

Recommendations on possible elements for EU legislation on Breeding (of dogs and cats).

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1. Cosmetic and convenience surgeries (unnecessary mutilations)

Problem statement:

Cosmetic or convenience surgeries, such as ear cropping, tail docking, dewclaw removal, declawing or debarking surgeries, are unnecessary surgeries performed for aesthetic reasons, to follow certain breed standards or for the convenience of the owner. Occasionally, certain surgeries, such as docking part of the tail or dewclaw removal, can be necessary to treat medical conditions (1) , in which case the procedure is not regarded as cosmetic or convenience surgery.

Cosmetic/convenience surgeries can have serious detrimental effects on the welfare of the animal. For example, amputation of the tail or ears in puppies & kittens results in severe pain (2). Transection of the nerves in the tail may result in painful neuromas. Neuroma formation and pain-related behaviour including severe self-injury are documented in dogs after docking, indicating that these dogs are in chronic pain (3, 4). In addition, social communication largely relies on observation of tail and ear signalling in dogs and cats, so these surgeries may impair social communication (5). Other convenience surgeries which are very painful and with long-lasting welfare consequences, such as declawing and removal of the vocal cords, while not explicitly prohibited in all EU countries are seldom done in the EU (6).

Current legal situation: Currently, only Article 10 of The European Convention for the Protection of Pet Animals, signed in Strasbourg on 13 November 1987, stipulates, inter alia, that: ‘Surgical operations for the purpose of modifying the appearance of a pet animal or for other non-curative purposes shall be prohibited and, in particular: the docking of tails; the cropping of ears’ (7). While 19 EU countries ratified this article of the convention, not all have, and others have made reservations specifically on this article (8) and have for example granted an exception for tail docking in hunting dogs or for therapeutical reasons (9). Currently, there is no EU legislation as such on cosmetic/convenience surgeries of dogs and cats, the matter remains under the competence of Member States.

Options for solutions:

1.1 recommendation:

New EU legislation should include an article that cosmetic and/or convenience surgery for dogs and cats, such as tail and ear docking, dewclaw removal, declawing and devocalisation, shall be prohibited.

1.2 recommendation:

To prevent these surgeries being performed outside EU countries, an article should be added to introduce a ban on the import and sales of dogs and cats who have undergone cosmetic and/or convenience surgery. If surgery has been done for therapeutical reasons, proof of the medical necessity must be given. Shelters are exempted from this requirement when rehoming dogs or cats from within the EU. New owners should be provided with documentation from the shelter to be able to provide proof of adopting the mutilated animal.

NOTE: Ear tipping (or, alternatively and less commonly, ear notching) is currently the predominant means of marking and identifying cats (and in some countries also dogs) that have gone through a trap–neuter–return (TNR) program. Visual identification of these cats is needed to avoid repeat trapping and surgery. Alternative approaches have been considered to mark and identify sterilized and vaccinated community cats, including neck collars, microchipping and RFID, freeze branding, ear tags and ear studs. Although these approaches have specific strengths relative to ear tipping, their undesirable consequences have precluded widespread use. Future research continues to find better alternative marking means (10).

1.3 recommendation:

Dogs and cats having undergone cosmetic and/or convenience surgery or undergone tail/ear cropping for therapeutical reasons should be prohibited to take part in exhibitions and competitions.

Impact:

On problem/animals	On stakeholders/society	On inspectors
Medium (++). Improved health and welfare of dogs and cats as prevention of pain from the procedure and long-term consequences. Improved health and welfare of dogs and cats as they rely on these body parts for communication. Cosmetic/convenience surgeries already not allowed in most EU countries.	Low (+). Stakeholders and society overall do not support cosmetic/convenience surgeries.	Low (+) . This is already national legislation in most EU countries, it will mainly be needed to harmonise control requirements to ensure consistent rules across the EU. Increased burden for inspectors to check dogs and cats imported. Need to be able to differentiate when these surgeries are therapeutic and when cosmetic/convenience. Will prevent “tourism” for tail docking and ear cropping between member states with different requirements.

