Horse Passports (England) Regulations 2009

A comprehensive guide to the horse passport regulations can be found on the Defra website.


However, this is a summary of the requirements of the Regulations.

Can I keep a Horse without a Passport?

The owner or the keeper with primary responsibility for any horse commits an offence if it is kept without a passport and identification (passport or Silhouette) for that horse. A horse will need to be microchipped, along with getting a passport, from 1st August 2009. However, if you already have a valid horse passport, the horse will not need to be microchipped. All horses over 6 months old should already have passports. However, where a horse has not previously been issued with a passport they will now need to be microchipped before the passport can be applied for. Where the passport has not been applied for within the requirement time limits, the animal will automatically be signed out of the human food chain.

The owner of a horse that was born after 1st August 2009 shall obtain a passport for it on or before 31st December of the year of its birth, or by six months after the animal's birth, whichever is the later. Only the owner of the horse can apply for a passport. It is an offence not to apply for a passport within these time limits.

For the purpose of these regulations, the term “horse” means any wild, exotic or domesticated salpied from within the genus Equus, of the family equidae, for example horse, donkey, mule, hinny, jennet, zebra, przewalski or their crosses.

A horse cannot be sold without a passport. Veterinary or breed certificates are not passports.

IMPORTANT: It is advisable to thoroughly check a passport before purchasing a horse, and in particular that the date of birth has not been altered.

Veterinary Treatment

A horse shall be deemed to be intended for slaughter for human consumption, UNLESS it is irreversibly declared as not so intended in Part II of Section IX of the passport, by signature of:

(i) The keeper or owner
(ii) The keeper or vet
The passport needs to be available at the time of treatment with a veterinary medicine. All owners must sign the declaration at Part II of Section IX of the passport, if substances unsuitable for entry into the food chain have been administered, supplied or prescribed. If the owner declines to sign the declaration the vet is required to do so after administering, supplying or prescribing the medication. Vets are required to ask to see the passport before treating a horse so it is advisable to have the passport easily accessible.

The substance that should not be administered, supplied or prescribed to a food producing animal are:

(i) Veterinary medicinal products containing a substance specified in Annex IV to Council Regulation (EEC) N 2377/90
(ii) Veterinary Medicinal products outside of those contained in Annex IV to Council Regulation (EEC) N 2377/90. This includes “Bute” (phenylbutazone). Once a horse drug has been administered “Bute” it cannot enter the food chain at any time during its life. There are alternative medicines, which if administered, will not exclude the horse from the food chain. Your vet will be able to advise you regarding the alternative medications.

You are advised to think carefully before deciding whether you wish to voluntarily sign your horse out of the human food chain.

A ‘not intended’ declaration at Part II of Section IX of the passport cannot be reversed. And a horse may not be consigned for slaughter for human consumption if this section has been signed.

If unplanned or emergency veterinary treatment is required and the passport is not available the vet will not know if your horse is signed out of the food chain, and therefore he/she is only permitted to administer substances suitable for food producing animals. The Vet is required to record all vaccinations a horse receives in Section V and VI of the horse passport.

The vet is also required to enter in Section IX of the passport the date of the last administration, as prescribed, of that medicinal product, and the animal so treated can only be slaughtered for human consumption after the end of the general withdrawal period of six months, following the date of last administration.

Microchips
Microchips, which are also known as transponders, are read-only passive radio frequency identification devices that are implanted into a horses body and have a unique identification number to that particular animal. Only a registered veterinary surgeon of the Royal College of Veterinary Surgeons can implant the device. A vet must undertake procedures to detect any previous devices already fitted to a horse, before beginning implanting a microchip.

Smartcard
A smartcard is a plastic device with an imbedded computer chip capable of storing data and transmitting them electronically to compatible computer systems. The devices can be authorised for use in Member States to accompany the equidae, instead of their passport, which will allow equines to move within agreed European national boundaries. The smartcard must be issued by the same PIO that issued the paper passport and must be approved by DEFRA (Department of Environment, Food and Rural Affairs) for use in the UK.
Changes to passports for foals

From 1st August 2009, your foal needs to be microchipped with a unique number that’s matched to your contact details, as well as getting a passport. This must be done before the foal is six months old or by 31st December in the year it is born, whichever is later. However, a keeper will need to have the foal microchipped and get a passport if they want to sell it earlier. Foals cannot be sold without a passport but may be moved with their dam/foster mare for production purposes (i.e. to and from a stud).

