	C.D. 89/503	C.D. 89/506	C.D. 90/258	C.D. 93/623	C.D. 2000/68
- semen, ova, embryos					Identification	C.D. 96/79
Importation from Third Countries		Dir. 94/28				
Pedigree certificates	C.D. 96/509		C.D. 96/510		(C.D. 93/623)	
special regulations	INTERBULL Coi.D. 96/463 - financial aid				Competitions Dir. 90/428 Data C.D. 92/216	

Dir. Council Directive
C.D. Commission Decision
Co.D. Council Decision

<http://europa.eu.int/eur-lex/lex/en/index.htm>

What is the consequence?

- Any national legislation restricting intra-community trade with purebred cloned (SCNT) animals and their germinal products (semen, ova, embryos) would be in contradiction to Community law.
- Certain parallelism to the "Blanc Bleu Belge"-case (C-162/97)

Protocol on protection and welfare of animals - 1999

The High Contracting Parties

DESIRING to ensure improved protection and respect for the welfare of the animals as sentient beings,

HAVE AGREED UPON (...)

In formulating and implementing the Community's agriculture, transport, internal market and **research policies**, the Community and the Member States shall pay full regard to the welfare requirements of animals (...)

Welfare of farmed animals Directive 98/58/EC

- Defines general requirements for the protection of all animals kept for farming purposes
- Annex contains minimum standards for breeding procedures

Welfare of farmed animals: Directive 98/58/EC

Annex, point 20 & 21:

20. Natural or artificial breeding or breeding procedures which cause or are likely to cause suffering or injury to any of the animals concerned must not be practised. [...]

21. No animal shall be kept for farming purposes unless it can reasonably be expected, on the basis of its genotype or phenotype, that it can be kept without detrimental effect on its health or welfare.

Welfare of animals used in experiments: Directive 86/609/EEC

sets minimum standards for the:

- authorization and control of the establishments and experiments
- acquisition of animals
- housing and care of the animals
- personnel
- record keeping

What is the consequence?

- Cloning as such is not regulated in the EU welfare legislation.
- The compliance with the general rules has to be assessed on a case by case basis, taking into account potential welfare problems for all animals involved.
- Different animal welfare rules apply for cloning performed for research and for farming purposes.



Thanks for your attention!