Refs:

1. WSAVA Animal Welfare Guidelines 2018, <https://wsava.org/wp-content/uploads/2019/12/WSAVA-Animal-Welfare-Guidelines-2018.pdf>
2. Noonan GJ, Rand JS, Blackshaw JK, Priest J. Behavioural observations of puppies undergoing tail docking. *Applied Animal Behaviour Science*. 1996;49(4):335-42.
3. Gross TL, Carr SH. Amputation Neuroma of Docked Tails in Dogs. *Veterinary Pathology*. 1990;27(1):61-2.
4. Schwaller F, Fitzgerald M. The consequences of pain in early life: injury-induced plasticity in developing pain pathways. *European Journal of Neuroscience*. 2014;39(3):344-52.
5. Leaver SDA, Reimchen TE. Behavioural Responses of *Canis familiaris* to Different Tail Lengths of a Remotely-Controlled Life-Size Dog Replica. *Behaviour*. 2008;145(3):377-90.
6. Martell-Moran NK, Solano M, Townsend HG. Pain and adverse behavior in declawed cats. *Journal of Feline Medicine and Surgery*. 2018;20(4):280-288. doi:10.1177/1098612X17705044
7. European Convention for the Protection of Pet Animals (ETS No. 125): <https://rm.coe.int/168007a67d>
8. Chart of signatures and ratifications of Treaty 125: <https://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treaty=125>
9. <https://www.tandfonline.com/doi/full/10.1080/1828051X.2017.1291284>
10. Ear tips to ear tags: Marking and identifying cats treated with non-surgical fertility control. https://www.researchgate.net/publication/281518851_Ear_tips_to_ear_tags_Marking_and_identifying_cats_treated_with_non-surgical_fertility_control

2. Training and competence

Problem statement:

Currently, according to European law anyone can start a commercial establishment with companion animals, independently on whether they have competence on the needs and the wellbeing of these animals and are sufficiently reliable. Animals' well-being can be protected by ensuring that the persons who handle or are responsible for animals are correctly trained and have sufficient competences (1). Training should strengthen animal owners' understanding of animals' needs and increase awareness of responsible and careful handling of animals. Competence and knowledge, which can be achieved through training, has been identified as one of the key tools to improve the welfare of dogs and cats (2). A lot of animal welfare violations are caused by insufficient knowledge of the needs of the animals. Commercial enterprises should be able to give correct and sufficient information on the needs of the animals to potential buyers.

Current legal situation: Some Member States e.g. Switzerland, Austria, Germany, Netherlands, Denmark (3-6) already set some provisions. To date, while the EU already introduced training requirements in other sectors (e.g. slaughter, transport, laboratory animals), there are no specific EU legal requirements for competence or the need for training of persons involved commercially with breeding, keeping, selling and working with dogs and cats (7). The Animal Health Law (Article 11, Knowledge of animal health), notes that operators and animal professionals shall have adequate knowledge of, for example, the interaction between animal health, animal welfare and human health, and good practice of animal husbandry for the animal species under their care. The

knowledge shall be acquired in one of the following ways: professional experience or training, formal education, or other experience or other training which results in the same level of knowledge as that covered by the points above (8). The guidance notes endorsed by the European Platform on Animal Welfare in relation to the breeding of dogs and cats also acknowledge the need for competent human carers and suggests carers to demonstrate evidence of competence in different fields (9).

Options for solutions:

2.1 recommendation:

Operators¹ in establishments², which breed or raise dogs and/or cats should demonstrate to have professional competence and knowledge which can be acquired by attending and completing appropriate courses covering areas including legal aspects, animal behaviour, handling, welfare, husbandry, nutrition and health.

It is important for the responsible person of the establishment and all other persons handling dogs and cats, including persons working within not-for profit establishments e.g. shelters, to have enough knowledge and competence to take care of these animals. Breeders should additionally have the necessary knowledge and skills on the keeping and especially the breeding and raising (including socialisation) of dogs and cats.

