



The Federation of Veterinarians of Europe (FVE) and Federation of European Companion Animal Veterinary Associations (FECAVA) comments on the legislative proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the welfare of dogs and cats and their traceability

The Federation of Veterinarians of Europe (FVE) and Federation of European Companion Animal Veterinary Associations (FECAVA) welcome the EU proposal for a Regulation on the welfare of dogs and cats and their traceability. For many years, FVE has been advocating for European legislation to protect the welfare of dogs and cats including mandatory identification and registration.

The sharp rise in demand of dogs and cats in recent years has led to an enormous increase in trade within and beyond the EU and ownership of these animals, exacerbated by the COVID-19 pandemic. The protection of the welfare of these animals is unsatisfactory due to differing animal welfare standards within the Member States, such as on breeding and keeping of dogs and cats, which results in high numbers of illegal trade. Therefore, harmonised EU rules on breeding and placing on the market of these animals and the establishment of minimum animal welfare standards is an important step towards better animal welfare, improves competent authorities monitoring of breeding, keeping and trade and enables owners to verify the origin of their future dog or cat.

FVE and FECAVA welcome specifically:



However, FVE and FECAVA call on the European institutions in some respects to go further, to ensure that

1. The welfare of all dogs and cats is protected
2. All dogs and cats will have mandatory identification and registration and
3. The fight against the illegal trade of dogs and cats is enhanced.

FVE and FECAVA specifically recommend improving the following aspects:

- Scope – Article 4

Article 4 notices that small breeding establishments (less than 3 bitches/queens, 2 litter per year), pet shops with less than 3 dogs and 4 cats, and shelters with less than 10 dogs and 20 cats are exempted from the general obligations in the rest of the chapter. As some of these obligations relate to the general health and welfare principles, mutilations, and responsible ownership, we do not feel it is right to exclude small breeding establishments for dogs and cats from all these provisions. **All dogs and cats should have minimum welfare protection. Therefore, we suggest only excluding them from specific articles, namely article 9, article 12, and article 16.** The other articles in Chapter II should be applicable for all dogs and cats. In addition, we believe the sales of dogs and cats in pet shops must be banned (see later).

*ALL DOGS AND CATS DESERVE
MINIMUM WELFARE PROTECTION*

- Extreme breeding

The proposal addresses breeding strategies, noting that they should not result in genotypes and phenotypes that have detrimental effects on the welfare of dogs and cats. It also recognises the specific risks posed by brachycephalic dogs and cats, however, says they will be allowed, provided the welfare consequences associated will be minimised (Article 6, paragraph 3). This **text on extreme breeding is too vague and disregards many other extreme breeding features aside from brachycephaly.** Selective breeding for extreme conformational traits applies not only for brachycephalic but also for excess skin, dome-shaped heads, ‘droopy’ eyes, shortened legs, etc. These extreme traits lead to have dogs and cats suffering from a wide range of health and welfare issues such as breathing difficulties, recurring skin infections, reproductive disorders including the need for veterinary intervention from mating until birth, eye diseases, spinal or neurological problems and impaired thermoregulation. Dogs and cats shall not be bred if they have one or more hereditary characteristics that will put the offspring at risk of unnecessary strain. Therefore, it is **essential to reformulate Art 6 to make it clearer, stricter and more inclusive.** Furthermore, it should **include a ban on the import, advertisement, trade and use for exhibition and competition of dogs and cats with extreme conformational traits.** In addition, rectifying surgery on breeding defects (e.g. BOAS operation, hip corrections, etc.), must be mandatorily recorded by veterinarians in the pet passport. A proportionate timeline on expected progress and defined targets of breeding programmes which aims to minimise negative consequences, with clear expectations of improvement or development will be very helpful.

*MORE SHOULD BE DONE AGAINST
UNETHICAL DOG BREEDING*

➔ FVE and FECAVA therefore call for a modification of Art 6, paragraph 3 to ensure breeders put the health and welfare of the animal first and do not breed from animals with exaggerated features or known genetic defects. The Commission may, by means of tertiary acts, lay down conformations which are detrimental for the animals’ welfare and provide specific requirements to regulate the breeding of dogs or cats with exaggerated features or known genetic defects that are detrimental for their welfare.