Removal of the diagram of the horse – the ‘silhouette’

From 1st August 2009, the diagram of the horse (silhouette) won’t be compulsory in newly issued passports because the horse will be microchipped to confirm its identity instead. However, if your horse is registered with a breed society, their individual rules may state that you still need a silhouette or record other identification marks, which will not otherwise replace the requirement for a microchip.

Why does my horse need a passport?

Horse passports are required by European Decision 2000/68/EC European Decision 504/2008/EC, and are necessary in order to prevent horses entering the human food chain if they have been treated with medicines that must not be administered to food producing animals. Although we do not consume horsemeat in any great quantity in the UK, a large number of horses are slaughtered in Britain each year for export for human consumption. The introduction of passports will also help reduce the risk of a ban being introduced on up to 75% of veterinary medicines (including Bute) currently used to treat horses.

The information provided in the passports will also be used to set up a database of horses throughout England, this information will be utilised to try and trace missing or stolen horses.

What’s in the passport and how do I get one?

A horse passport is an identification, with a link document, written in both English and French, which uniquely identifies a horse throughout its life, and has been issued by a recognised Passport Issuing organisation (PIO). The passport pages show the veterinary treatment history of the horse, pages that include the movement history of the horse, and a declaration as to whether or not the horse is ultimately intended for human consumption.

Applications for a passport shall be made by the owner or the owners appointed agent of the horse, be made in writing to a PIO and be in the format specified by that PIO.

A list of passport issuing authorities is available from www.defra.gov.uk/animalh/id-move/horses/horsepassport.htm

Wild or Semi-Wild Horses Dartmoor, Exmoor and the New Forest

Wild or semi-wild horses identified in the lists kept by the Dartmoor Commoners Council, the stud book of the Exmoor Pony Society, and identified in the lists kept by Verderers of the New Forest or entered in the stud book of the New Forest Pony Breeding and Cattle Society, are exempt from the requirement for Horse Passports until such times as they leave those respective areas, or are brought into domestic use. This exemption applies to those animals so listed and contained within the designated areas. All other horses in those areas are required to have Horse Passports. There is also a similar exemption for wild and semi wild ponies in Wales.
Imported Horses

Horses may only be moved within the EU if it is accompanied by a passport. The owner of any horse entering England from outside the EU without a horse passport issued by a PIO must apply for a horse passport within 30 days of entering the country and, until the Passport is issued, no change of ownership may take place. The horse will need to be identified in accordance with EU rules and will require a microchip when being issued with a passport. If the horse has an existing microchip detected, this may be possible to use this identification and update the existing passport. Any passport so issued must state that the horse is not ultimately intended for human consumption.

When must the passport accompany a horse?

The passport or (Smartcard) must accompany a horse at all times. The person with primary responsibility for the horse must have the passport made available to them if they are not the owner. The exceptions to this are:

- Emergency situations
- A horse is being grazed or stabled
- A horse is at pasture
- When a horse is being moved on foot when the passport can be viewed within three hours
- When a horse is being used for competition or event and is required to leave the venue

What if I buy or sell a Horse?

When a horse is sold, the owner must give the passport to the buyer at the time of the sale. Sell includes transfer of ownership. The buyer must notify the issuing PIO (note the PIO may be based in another Member State of the EU) for the registration of the new ownership within 30 days and include:

a) The buyers name and address, and  
b) The identification of the horse  
c) There is no exemption for dealers who sell a horse within 30 days of purchasing it.

What do I do if my horse dies?

If a horse dies or is slaughtered the owner must return the passport to the PIO within 30 days of the animals death, except when a horse is sold to a slaughter house, the occupier of the slaughterhouse will give the passport to the Official Veterinary Surgeon.

What should I do if the passport is lost or damaged?

Where a passport has been lost but the horse's identity can be established, and an ownership declaration is available, any person may apply for a replacement passport for that horse to the passport issuing organisation if known. Where the original passport issuing organisation is not known, then the owner should apply to any passport issuing organisation.
National Equine Database

The details of all equines and owners that is received by the PIO is recorded on the National Equine Database (NED). All personal details held on the database are not accessible to the general public, in line with data privacy legislation.

Who enforces this legislation?

Authorised officers of the Minister or the Local Authority have power to enter premises, including vehicles and demand to inspect horse passports and other documents, at any reasonable time. Failure to produce a horse passport upon demand or the movement of a horse after 1st August 2009 without its passport in the circumstances listed on the previous page is an offence, liable upon summary conviction, to a fine not exceeding £5,000, or on indictment to a fine.

This is merely a broad précis of the Regulations. Copies of the Regulations themselves, a list of recognised organisations, and frequently asked questions, may be found on the DEFRA website at www.defra.gov.uk.

This is not an authoritative document on the law, and is only intended for guidance.