An exemption from attending and completing appropriate courses can be made for persons who can demonstrate that they have acquired equivalent knowledge and skills via earlier education.

2.2 recommendation:

Minimum training requirements on an EU level should be developed including an certifying system on member state level to provide a certificate of competence.

As for other EU Regulations (e.g. transport), it is advised to list the minimum training requirements on an EU level so that different training can be given in a consistent and harmonised way across Member States. Certifying systems need to be set up on a Member State level, run by the competent authorities or by organisations/educational establishments mandated by the competent authorities.

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
Rec 1: Medium (++) Improved wellbeing Better human-animal relationship, less bites and accidents.	Low (+). People who commercially breed or raise dogs and cats should undergo training. Professional commercial enterprises should do or have to do this already.	Medium (++) Competent authorities have to set up a control system to check if staff has the necessary proof of competence. Some countries have this already.

¹ 'operator' means any natural or legal person having animals or products under his responsibility, including for a limited duration of time, but excluding pet keepers and veterinarians; (see Animal Health Law)

² 'establishment' means any premises, structure, or, in the case of open-air farming, any environment or place, where animals or germinal products are kept, on a temporary or permanent basis, except for households where pet animals are kept and veterinary practices or clinics; (see Animal Health Law)

Rec 2: High (+++) All enterprises are required to be competent. This should improve animal wellbeing through better understanding of the needs of the animals. Less knowledge-related animal welfare violations in the enterprises	Medium (++) All commercial enterprises should get trained and licensed Training centres have to harmonise training requirements.	Medium (++) Competent authorities have to check whether the content and the scale of the provided training courses are sufficient
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Refs:

11. FVE position paper on Provision of education for professional animal owners and animal handlers 2018: https://fve.org/cms/wp-content/uploads/056_AWEducation_GA_adopted.pdf
12. WSAVA Animal Welfare Guidelines 2018, <https://wsava.org/wp-content/uploads/2019/12/WSAVA-Animal-Welfare-Guidelines-2018.pdf>
13. Swiss animal welfare ordinance: <https://www.fedlex.admin.ch/eli/cc/2008/416/fr>
14. Austrian rules: https://second.wiki/wiki/sachkundenachweis_hunde
15. German Animal Welfare Law (Article 2 and 11) and German Dog Welfare Regulation (Article 3)
16. Ministry of the Netherlands. [Artikel 3.11 Besluit houders van dieren](https://business.gov.nl/regulation/animal-welfare-requirements/) (in Dutch) or <https://business.gov.nl/regulation/animal-welfare-requirements/> (English)
17. EDUCAWEL 2016, Study on education and information activities on animal welfare - SANCO/2013/G3/SI2.649393
18. European Parliament and the Council adopted the Regulation on transmissible animal diseases ("Animal Health Law") 2016
19. Responsible dog and cat breeding guidelines endorsed by EU Platform on Animal Welfare Nov 2020 : https://food.ec.europa.eu/animals/animal-welfare/eu-platform-animal-welfare/platform-conclusions_hu

3. Breeding requirements

Problem statement:

It is important to breed healthy, socialised, habituated and well-adjusted dogs and cats. Good breeding practices promote animals that are in a positive physical and mental state and feel comfortable and secure. Poor breeding practices can have profoundly detrimental effects on animal welfare and can result in severe problems for future animal owners and their animals. Poor practices can lead to poor health, e.g., inherited disorders or diseases due to poor vaccination or inappropriate feeding and to poorly socialised, unhabituated animals with behavioural problems which can be dangerous for the owner and the public (1-2). A further potential problem among purebred dogs (and cats) is inbreeding. It is essential to ensure genetic variation, for example by out-crossing, to introduce new genetic material and increase the effective population size within breeds (3).