→ FVE and FECAVA call to include a ban on importing and trading dogs and cats with extreme features, including advertisement and a ban in exhibitions and competitions. If dogs or cats underwent surgery to rectify breeding defects, this must be recorded in the pet passport.

- Identification & Registration

The proposal addresses the need for identification and registration to be included for dogs as well as

MANDATORY IDENTIFICATION AND REGISTRATION FOR ALL DOGS AND CATS

cats, which is very welcome. However, it fails to apply uniformly to all dogs and cats in the EU as it only applies to animals seen as ‘traded for an economic purpose’ (Article 17, Paragraph 1). By limiting mandatory identification and registration for animals ‘traded for an economic purpose’, the proposal omits that it is unknown at the birth of a litter which animals are going to be traded, as well as stray animals. Several EU countries such as Belgium, Greece, and France have already an obligation for **mandatory identification and registration for all dogs and cats**. Found dogs and cats, regardless of whether they were found dead or alive, should be transferred to a registration specialist, such as a veterinarian, for traceability, to contact the owner or delisting the animal from the database.

→ FVE and FECAVA therefore call for a modification of Article 17 paragraph 1 making identification and registration mandatory for ALL cats and dogs.

→ FVE and FECAVA fully support a common European registration database, , which works as an add-on on existing databases, already responds to the requirement to guarantee interoperability between 47 databases in 26 countries, and the [EUROPETNET tool](#) could be used as a reference.

- Preventive veterinary care and record keeping

The proposal indicates that operators shall ensure that their establishments receive a visit by a veterinarian at least once a year. This is insufficient. All commercial breeders must have a **tailor-made veterinary preventive health plan** developed in collaboration with their

PREVENTION IS BETTER THAN CURE

veterinarian. This preventive health plan should include regular risk-based clinical examination (at least yearly, but more frequent for establishments with more animals or at a higher risk) including preventive vaccinations¹ and treatment for internal and external parasites, i.e. deworming, flea and tick treatment. These visits may be combined for added value with the already mandatory animal health visits as laid down in the Animal Health Law (Art. 25, Regulation (EU) 2016/429)^{2,3}. Annual visits will miss checking on the many dogs and cats only passing through the premises. In addition, operators and shelters should be required to keep records of the animals under their care and the outcome and recommendations of the veterinary visits. The content and scope, such as entries, exits, vaccinations, treatments, etc., can then be specified in a delegated act.

→ FVE and FECAVA therefore call for a modification of Article 10 and Article 13 to ensure operators have a preventive health plan developed with their veterinarian, to have risk-

¹ As per the most updated [WSAVA Vaccination Guidelines](#)

² https://fve.org/cms/wp-content/uploads/061-AHL-visits_adopted.pdf

³ https://fve.org/cms/wp-content/uploads/AHVisits_Summary_R21.pdf

based veterinary preventive visits for the establishment, and to make sure all animals are properly vaccinated. Record-keeping requirements should be specified.

- **More protection is needed for dogs and cats traded online**

Most dogs and cats are currently traded online, so therefore putting requirements to protect the welfare of these animals, to **allow buyers an informed choice and to fight illegal trade** is paramount. FVE welcomes the proposal addressing the problem of online trade of dogs and cats by requiring sellers to have the information of the identification and registration of the dog or cat to be provided in an EU database (Article 17, Paragraph 4). However, the current proposal places all responsibility on the buyer. It would be more efficient and proportionate to put the responsibility on the seller to place the information directly on the advertisement as well as on the EU database. These systems already exist and are easy to install and maintain (app to install), such as 'VeriPET' which is already used in France and also in Ireland. In addition, some minimum requirements to abide by online platforms should also be set which conform with the Digital Services Act.

