

Issuer:	Riigikogu
Type:	Act
In force from:	04.04.2025
In force until:	In force
Translation published:	04.04.2025

Farm Animals Breeding Act¹

Passed 12.12.2018
RT I, 28.12.2018, 35
Entry into force 01.01.2019

Amended by the following acts

Passed	Published	Entry into force
10.06.2020	RT I, 01.07.2020, 1	01.01.2021, words "Veterinary and Food Board" replaced with words "Agriculture and Food Board" throughout the Act.
27.10.2021	RT I, 17.11.2021, 1	01.12.2021
16.11.2022	RT I, 02.12.2022, 1	12.12.2022
12.03.2025	RT I, 25.03.2025, 1	04.04.2025

Chapter 1 General Provisions

§ 1. Scope of regulation and application of Act

(1) This Act regulates the breeding of farm animals to the extent that is necessary for the implementation of relevant legislation of the European Union and to the extent that it is not regulated by relevant legislation of the European Union.

(2) This Act applies to the breeding of animals within the meaning given in Article 2(1) of Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') as well as to the breeding of poultry of an endangered breed (hereinafter jointly *farm animal*).

(3) The provisions of the Administrative Procedure Act apply to the administrative proceedings specified in this Act, taking account of the specifications provided for in this Act.

§ 2. Breed and breed name

(1) 'Breed' within the meaning of Article 2(2) of Regulation (EU) 2016/1012 of the European Parliament and of the Council is a name (hereinafter *breed name*) that is distinct from other breed names used and from registered trade marks or product names.

(2) Where two or more breeding directions having different breeding objectives can be distinguished within a breed based on the characteristics of the animal, each of these directions constitute a separate sub-population. Every such sub-population has a distinct name that is entered after the breed name or in the row following the breed name in a document certifying pedigree.

(3) The definition of 'breed' within the meaning of Article 2(2) of Regulation (EU) 2016/1012 of the European Parliament and of the Council also applies to poultry of an endangered breed.

§ 3. Endangered breed

(1) A breed or a distinct part of a population of animals of the same breed is deemed to be endangered where the number of female animals used for breeding is less than one thousand or the number of male animals is less than twenty and where the number of female birds is less than ten thousand or the number of male birds is less than one thousand (hereinafter *endangered breed*).

(2) The list of endangered breeds is established by a regulation of the minister in charge of the policy sector.

(3) The following is entered in the list of endangered breeds:

1) a farm animal breed the historic Estonian origin and the existence of the population of which have been scientifically proven;

2) a local farm animal breed or a sub-population of a breed whose breeding in Estonia has lasted for at least 50 years in the case of the bovine species and the equine species and at least 30 years in the case of the porcine species, the ovine species and the caprine species.

(4) In the breeding of a farm animal of an endangered breed only a farm animal of the same breed or, where multiple sub-populations have been created within the breed, a farm animal of the same sub-population of the same breed as well as its semen, oocytes and embryos (hereinafter *germinal products*) may be used.

(5) The germinal products of a farm animal of another breed prescribed by a breeding programme may be used in the breeding of a farm animal of an endangered breed only for a single crossing in order to avoid inbreeding.

§ 4. Competent authority

The Agriculture and Food Board is the competent authority within the meaning of Article 2(8) of Regulation (EU) 2016/1012 of the European Parliament and of the Council.

Chapter 2 Activity Licence and Breeding Programme

§ 5. Activity licence

(1) A person engaged in the breeding of purebred bovine, porcine, ovine, caprine and equine species and endangered poultry who wishes to act as a breed society within the meaning of Article 2(5) of Regulation (EU) 2016/1012 of the European Parliament and of the Council must hold an activity licence for the breeding of farm animals (hereinafter *activity licence*).

(2) A person engaged in the breeding of hybrid breeding pigs who wishes to act as a breeding operation within the meaning of Article 2(6) of Regulation (EU) 2016/1012 of the European Parliament and of the Council must hold an activity licence.

(3) In order to engage in the breeding of farm animals, a breed society and a breeding operation must, in addition to an activity licence, have a breeding programme within the meaning of Article 2(26) of Regulation (EU) 2016/1012 of the European Parliament and of the Council, which has been approved by the Agriculture and Food Board. No activity licence needs to be applied for in the case of each subsequent breeding programme.