Current legal situation:

It is currently left to Member States to legislate on aspects of breeding of dogs and cats, national requirements, and their enforcement. Commercial breeders must be registered and/or licenced in most Member States. However, the definition of commercial breeders is not harmonised across countries. Breeder requirements vary between countries, e.g., in relation to inspections. As the requirements and breeding practices for dogs and cats vary across the EU, this leads to market distortion and promotes illegal dog and cat trade (4). No EU legislation exists. Under the 2016 EU Animal Health Law, dog and cat breeders are required to be registered (5). However, this has not been implemented uniformly across the EU (2,4). In 2020, the EU Platform of Animal Welfare endorsed the responsible dog and cat breeding guidelines developed by the voluntary initiative subgroup on companion animal trade (1,2). In 2022, the EU Platform of Animal Welfare endorsed the supplementary guidelines on socialisation of puppies and kittens (7,8).

Options for solutions:

3.1 recommendation on harmonising the definition for commercial³ breeders

'All breeders of dogs and cats who have 3 or more breeding bitches or queens and/or intend to breed 3 or more litters a year should be defined as commercial breeders and approved.'

Note: One of the challenges is that sometimes owners with greater than 3 breeding bitches or queens may register the additional animals under multiple names and addresses (e.g. different family members).

For more details, please see the responsible dog and cat breeding guidelines (chapter 3.4) endorsed at the EU Platform for animal welfare (1,2).

3.2 recommendation fit for breeding :

' All animals must be fit for breeding. Bitches should not have a litter within 12 months of the previous litter⁴ and breeding below 18 months of age and above 7 years of age is discouraged.'

³ One participant preferred to refer to both 'professional breeders' and 'commercial breeders'

⁴ The requirement 'not have a litter within 12 months of the previous litter' for bitches and queens was discussed at length due to lack of scientific evidence on best intervals. Some participants and platform experts suggested to replace this by 'not have more than 3 litters in 24 months and afterwards 1 litter per year' for both bitches and queens

Queens must not have a litter within 12 months of the previous litter and breeding below 12 months and above 7 years of age is discouraged. Breeding of bitches and queens over 7 years of age needs prior veterinary examination and written approval by a veterinarian. ‘

‘Bitches and queens that have had a caesarean section must not be bred from again unless a veterinarian certifies that breeding will not compromise the welfare of the bitch or queen to do so. Bitches and queens that have had two litters delivered by caesarean section must not be bred from.’

‘Breeders should not breed from banned breeds and their hybrids, animals that are closely related⁵, or with inherited disorders, or exaggerated features that compromise welfare; breeders should also avoid breeding cats and dogs with temperaments that may produce kittens and puppies that are unsuitable pets (e.g., excessively reactive, fearful, aggressive towards people or other animals).’

For more details, please see the responsible dog and cat breeding guidelines (Chapter 2) endorsed at the EU Platform for animal welfare (1,2).

Note: These provisions applies for all breeds, purebreds, and cross breeds

Note: It would be useful to develop a specific form with guidelines on the examination to allow breeding of bitches and queens over 7 years of age.

Note: Scientific literature in respect to intervals of breeding is limited.

Note: Avoid inbreeding: Breeding from closely related dogs such as brother and sister, mother and son or father and daughter, grandfather and granddaughter, uncle and niece, predisposes puppies to genetic or birth defects. The degree of inbreeding within a breed should be carefully monitored.

3.3 recommendation on good feeding:

‘Cats, dogs and their offspring must be correctly fed and always supplied with clean water to avoid hunger and thirst and to meet their need for a suitable diet and to prevent alimentary disorders. ‘

For more details, please see the responsible dog and cat breeding guidelines (chapter 5.1) endorsed at the EU Platform for animal welfare (1,2).

3.4 recommendation on good housing:

‘Cats, dogs and their offspring must be housed in a clean environment that provides freedom of movement, physical comfort, and access to a variety of resources without fear, risk of injury and illness, to meet their need for a suitable environment. To ensure freedom of movement, dogs older than 5 weeks of age should have daily access to a safe outside area for exercise. Dogs and cats should be provided with an area to exercise and should not be kept in an indoor kennel or cage (except temporarily for medical reasons). Avoid housing cats long-term in cattery-style pens. To ensure proper socialisation and habituation, puppies and kittens should be kept in an environment that promotes socialising with different animals and people, encountering household items and experiencing household activities they will encounter in their future daily lives.’