→ FVE and FECAVA therefore call for an amendment to Article 17, paragraph 6, modifying the verification to be carried out by purchasers and encouraging the introduction of integrated software solutions for verifying the cross-border registration status of traded animals.

- **Artificial insemination**

Artificial insemination must not be used as a default or to overcome problems due to the inability of dogs or cats to mate and conceive naturally. It may only be considered exceptionally, such as to increase genetic variability, and must only be performed by a veterinarian.

→ FVE and FECAVA therefore call to limit artificial insemination to exceptional cases and only by a veterinarian.

- **Ensure an evidence-based ratio and sufficient number of caretakers**

Article 6 indicates that 'Operators and natural or legal persons responsible for shelters shall ensure that dogs and cats are handled by a suitable number of animal caretakers'. Words like 'suitable' are unclear, instead a fixed ratio should be defined. This is important to ensure animals are taken proper care of, especially in facilities with many breeding animals. We suggest including the need to have one caretaker per every 3 bitches or queens with litters at the same time in accordance with the recommendations of the EU Animal Welfare Platform⁴. Multi-species establishments shall take into account the total number of all animals, regardless of their species. This is necessary to take proper care of the dogs without compromising their health and welfare and to ensure the puppies and kittens are socialised towards other animals, people and the daily life in and around their prospective household in accordance with the recommendations of the EU Animal Welfare Platform⁴. In addition, time of outside activity should be based on the recommendation of the EU Animal Welfare Platform⁴.

→ FVE and FECAVA therefore call for a modification of Article 6 by setting a fixed ratio of caretakers, based on the recommendation of the EU Animal Welfare Platform.

⁴ https://food.ec.europa.eu/document/download/8799914a-3375-4272-b50a-9e7e5239833e_en?filename=aw_platform_plat-conc_recom_dog-cat_breeding.pdf

- **Ban the sales of dogs and cats via pet shops**

The environment of a pet shop is not suitable for dogs and cats as it will not allow for proper socialisation and the principles of good housing and care. This is reflected in studies that show that dogs and cats sold through pet stores show an increased number of problem behaviours as adults compared with dogs from other sources. For this reason, already several Member States banned the sales of dogs and cats via pet shops, while in others it is rarely done. The current proposal still allows dogs and cats to be kept in and sold by pet shops (Articles 4,7 & 12).

***BAN THE SALES OF DOGS
AND CATS IN PET SHOPS***

→ **FVE and FECAVA therefore call to ban the sales of dogs and cats via pet shops.**

- **Mutilations**

The ban on mutilations in the proposal is restricted to "cats and dogs bred or kept or placed on the Union market", with an exception for small establishments (Article 4) and for certain mutilations only. This ban must be extended to all operators and all mutilations. Only shelters should be exempted but they should provide the persons adopting the animal with documentation as proof of adopting a mutilated animal. Medical indication for surgery that leads to mutilations, must be documented, tractable and justifiable to avoid fraud. Art 15 should also be slightly reworded to ensure no mutilations are excluded e.g. saying 'Mutilations, including **but not limited to**, tail docking...'. FVE does not regard spaying/neutering as mutilations.

→ **FVE and FECAVA call to extend the ban on mutilations e.g. in Article 4, 15 and 21**

- **Obligation to notify the breeding or keeping of dogs and cats in establishments**

Article 7 notes that for the period of introduction of the regulation, only a notification obligation is imposed on existing operators. However, it is essential that in the future a corresponding license must be obtained before the establishment is put into operation.

→ **FVE and FECAVA call for a future obligation for operators to receive a license before the establishment is put into operation.**

- **Feeding requirements**

It is recommended to indicate that the feed is provided in a suitable container and to follow nutritional guidelines providing clear and usable recommendations in order to meet the nutritional needs of cats and dogs, such as the FEDIAF guidelines. In particular, feeding frequency of dogs and cats may vary and strict numbers may be too rigid and not meet the physiological; need of the individual animal. Moreover, it is not appropriate to feed pregnant bitches *ab libitum* throughout pregnancy.

