



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability
The Director

Brussels
LB/sf/agri.b.4(2022)4145865

Dear Ms [REDACTED],

I would like to thank you for your email¹ of 12 May 2022, in which you ask whether it is possible to certify as “organic” horses that are not for food but for leisure or sports.

To reply to your question, I would like to recall the following provisions of Articles 1 and 2 (1) and (2), related respectively to the subject matter and the scope of Regulation (EU) 2018/848:

“Article 1. This Regulation establishes the principles of organic production and lays down the rules concerning organic production, related certification and the use of indications referring to organic production in labelling and advertising [...].

Article 2.

*1. This Regulation applies to the following products originating from agriculture, including aquaculture and beekeeping, as listed in Annex I to the TFEU and to products originating from those products, where such products are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, imported into or exported from the Union: (a) **live or unprocessed agricultural products**, including seeds and other plant reproductive material; [...]*

2. This Regulation applies to any operator involved, at any stage of production, preparation and distribution, in activities relating to the products referred to in paragraph 1.”

Annex I of the Treaty on the Functioning of the European Union (TFEU), as referred to in Article 38 of the TFEU related to the common agriculture and fisheries policy, lists live animals under its Chapter 1.

In addition, I would like to highlight that under Article 3, point (27), of Regulation (EU) 2018/848, *livestock production means the production of domestic or domesticated terrestrial animals [...].*

In accordance with the abovementioned provisions, it is in theory possible to certify **live horses for leisure or sports as organic, provided that all of the rules relevant to the organic production of livestock are complied with.** However, please note that, in

¹ Ares (2022)3621662



accordance with its Article 2(4), , except where otherwise provided, Regulation (EU) 2018/848 applies “without prejudice to related Union legislation, in particular, legislation in the fields of safety of the food chain, animal health and welfare, [...]”.

Therefore, it is critically important that operators potentially interested in the organic certification of live horses for leisure or sports are fully aware of the relevant horizontal rules related to live horses raised for leisure or sports and the products such as food and feed that may be derived from them under very specific conditions because these rules provide for a clear distinction between food producing animals and non-food producing animals² and for specific rules in relation to food safety³, and animal health (Animal Health Law)⁴, in particular related to the identification of animals, and the authorisation and use of veterinary medicinal products⁵.

Please note that, in accordance with animal health provisions, and in particular Commission Delegated Regulation (EU) 2020/688⁶, the two following categories of equine animals (including horses) exist: intended for slaughter and not intended for slaughter. This results from the fact that any equine animal may become an equine animal intended for slaughter at a certain stage of its lifetime. ‘Equine animals intended for slaughter’ means equine animals to be transported, either directly or after undergoing an assembly operation, to a slaughterhouse. A category “horses raised for leisure or sports” is not specified in the Union animal health legislation.

An equine animal can only be slaughtered for human consumption if it is not excluded from slaughter for human consumption in its single lifetime identification document or in a computer database kept by the competent authority.

The model of the single lifetime identification document laid down in Commission Implementing Regulation (EU) 2021/963⁷, which is one of the elements required for the identification of equine animals, contains a section providing information on whether an individual equine animal:

² defined under Article 3 points (c) and (d) of Regulation (EC) No 767/2009 on the placing on the market and use of feed [EUR-Lex - 02009R0767-20181226 - EN - EUR-Lex \(europa.eu\)](#)

³ [EUR-Lex - 02004R0853-20211028 - EN - EUR-Lex \(europa.eu\)](#)

⁴ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health (‘Animal Health Law’) (OJ L 84, 31.3.2016, p. 1). [CL2016R0429EN0020010.0001.3bi_cp 1..1 \(europa.eu\)](#)

⁵ Regulation (EU) 2019/6 of the European Parliament and of the Council on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43) [EUR-Lex - 32019R0006 - EN - EUR-Lex \(europa.eu\)](#)

⁶ Commission Delegated Regulation (EU) 2020/688 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for movements within the Union of terrestrial animals and hatching eggs (OJ L 174, 3.6.2020, p. 140). [EUR-Lex - 02020R0688-20210927 - EN - EUR-Lex \(europa.eu\)](#)

⁷ Commission Implementing Regulation (EU) 2021/963 of 10 June 2021 laying down rules for the application of Regulations (EU) 2016/429, (EU) 2016/1012 and (EU) 2019/6 of the European Parliament and of the Council with regard to the identification and registration of equine animals and establishing model identification documents for those animals (OJ L 213, 16.6.2021, p. 3). [EUR-Lex - 32021R0963 - EN - EUR-Lex \(europa.eu\)](#)

- is excluded from slaughter for human consumption for the purpose of administration of a medicinal product in accordance with Article 112(4) of Regulation (EU) 2019/6⁸, or
- has received a medicinal treatment with substances considered essential for the treatment of equine species, or which brings added clinical benefit compared to other treatment options available for equine species and for which the withdrawal period for equine species shall be 6 months (Article 115(5) of Regulation (EU) 2019/6).

This response is provided on the basis of the facts as set out in your e-mail of 12 May 2022. It expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours Sincerely,



⁸ [Regulation \(EU\) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC \(OJ L 4, 7.1.2019, p. 43\). EUR-Lex - 02019R0006-20220128 - EN - EUR-Lex \(europa.eu\)](#)