⁵ i.e. brother and sister, mother and son or father and daughter, grandfather and granddaughter, uncle and niece

For more details, please see the responsible dog and cat breeding guidelines (Chapter 5.2) and the socialisation guidelines for dogs and cats (Chapter 3.1) endorsed at the EU Platform for animal welfare (1,2)

3.5 recommendation on good health:

‘Cats, dogs and their offspring must be cared for in such a way as to keep them in a state of good physical health. Only animals in good health should be bred. Parents and offspring must be treated correctly in all circumstances by their carers to meet their needs and to be protected from pain, suffering, injury, and disease. Each animal should have a veterinary preventive health plan, including a veterinary clinical examination at least yearly, vaccinations and treatment for internal and external parasites.’

For more details, please see the responsible dog and cat breeding guidelines (Chapter 5.3) endorsed at the EU Platform for animal welfare (1,2).

3.6 recommendation on appropriate behaviour:

‘Cats, dogs and their offspring must be provided a complex, stimulating environment and opportunities for positive human-animal interactions that support normal behavioural development, and appropriate company of their own kind to meet their need to perform appropriate behaviour. Offspring should be reared with their littermates and mother until at least 8 weeks of age and must be well socialised and habituated to experiences they will encounter in a domestic home environment.’

For more details, please see the responsible dog and cat breeding (Chapter 5.4) and socialisation guidelines (Chapter 3.1) endorsed at the EU Platform for animal welfare (1,2).

3.7 recommendation on good record keeping:

‘The breeder must keep accurate and complete records for all parent animals and offspring. Each female animal used for breeding should be registered at the address of the breeder. The breeder should ensure that puppies and kittens are identified and registered, under the breeder’s name. Records should provide a complete account of each animal’s life history with the breeder, including socialisation and health data.’

For more details, please see the responsible dog and cat breeding guidelines (Chapter 5.4) endorsed at the EU Platform for animal welfare (1,2).

3.8 recommendation on duty of care and need for proper socialisation and habituation:

‘A ratio of 1 carer for every 3 bitches with litters at the same time^{6,7} should be foreseen as necessary to take proper care of the dogs without compromising their health and welfare. Breeders need to ensure that puppies and cats are socialised towards other animals, people and the daily life in and around their prospective household. Breeders should dedicate enough care for the young animals (including time for socialisation and habituation) to ensure their welfare is protected and development into well-adjusted dogs and cats.’

⁶ The recommendation of 1 carer per 3 bitches with litters is based on shelter guidelines that state that the amount needed for general care per animal is approximately 15 min for cleaning, feeding, etc. The estimated additional time needed for socialisation of the puppies is 15 to 30 min/animal. One country objects to the recommendation to have one carer for every 3 bitches with litters, feeling it would be better to put outcome-based requirements (e.g. well-socialised puppies, clean environment, etc).

⁷ The group would be in favour to also put a requirement on the number of carers needed per cats with litters for proper care and socialisation, however evidence lacked to do so.

For more details, please see the responsible dog and cat breeding guidelines (Chapter 4) and socialisation guidelines for dogs and cats (Chapter 3.2) endorsed at the EU Platform for animal welfare (1,2). Socialisation of puppies and kittens starts with human handling from birth, but is most important from about 3 weeks of age when they develop the sensory and physical capabilities to learn social behaviour towards other animals and people. From 3 weeks of age, puppies & kittens play with their mother & littermates; play-specific behaviours and expressions develop. Exploration of their environment and new objects increases up to 5 weeks of age. After 8 weeks of age, puppies and kittens become more fearful of new experiences. Therefore, it is extremely important that breeders socialise their animals before they are re-homed to their new owners.

3.9 recommendation on registration and approval of breeders:

‘For commercial⁸ breeders, approval (ideally after inspection on site by specially trained inspectors) has to be given by the competent authority. A harmonised EU approval system for commercial breeders should be developed, with regular controls to renew approval. In the case of welfare violations, approval should be revoked. The Commission may, by means of implementing acts, lay down more requirements for the approval system.’