§ 6. Applying for activity licence

(1) An application for an activity licence is decided by the Agriculture and Food Board by way of granting or refusing to grant the activity licence not later than within 60 days following the submission of the application.

(2) An application for an activity licence must, in addition to the data specified in subsection 2 of § 19 of the General Part of the Economic Activities Code Act, set out the data specified in Article 4(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council and contain documents certifying compliance with the requirements provided for in the same paragraph.

(3) In compliance with § 10 of this Act, at least one application for approval of a breeding programme must be submitted along with an application for an activity licence.

(4) The data specified in subsection 2 of this section are entered in the register of farm animals.
[RT I, 17.11.2021, 1 - entry into force 01.12.2021]

(5) The applicant is not required to pay a state fee for the deciding of an application for an activity licence specified in § 5 of this Act.

§ 7. Object of inspection of activity licence

To obtain an activity licence, a breed society and a breeding operation as well as their planned breeding activity must meet the requirements provided for in Article 4(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council.

§ 8. Breeding programme obligation

(1) In order to engage in the breeding of farm animals, a breed society and a breeding operation must, in addition to an activity licence, have a breeding programme approved by the Agriculture and Food Board, which their activity complies with.

(2) Where multiple sub-populations are considered to be distinct within a breed in accordance with subsection 2 of § 2 of this Act, each sub-population must have a breeding programme that complies with its breeding objective.

§ 9. Requirements for breeding programme

(1) A breeding programme for the bovine, porcine, ovine, caprine and equine species must meet the requirements provided for in Article 8 of Regulation (EU) 2016/1012 of the European Parliament and of the Council and other relevant requirements provided for in the specified Regulation and legislation established on the basis thereof and in this Act and legislation established on the basis thereof.
[RT I, 02.12.2022, 1 - entry into force 12.12.2022]

(2) Requirements for determining the number of breeding animals sufficient for a breeding programme of farmed animals of an endangered breed are established by a regulation of the minister in charge of the policy sector.

(3) A breeding programme for poultry of an endangered breed must meet the requirements provided for in Article 8(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council and the relevant requirements provided for in this Act and legislation established on the basis thereof.
[RT I, 02.12.2022, 1 - entry into force 12.12.2022]

(4) The parts of a breeding programme of poultry of an endangered breed are:

- 1) description of the phenotype characteristics, performance characteristics and other typical characteristics of the poultry;
- 2) information on the population size and description of the location and structure of the population of the poultry;
- 3) description of the methods for the preservation of the breed;
- 4) procedure for the promotion of the breed;
- 5) procedure for performance testing;
- 6) procedure for using performance testing data and results of genetic evaluation of the poultry;
- 7) procedure for acceptance of poultry and germinal products for breeding.

§ 10. Applying for approval of breeding programme

(1) An application for the approval of a breeding programme is decided by the Agriculture and Food Board.

(2) In order to have a breeding programme approved, an application that meets the requirements provided for in Article 8 of Regulation (EU) 2016/1012 of the European Parliament and of the Council is submitted to the Agriculture and Food Board, indicating also the name and registry code of the applicant.

(3) At least one application for approval of a breeding programme is submitted along with an application for an activity licence.

(4) A breed society or a breeding operation holding an activity licence does not have to apply for an activity licence for each subsequent breeding programme.

§ 11. Approval of breeding programme

(1) The Agriculture and Food Board makes a decision to approve or refuse to approve a breeding programme within 60 days after the receipt of an application.

(2) The Agriculture and Food Board makes a decision to refuse to approve a breeding programme for the bovine, porcine, ovine, caprine and equine species where the breeding programme does not comply with the requirements provided for in Article 8 of Regulation (EU) 2016/1012 of the European Parliament and of the Council or other relevant requirements provided for in the specified Regulation or legislation established on the basis thereof or in this Act or legislation established on the basis thereof.

[RT I, 02.12.2022, 1 - entry into force 12.12.2022]

(3) The Agriculture and Food Board makes a decision to refuse to approve a breeding programme for poultry of an endangered breed where the programme does not meet the requirements provided for in Article 8(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council or the relevant requirements provided for in this Act or legislation established on the basis thereof.

