EU legislation
on dogs and cats

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Key terms in EU policy development
laid down in the Treaty on the European Union

- **Conferral**
- **Subsidiarity**
- **Proportionality**

- Leave the decision-maker power as close as possible to citizens
- EU harmonized rules and actions only if there is a need and clear added value (otherwise competence remains with the Member States)
"In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage."

Not a legal base to act
EU animal welfare legislation

- Rather extensive and detailed for agricultural animals

- More limited for dogs and cats
Current EU animal welfare legislation for dogs and cat

*When moved as pets*
- none

*Other movements*
- transport Regulation (Regulation (EC) No 1/2005)
- age limit

*When bred*
- Regulation on the protection of animals kept for farming purposes (Council Directive 98/58/EC)
Animal health legislation

- Clear EU added value of harmonized animal health legislation to prevent and control major communicable (transboundary) diseases in the frame of the policies on agriculture, fisheries, single market, public health, etc.

- Dogs and cats health legislation:
  Limited to the prevention of the spread of two diseases having an impact on public health (rabies, E. multilocularis) via movements between Member States or imports
Current EU animal health requirements: intra-EU trade and imports

- Passport issued by authorised vet and documenting:
  - Marking
  - Rabies vaccination (derogation for experiments)
  - Deworming treatment where required
  - Clinical examination
- Health certificate for consignment issued by official vet
- Notification of the movement to the Member State of destination through TRACES (traceability of consignment)

*Imports: from listed countries with certificate via border inspection post, after checks*
Intra-EU movements of pets and entry into the EU


**NEW! Regulation (EU) No 576/2013**
with effect from 29/12/2014

- Definition of pets: dogs or cats accompanying their owner (movement triggered by the owner's movement)
- Passport issued by authorised vet and documenting:
  - Marking
  - Rabies vaccination
  - Deworming treatment (E. multilocularis) where required

**Entry:** certificate, via entry point after checks

**Re-entry:** passport via entry point after checks
Non-legislative tools

EU co-financed rabies eradication campaigns
Oral vaccination of wild foxes

Better Training for Safer Food
On EU border controls
On dog and cat movements
Both tackle illegal movements

Cooperation with customs, police, NGOs etc.
Evolution of wildlife rabies situation

1992

2012

Source: WHO Rabies Bulletin Europe
Echinococcus multilocularis

- EU harmonized rules recently introduced to prevent spread of disease to disease-free Member States via movements of dogs and cats

- subject to review of the scientific bases (EFSA work on-going)
Recent proposal for a Regulation on animal health

COM(2013) 260 final

Article 43 TFEU

- implementing the common agricultural policy

Article 114

- establishment and functioning of the single market: smooth and safe

Article 168(2)(b)

- measures in the veterinary and phytosanitary fields which have as their direct objective the protection of public health
Proposal for a new Regulation on animal health

- *Communicable diseases*
- *Principles - Fit for decades to come*
- *Comprehensive, consistent, coherent, simplified and transparent*
- *All the possible tools and interventions*
- *Flexible and allows rapid reaction to events*
- *Delegated/implementing acts*

*Evolution not revolution*
Proposal for a new Regulation on animal health (communicable diseases)

• Does not introduce changes to current animal health rules applicable to dogs and cats

• Establishes important principles and rules on which delegated/implementing acts could be based to better achieve animal health objectives

• Official controls → another proposal including "New TRACES" and animal welfare centres
EU legislation on dogs and cats health and welfare

Any future developments?

More stringent rules on identification and traceability?
Statement by the Commission

Within the framework of the European Union Strategy for the Protection and Welfare of Animals\(^1\), the Commission will study the welfare of dogs and cats involved in commercial practices.

If the outcome of that study indicates health risks arising from those commercial practices, the Commission will consider appropriate options for the protection of human and animal health, including proposing to the European Parliament and to the Council appropriate adaptations to current Union legislation on trade in dogs and cats, including the introduction of compatible systems for their registration accessible across Member States.

In light of the above, the Commission will assess the feasibility and appropriateness of an extension of such registration systems to dogs and cats marked and identified in accordance with Union legislation on non-commercial movements of pet animals.

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Existing rules on animal identification on traceability

- rather stringent for bovine, sheep & goats, pigs, horses because of:
  • - prevention and control of several communicable diseases having an impact on agriculture and public health (foot & mouth, BSE, classical swine fever, etc.)
  • - food safety reasons

- less stringent for dogs and cats because only aimed at preventing the spread via movements between MSs of a few diseases that are mainly spread via wildlife
EU policy development cycle

Continuous fitness check
Impact assessment for any major initiative
- Problem identification
- Objectives
- Options
- Impacts
- Trade-offs between options

Sum of "small" problems ≠ one valid problem

NEED FOR CLEAR EU ADDED VALUE
Problem definition: solid data and arguments

- The nature and extent of the problem(s), that would finally affect EU policies such as single market or public health

- Clear objective(s) aimed at the solution of the problem(s)

- Clear added value from EU rules
The EU study

To determine to which extent further EU initiatives on identification and traceability of pets are necessary to achieve EU objectives like better functioning of the single market, economic sustainability, public health

Timeframe:
- To be launched: within 2013
- To be completed: by end of 2014
Which level and policy area?

Has the EU right to take action?

- Is the future legislation beneficial to at least one of the legal bases (policies) of the Treaty, and the objectives it sets out?

If so, is it for:

- EU rules on animal health (communicable diseases)?
- EU rules on animal welfare?
- EU rules for the single market?
- EU rules on protection of consumers' interest?
- EU rules on protection of operators' interest?
Closing remarks

- **EU rules on dogs and cats are proportionate**
- **Rabies eradication has been successful**
- **Non-legislative measures may also be effective**
- **Key role for national level and NGOs**
- **Further legal developments to be based on solid data showing the EU added value**