For more details, please see the responsible dog and cat breeding guidelines (Chapter 9) endorsed at the EU Platform for animal welfare (1,2).

3.10 recommendation on knowledge and skills of the breeders:

‘Each breeder should have the necessary knowledge and skills for keeping and breeding dogs and cats. For commercial breeders, proof of professional competence should be a prerequisite for approval.’

See training document and the responsible dog and cat breeding guidelines (Chapter 4) endorsed at the EU Platform for animal welfare (1,2).

3.11 recommendations on artificial insemination

‘Artificial insemination must not be used as a default or to overcome problems due to the inability of the 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.’

For more details, please see the responsible dog and cat breeding guidelines (Chapter 3.4) endorsed at the EU Platform for animal welfare (1,2).

⁸ One participant preferred to refer to both ‘professional breeders’ and ‘commercial breeders’

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
Rec 1 Medium (++) This will ensure that the same categorisation will be used across the EU making sure animals get a similar type of protection Reduction of illegal puppy trade because of less market distortion Reduced danger from zoonotic diseases such as rabies because of less illegal puppy trade	Rec 1 Low (+) In some countries, this will make no difference for breeders, but in some countries breeders which are now categorized as non-commercial will then fall under commercial breeders	Rec 1 Medium (++) Some MS will need to adapt their categorisation but it will ensure consistency among countries.
Rec 2-8 & 11 High (+++) These requirements of good housing, good feeding, good health, etc will ensure the health and welfare of breeding dogs/cats and their offspring	Rec 2-8 & 11 Medium (++) The majority of commercial breeders will follow these guidelines already, but it will ensure consistency and more breeders following the guidelines. Less dog biting accidents because of better socialisation and habituation	Rec 2-8 & 11 Medium (++) These are requirements for breeders to follow, CA to verify if they are followed.
Rec 9-10 High (+++) All commercial breeders are required to be competent. This should improve animal wellbeing through better understanding of the needs of the animals. Less knowledge-related animal welfare violations in the commercial enterprises	Rec 9-10 Medium (++) People who breed dogs and cats should undergo training. Professional commercial enterprises should do, or have to do, this already. This will improved human-animal relationship and more profitable enterprises	Rec 9-10 High (+++) Competent authorities have to set up a control system to check if staff has the necessary proof of competence. Some countries have this already.

Refs:

1. Responsible dog breeding guidelines which were endorsed on 3 November 2020 by the EU platform on Animal Welfare: https://food.ec.europa.eu/document/download/81d87b0c-71f7-4731-b106-b144d65a37ea_en?filename=aw_platform_plat-conc_guide_dog-breeding.pdf
2. Responsible cat breeding guidelines which were endorsed on 3 November 2020 by the EU platform on Animal Welfare: https://food.ec.europa.eu/document/download/52d8d522-3e6d-4cc8-8b6d-b9dd472e1334_en?filename=aw_platform_plat-conc_guide_cat-breeding.pdf
3. <https://www.instituteofcaninebiology.org/blog/do-you-know-what-you-need-to-save-your-breed>
4. EU dog and cat alliance. The welfare of dogs and cats involved in commercial practices: A review of the legislation across EU countries. <https://esvce.org/wp-content/uploads/2021/04/welfare-of-DC.pdf>
5. The European Parliament and the Council adopted the Regulation (EU) 2016/429 on transmissible animal diseases ("Animal Health Law"): <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02016R0429-20191214>
6. VI subgroup on CA trade : Results of mapping survey on identification and registration of dogs & registration of breeders and sellers (2021)
7. Supplementary guidance on the socialisation of puppies endorsed on : https://food.ec.europa.eu/document/download/1b540dbe-8bda-4b5c-8c1a-fabadea1df9a_en?filename=aw_platform_plat-conc_guide_socialisation_puppy.pdf
8. Supplementary guidance on the socialisation of kittens: https://food.ec.europa.eu/document/download/9e8be05f-f843-4210-9968-9a9b22bac7dd_en?filename=aw_platform_plat-conc_guide_socialisation_kitten.pdf