→ **FVE and FECAVA call to follow nutritional guidelines to meet the individual physiological need of the animal.**

- **Delegating and implementing acts and transition period**

Several articles of the Regulation set out general principles, which later are aimed to be clarified in delegated or implementing Acts (e.g. Article 5, 19, etc). As these general principles lack the precision

needed by both operators and official veterinarians inspecting premises. It is crucial that the announced tertiary acts are adopted as soon as possible. Pursuant Art. 139 (2) of the Official Controls Regulation, Art. 27 on Sanction should include the reference that breeding establishments must not gain any economic advantage by disregarding the regulation (from a fraudulent or misleading offence).

A transition period of 5 years is foreseen in Article 16 for the approval of breeding establishments. This is too long. Breeders who are already active should be able to fulfil the required conditions for approval quickly. This long transitional period means that existing breeding practices that are contrary to animal welfare will be tolerated for a further 5 years. The transitional period should be shorter. In addition, this requirement in Art. 16 is not in accordance with requirements in the AHL, rules for commercial movements of dogs and cats. There is no requirement for approval for breeding establishments in AHL, whereas there is an approval requirement for shelters and assembly centres sending dogs and cats to other Member States. Preferably, there should be an alignment of requirements.

The European Commission also foresees the adoption of an implementing act regarding the interoperability of the databases between the Member States (Article 19 paragraph 3(b)). The Commission also considers that while the databases must be implemented within 3 years, the requirements relating to their interoperability will only have to be met within 5 years.

- ➔ FVE and FECAVA calls for the tertiary legislative acts to be adopted as soon as possible.
- ➔ FVE and FECAVA calls to shorten the transitional period in Art 16 and 19 to a maximum of 3 years.

- Shelters

We suggest including some extra provisions in respect to animal shelters, namely:

- Shelters should not on purpose reproduce dogs and cats, should take measures to prevent unplanned reproduction and ideally consider spaying/neutering the dogs and cats under their care.
- In Art 13, part 2.c – **euthanasia should only be decided on the recommendation of and performed by a veterinarian** and only for justifiable reasons. Examples include but are not limited to when the health and welfare of the dogs and cats, other animals or people is severely compromised, or when it is impossible to assure the health and welfare of the dogs or cat and to provide it with a minimum quality of life (examples are rabies, inappropriate aggression, incurable lethal diseases, long term retention in inappropriate facilities etc.)⁵.

- Collection of data on animal welfare and reporting

The required collection and forwarding of data to the EU Commission in Article 20 is welcomed, however, it means an extra bureaucratic burden for the competent authority. It should be ensured that veterinary services have enough resources.

- Caretaker Training

Caretakers need to undergo training to fulfill a set of competences necessary to care for dogs and cats (Article 9, paragraph 2). Training needs to be updated but there's no specification. More detailed specifications should be set on the training requirements and the frequency of updating the training.

⁵ FVE/FECAVA position paper on stray dog management: <https://fve.org/cms/wp-content/uploads/004-Stray-dogs-position-paper-adopted.pdf>

- **Stricter national measures (Art. 25)**

We suggest removing the bullets in Article 25, paragraph 2, in order to give Member States more flexibility to adapt stricter national measures.

About FVE

The Federation of Veterinarians of Europe (FVE) represents around 330,000 veterinarians across 38 European countries. The Federation of Veterinarians of Europe (FVE) aims to enhance animal health, animal welfare, and public health and to protect the environment by promoting the veterinary profession. For further information, consult the FVE website www.fve.org - FVE Secretariat info@fve.org

About FECAVA

Through its member associations, the Federation of European Companion Animal Veterinary Associations (FECAVA) represents more than 25,000 companion animal veterinarians in 39 European countries. FECAVA strives to improve the veterinary care of pets through professional development. It also provides a voice for companion animal issues at European level and works closely with other European veterinary organisations and stakeholders. For further information, consult the FECAVA website www.fecava.org – FECAVA secretariat <mailto:info@fecava.org>