L.N. 287 of 2003

VETERINARY SERVICES ACT, 2001
(ACT NO. XXIII OF 2001)

Zootechnical Standards for Breeding Animals of the Porcine Species Regulations, 2003

IN exercise of the powers conferred by article 34(b) of the Veterinary Services Act, the Minister for Rural Affairs and the Environment has made the following regulations:-

CHAPTER I

Title and scope.

1. (1) The title of these regulations is Zootechnical Standards for Breeding Animals of the Porcine Species Regulations, 2003.

(2) The scope of these regulations is to implement the provisions found under European Union Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species

Definitions.

2. For the purposes of these regulations, the following definitions shall apply –

(1) "Herd-book" means any book, file or data medium -

(a) which is maintained either by a breeders' association officially approved by the territory of Malta or a Member State in which that association is established or by an official service of the territory of Malta or Member State in question;

(b) in the territory of Malta may, however, also provide that it be maintained by a breeding organisation officially approved by the Member State in which that organisation is established;

(c) in which pure-bred breeding pigs of a specified breed are entered or registered with mention of their ancestors;

(2) "Hybrid breeding pig" means any animal of the porcine species which fulfils the following criteria -

(a) it is produced by deliberate crossbreeding -

(i) between pure-bred breeding pigs of different breeds or lines;

(ii) between animals which are themselves the outcome of a cross between different breeds or lines;

(iii) or between pure-bred animals and animals belonging to one or other of the above categories;

(b) it must be entered in a register;

(3) "Pure-bred breeding pig" means any animal of the porcine species, the parents and grandparents of which are entered or registered in a herd-book of the same breed and which is itself entered or registered and eligible for entry in such a herd-book.

(4) "Register" means any book, file or data medium –

(a) which is maintained either by a breeders' association, a breeding organisation or a private undertaking officially approved by the territory of Malta or a Member State in which that association, organisation or undertaking is established, or by an official service of the territory of Malta or Member State in question;

(b) in which hybrid breeding pigs are entered with mention of their ancestors.

(5) "Trading Partner" in the meaning of article 2 of the Veterinary Services Act shall mean –

(a) Member State of the European Community;

(b) Third country to the European Community.

CHAPTER II
Rules governing trade with Member States in pure-bred breeding pigs

Trade with Member States of pure bred breeding pigs and establishment of herd books.

3. In the territory of Malta it is not prohibited, restricted or impeded on zootechnical grounds -

(a) trade with Member States in pure-bred breeding pigs or in their semen, ova and embryos;

(b) the establishment of herd-books, provided that they meet the conditions laid down pursuant to regulation 7;

(c) the official approval of breeders' associations or breeding organisations as referred to in regulation 2(1), which establish or maintain herd-books in accordance with regulation 7.

Approval of pure-bred breeding pigs for breeding.

4. Provisions for the approval of pure-bred breeding pigs for breeding shall be adopted in accordance with the requirements of the European Community and according to the procedure laid down in article 34(b) of the Veterinary Services Act.

Entry in herd-books of pure bred breeding pigs from Member States.

5. (1) Breeders' associations and, or breeding organisations as referred to in regulation 2(1) which are officially approved by the territory of Malta and, or the official service of the territory of Malta may not oppose the entry in their herd-books of pure-bred breeding pigs from Member States, provided that they satisfy the requirements laid down in accordance with regulation 7.

(2) However, the territory of Malta may require or allow certain pure-bred breeding pigs dispatched from a Member States and having specific characteristics distinguishing them from the population of the same breed in the territory of Malta to be entered in a separate section of the herd-book for the breed to which they belong.

Certificates accompanying pure bred pigs at the time of marketing .

6. Pure-bred breeding pigs and the semen, ova and embryos of such animals shall be accompanied at the time of their marketing by certificates drawn up in accordance with regulation 7.

Methods and criteria in accordance with the procedure in the Veterinary Services Act.

7. (1) The following shall be determined in accordance with requirements of the European Community and in accordance with the procedure laid down in article 34(b) the Veterinary Services Act –

(a) methods for monitoring performance and assessing the genetic value of pure-bred breeding pigs,

(b) the criteria governing the establishment of herd-books,

(c) the criteria governing entry in herd-books,

(d) the criteria for approval and supervision of breeders' associations and, or breeding organisations as referred to in regulation 2(1) which establish or maintain herd-books,

(e) the certificate mentioned in regulation 6.

(2) Pending entry into force of the provisions provided for in sub-regulation (1), the monitoring referred to in paragraph (1)(a) officially carried out in each Member State and the herd-books shall be recognised by the territory of Malta.

CHAPTER III
Rules governing trade with Member States in hybrid breeding pigs

Trade with Member States in hybrid breeding pigs and establishment of registers.

8. In the territory of Malta it is not prohibited, restricted or impeded on zootechnical grounds -

(a) trade with Member States in hybrid breeding pigs or the semen, ova and embryos of such animals,

(b) the establishment of registers, provided that they meet the conditions laid down pursuant to regulation 11,

(c) the official approval of breeders' associations and, or breeding organisations and, or private undertakings as referred to in regulation

2(4) which establish or maintain registers in accordance with regulation 11.

Adoption of provisions of hybrid breeding pigs.

9. Provisions for the approval of hybrid breeding pigs for breeding shall be adopted in accordance with the requirements of the European Community and according to the procedure laid down in article 34(b) of the Veterinary Services Act.

Certificates accompanying hybrid breeding pigs at the time of marketing.

10. Hybrid breeding pigs and the semen, ova and embryos of such animals shall be accompanied at the time of their marketing by certificates drawn up in accordance with requirements of the European Community and in accordance with requirements of European Community and in accordance with the procedure laid down in article 34(b) of the Veterinary Services Act.

Veterinary Services Act, article 34(b).

11. (1) The following shall be determined in accordance with requirements of European Community and in accordance with the procedure laid down in article 34(b) of the Veterinary Services Act -

(a) methods for monitoring performance and assessing the genetic value of hybrid breeding pigs;

(b) the criteria governing the establishment of registers;

(c) the criteria governing entry in registers;

(d) the criteria governing the approval and monitoring of breeders' associations and breeding organisations and/or private undertakings as referred to in regulation 2(4), establishing or maintaining registers;

(e) the certificate mentioned in regulation 10.

(2) Pending entry into force of the provisions provided for in sub-regulation (1), the monitoring referred to in (1)(a), officially carried out in each Member State and the registers shall be recognised by the territory of Malta.

Orders which may given by the Court.

12. The Court may also order any person who is found guilty of committing an offence under these regulations, to pay for the expenses incurred by the Veterinary Services as a result of the said offence, the revocation of the permit issued under these regulations and the confiscation, retention and disposal of the *corpus delicti*.

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