

Discussion paper on the health and welfare of dogs in trade

1. Introduction

It was estimated in 2012 that in the European Union there were 60.8 million dogs. It is estimated that every month around 46,000 dogs are traded between EU Member States. The keeping, breeding and trade of these animals represent a major economic activity with the annual value of cat and dog sales in the EU estimated at 1.3 billion euro and generating direct employment of 300,000 people.¹

Six years after the **Council Conclusions of the European Council of 2010**, which highlighted the possible negative consequences of the different or sometimes lacking rules for breeders, dealers of pets and for pet trade in general within the EU, and in particular the impact on consumer protection, public health and animal welfare, this trade remains a big concern to European citizens. This is reflected in the results of the Eurobarometer of December 2015 that shows that the absolute majority (74%) of Europeans believe the welfare of companion animals should be better protected than it is now. But also in the actions and campaigns undertaken against this trade by NGO's in different Member States.

The **European Conference on the welfare of dogs and cats in the EU in 2013** observed that "The rise in the lucrative trade of dogs and cats has brought problems of its own: genetic selection, puppy farming, mutilation and inhumane disposal have far reaching consequences but to date there is no harmonized EU legislation to address the welfare concerns."

In the study on the welfare of dogs and cats involved in commercial practices performed in response to the Council Conclusions of 2010 on request of the European Commission, the contractor came in 2015 to the following results that give reasons for concern about the pet trade within the EU:

1. There are large differences in national legislation on welfare of dogs and cats and its application in the various Member States.
2. Most buyers of animals are not or poorly informed about health and welfare of the animals.
3. The figures in TRACES of the traded dogs are far below the real numbers which holds serious risks for human and animal health and welfare.
4. The lack of systematic identification and registration and the absence of coordinated monitoring of the movement of pet animals makes the trade of dogs and cats non-transparent.
5. The registration of breeders and dealers in the different Member States is inconsistent.
6. The exchange of knowledge regarding the welfare of dogs and cats based on scientific findings between the Member States would greatly contribute to a better application of the existing legislation and in general to better health and welfare of the animals.

¹ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf

The European Parliament notes in its resolution of 25 February 2016 on the introduction of compatible systems for the registration of companion animals in the Member States (2016/2540 (RSP)) that a compatible system for the identification and registration (I&R) of dogs and cats in the EU would reduce the scope for document falsification and illegal trading, thus improving animal welfare, protecting public and animal health and providing for effective intra-Union traceability. The EP calls on the Commission to, after the entry into force of the regulation on transmissible animal diseases (Animal Health Law – Regulation 2016/429), adopt a delegated act, laying down rules pursuant to articles 109 and 118 of the regulation concerning detailed compatible systems for the means and methods of I&R of dogs and cats.

The Commission has in response to the EP resolution emphasized that the need to establish specific requirements for the identification and registration of dogs and cats must be considered on the basis of a prior risk assessment and impact assessment. The impact assessment should amongst other things evaluate which measures are proportionate to address the identified animal health risk, determine the EU added value and estimate the expected financial and administrative impact in relation to the health risk.

Specific topics proposed by the Member States to be addressed by the EU-based Animal Welfare Platform: note of 30 June 2016 of the Secretariat-general of the Council (10845/16)

Ten Member States propose different subjects related to pets to be treated by the Platform:

Illegal trade of puppies /Fighting illegal trade in pets, especially puppies /The impact of pet animal trade on animal welfare /Welfare of animals kept as pets /Welfare of pet animals - in particular cats and dogs - in relation to the intra-EU market /Movements of dogs and cats (irregularities) /Welfare of companions animals (breeding and illegal movement of pets) /Share - in view of harmonizing them - national requirements on breeding and trade of pets /Harmonization of the breeding conditions of dogs and cats in the EU, of their I&R to ensure the traceability.

2. Areas of concern

1. There is a lively trade of a big scale in pet animals which is not reflected in the figures of TRACES. It is estimated that every month around 46,000 dogs are traded between EU Member States whereas in the Commission's TRACES system in one year (2014) a total of 20,779 dogs involved in intra-EU trade are registered², The EU health legislation for cats, dogs and ferrets aims at preventing the spread of rabies. With such a low compliance with TRACES there is little insight into the trade and into the risks to public and animal health and welfare.
2. The number of violations against animal health and welfare legislation in conjunction with EU-trade of dogs and cats documented by the competent authorities and NGO's is increasing; the violations are treated on a case-by-case basis, communication between member states is lacking. As reliable information on legal trade is not readily available in the EU it is even more

² https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf

difficult to illustrate illegal trade with figures.

3. Although in some Member States there is I&R legislation, there are major differences in the I&R obligations, which makes it difficult to get an overview of the trade, and which complicates inspections and investigations as data are not comparable.
4. The fact that systematic checks are not performed at EU-internal borders is a challenge for the authorities responsible for enforcing animal health requirements for trade and non-commercial movement of dogs between Member States.
5. There are large differences between Member States in welfare requirements for dogs and in the registration or license conditions for breeders and dealers in pets. In many Member States such conditions are not existent. The result may be differences in standards, which could lead to distortions in trade and to adverse consequences for the welfare of the animals traded, for animal and public health and for the protection of the consumers.
6. Present EU-legislation applicable to trade in dogs aims at preventing the spread of certain zoonosis (rabies and *Echinococcus multilocularis*). As a consequence the guarantees in terms of animal health and welfare are rather limited.

3. Proposal for a way forward

We agree with the European Commission that a thorough analysis of the problem and assessment of possible solutions is necessary before adequate measures can be proposed. Therefore we ask the European Commission to – without delay - execute a risk assessment and impact assessment. The risk assessment should identify and analyse the risks to animal welfare, consumer protection, animal and public health and distortions in pet trade within the EU. The impact assessment should amongst other things evaluate the proportionality, EU added value, legal base and estimated financial/administrative impact of proposed solutions.

The EU Animal welfare Platform could play a role in the problem analysis and assessment of possible solutions.

Options to be considered:

Solutions using existing tools

- Improve enforcement and co-operation in the short term.
- Member States improve communication on cases of illegal pet trade and exchange experience with the Commission and between Member States.
- Exchange ideas and research (e.g. on age determination of puppies).
- Exchange on the enforcement of regulation EU No. 1/2005 with regard to the transportation of dogs.
- Improve the use of the passport and of TRACES (agreements to provide data e.g. passport number or chip numbers + e.g. including verification in system).
- Improve enforcement and co-operation in the short term (using BTSF for example).

Possible additional solutions

- Compatible I&R system(s) throughout the EU for dogs, using the same data (e.g. date of birth) and keeping the same I & R conditions, so that data become easily interchangeable.
- Only issuing European passports for dogs for which the delivery body can ascertain that the animal is registered in the database.
- To link the number of the passport in the database to the number of the microchip.
- Minimum welfare requirements for breeders of dogs; registration obligation for commercial breeders and dealers.
- Other possible solutions.