4. Extreme selective breeding

Problem statement:

The main purpose of breeding dogs and cats is to produce offspring with specific characteristics. The Fédération Cynologique Internationale (FCI) currently recognises more than 300 dog breeds (1). Crossbreds can also be bred to aim for a certain look and/or behaviour. Originally, selective breeding was directed towards the abilities of the dog, e.g., for hunting, guarding or pest control. Currently, however, it is mostly focused on the appearance of the animal and depends on the popularity of certain breeds, with little emphasis on the health or longevity (2,3). Selective breeding can have a negative impact on the health and welfare of the dogs and cats when selecting for certain extreme conformational traits, such as short muzzles, excess skin, dome-shaped heads, 'droopy' eyes, shortened legs, etc. These exaggerated features can lead to a 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. (4,5)

Current legal situation:

Some Member States and EFTA countries have introduced legislation or guidance to prohibit breeding dogs and cats with exaggerated conformations (e.g., Norway (6), Belgium (7), Netherlands) or have installed a general prohibition for breeding vertebrates if it is probable that the offspring suffers from hereditary deformities or diseases in conjunction with guidelines (Germany (8)). In addition, the exhibition of dogs who suffer from hereditary deformities or diseases is forbidden in some EU countries e.g., Germany. Some countries opted to prohibit certain breeds e.g., bambino sphynx cats or Scottish fold cats in the Netherlands and Belgium (8), while others set criteria irrespective of breed. For example, the government of the Netherlands has created a set of criteria on the conformation of short-muzzled dogs and cats and regulations that prohibit breeding of any dog or cat when one of these criteria is exceeded (9). Despite these national laws that are already in place, enforcement remains a common issue. On an EU level currently, no legislation exist.

Options for solutions:

The aim is to improve the health of the dogs and cats that are bred and to encourage breeding practices that put the health, welfare and temperament of the animals first and prohibit extreme selective breeding.

4.1 recommendation:

'Breeders must ensure to put the health and welfare of the animal first and should not breed from animals with exaggerated features or known genetic defects that have the potential to compromise their own or their offspring's welfare'^{9,10}. The Commission may, by means of implementing act(s), lay down specifications to define exaggerated features or known genetic defects that are detrimental for the welfare of cats and dogs and to provide requirements to regulate them.

4.2 recommendation:

'Animals with certain exaggerated features or known genetic defects, that have the potential to compromise their or their offspring's welfare, which are listed on an advisory negative list or

⁹ This provision applies for all breeds, purebreds and cross breeds

¹⁰ It is possible that shelters take in queens or bitches that are already pregnant; this is not considered 'breeding'.

guidelines are not allowed to be imported or sold in the EU. Shelters rehoming animals are exempted from this requirement if the animal is neutered, and owners should be able to provide proof of adopting the animal.

4.3 recommendation:

Dogs and cats having undergone surgery to rectify breeding defects (e. g. BOAS operation, hip corrections, etc) should be prohibited to take part in exhibitions and competitions. Veterinarians having done the surgery should note this in the pet passport.

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
Rec 1: High (+++) Healthier/better welfare animals	Rec 1: Medium (++) Society is concerned about animals which are extremely bred or bred with exaggerated features but some of these breeds are very popular. Pet owners and buyers often do not recognise the related health and welfare problems. Need to set up awareness campaigns and education programs to the public (children and adults). Breeders of these animals should adapt and no longer breed from animals with extreme traits Breeding associations and Kennel clubs e.g., FCI should revise breeding standards guided by an independent panel of veterinarians to prevent extreme breeding & encourage breeders to breed for health.	Rec 1: Medium (++) Some countries will need to put in place an enforcement system, other countries have this already
Rec 2: High (+++) With introducing this requirement awareness will be raised also outside the EU.	Rec. 2: See before	Rec 2: High (+++) Competent authorities need to develop a control and sanctioning system for the import and sales of the animals mentioned in Rec1