[RT I, 02.12.2022, 1 - entry into force 12.12.2022]

(4) In the case and on the conditions provided for in Article 19(2), point 1 of Part 3 of Annex I, point 2 of Chapter III of Part 1 of Annex II of Regulation (EU) 2016/1012 of the European Parliament and of the Council, the Agriculture and Food Board may approve a breeding programme with derogations.

(5) The following data are entered in the register of farm animals regarding a decision to approve a breeding programme:

[RT I, 17.11.2021, 1 - entry into force 01.12.2021]

- 1) date and number of the decision;
- 2) legal basis for the decision;
- 3) date of entry into force of the decision;
- 4) name and contact details of the breed society or breeding operation concerning which the decision was made;
- 5) name of the breed covered by the breeding programme or, in the case of hybrid breeding pigs, name of the breed, line or cross;
- 6) geographic territory where the breeding programme is carried out;
- 7) if any, deadline of carrying out the breeding programme;
- 8) date of entry into force and expiry of a decision to suspend the approval of the breeding programme.

(6) A breed society engaged in the breeding of animals of an endangered breed submits to the Agriculture and Food Board annually by 30 June an analysis of the carrying out of the breeding programme in the preceding year.

Chapter 2¹ **Equidae**

[RT I, 25.03.2025, 1 - entry into force 04.04.2025]

§ 11¹. Equine competition

For the purposes of this Act, 'equine competition' means any competition with equidae, including:

- 1) racing;
- 2) show-jumping;
- 3) eventing;
- 4) dressage;
- 5) events reserved for horse-drawn vehicles;
- 6) showing classes.

[RT I, 25.03.2025, 1 - entry into force 04.04.2025]

§ 11². Rules of equine competitions

(1) The rules of equine competitions may not discriminate between equidae registered or originating in Estonia and equidae registered or originating in another Member State of the European Union.

(2) Subsection 1 of this section does not apply to the following equine competitions or events:

- 1) competitions reserved for equidae registered in a specific stud book for the purpose of permitting the improvement of the breed;
- 2) regional competitions with a view to selecting equidae;
- 3) historic or traditional events.

[RT I, 25.03.2025, 1 - entry into force 04.04.2025]

§ 11³. Notification of equine competitions

(1) An organiser notifies the Agriculture and Food Board, not later than by 15 December, of the competitions and events specified in subsection 2 of § 11² of this Act planned for the following year, if the rules of the competition or event discriminate between equidae registered or originating in Estonia and equidae registered or originating in another Member State of the European Union, submitting the following information:

- 1) the type of competition or event specified in subsection 2 of § 11² of this Act;
- 2) the time and place of the competition or event;
- 3) the rules of competition which discriminate between equidae registered or originating in Estonia and equidae registered or originating in another Member State of the European Union, adding a justification for the need for discrimination.

(2) The Agriculture and Food Board is responsible for the collection of the data specified in Article 4(2) of Council Directive 90/428/CEE on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ L 224, 18.8.1990, p. 60–61) and notifies the European Commission and the other Member States of the European Union thereof.
[RT I, 25.03.2025, 1 - entry into force 04.04.2025]

Chapter 3

State Supervision

§ 12. State supervision

State supervision over compliance with the requirements of this Act, legislation established on the basis thereof, Regulation (EU) 2016/1012 of the European Parliament and of the Council and legislation established on the basis thereof is exercised by the Agriculture and Food Board (hereinafter *law enforcement authority*).

§ 13. Special measures of state supervision

The law enforcement authority may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 32 and 49-52 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.

§ 14. Specifics of state supervision

(1) The law enforcement authority may enter the territory and premises of a breed society, breeding operation and an animal keeper related to them only on the conditions provided for in § 50 of the Law Enforcement Act.

(2) The law enforcement authority has the right to prohibit the use of germinal products where such activity jeopardises the carrying out of a breeding programme and does not guarantee the success of the breeding activities.

(3) The genetic testing of the correctness of parentage data is carried out using an internationally approved methodology.

Chapter 4

Implementing Provisions

§ 15.–§ 19.[Omitted from this text.]

§ 20. Entry into force of Act

This Act enters into force on 1 January 2019.

¹Council Directive 90/428/CEE on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ L 224, 18.8.1990, p. 60–61), amended by Directive 2008/73/EC (OJ L 219, 14.8.2008, p. 40–54).
[RT I, 25.03.2025, 1 - entry into force 04.04.2025]