Refs:

1. <https://www.fci.be/en/Presentation-of-our-organisation-4.html>
2. Dog Movie Stars and Dog Breed Popularity: A Case Study in Media Influence on Choice - Stefano Ghirlanda, Alberto Acerbi, Harold Herzog
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5. Official controls

Problem statement

Society is increasingly concerned about the welfare of dogs and cats who are bred, sold or transported. The Competent Authority has the power to control commercial enterprises with dogs or cats within their country according to the national legislation, however, this is not carried out in all countries. In addition, the countries that perform controls over the commercial enterprises selling dogs and cats do that very inconsistently.

This leads to distorted/unfair competition in the internal market, illegal trade as well as the potential negative impact on animal and human health and consumer trust (1,2).

Current legal situation

National legislation covering certain aspects of commercial breeding and raising of dogs and cats exists in several Member States but differs between them. Compliance is estimated to be medium (1). In some countries, the Competent Authority has to establish an annual control plan (e.g. in Portugal Art 67 of Decree 260-12) and an annual report must be produced (2).

On an EU level, Council Directive 91/174/EEC lays down zoo-technical and pedigree requirements for the marketing of pure-bred animals (3). However, implementing measures have yet to be adopted and this Directive only covers pure-bred animals.

With the entry into force of the new Regulation on Official Controls (4), the Commission has tried to streamline official controls and has proposed to Member States for a limited time an EU-coordinated control plan on online sales of pets.

In 2022, this EU-coordinated control plan on internet sales of dogs was implemented (5).

Options for solutions

5.1 recommendation:

'All commercial breeders of dogs and/or cats should be registered or approved with prior registration and should be regularly inspected by the Competent Authorities according to the risk posed (risk category). The Competent Authority should have access to accurate and complete records for all breeding animals including aspects such as breeding records and health data.'

5.2 recommendation:

'Competent Authorities have to establish an annual control plan for commercial breeders that breed and raise dogs and cats and an annual report must be produced yearly.'

5.3 recommendation:

'All countries should at least designate an official contact point (e.g. dedicated animal welfare officer by government) to which individuals or organisations can address complaints or concerns in respect to the welfare of dogs and cats. All Member States should have one official contact point for official contact and coordination between the member states and the European Commission on this subject.'

5.4 recommendation:

'All commercial breeders should have a veterinary preventive health and welfare plan developed with their veterinarian. This preventive health and welfare plan should include regular clinical examination (at least yearly) and vaccinations and treatment for internal and external parasites.'

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
Rec 5.1-5.2 High (+++) Competent authorities can check requirements at an early stage meaning that welfare problems can be prevented. This should improve animal wellbeing through better understanding of the needs of the animals. Less knowledge-related animal welfare violations in the commercial enterprises Rec 5.3 Medium (++) Animal abuse or neglect can be reported so these animals can be helped Rec 5.4 High (+++) Preventive health care is essential to ensure good health and welfare	Rec 5.1- 5.2 Medium (++) Society is concerned about the conditions in which animals are bred and kept. This will increase consumer confidence. Rec 5.3 High (+++) Important for society as they have a place to go to when worried about a situation. Rec 5.4 Low (+) Most breeders will do this already	Rec 5.1- 5.2 Medium (++) Increased resources needed to register and approve all different commercial breeders of dogs and cats. However, several countries do already Rec 5.3 Low (+) Increased resources needed to establish contact point, but many countries have already. Rec 5.4 N/A

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4. [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products
5. The EU coordinated control plan for the official controls on online sales of dogs and cats: Analysis of the results: https://food.ec.europa.eu/system/files/2019-09/aw_other_euccp_dogs-cats-analysis.pdf

6. Varia

1. Use of Shock and Pinch/Prong collars

Problem statement:

Electronic shock collars can be used for training, to stop unwanted behaviour such as barking or to keep dogs and cats restricted to certain areas e.g., a garden. Research shows that receiving shocks is a painful experience to dogs, is stressful and can deteriorate the welfare of the dog. It can also cause redirected aggression or generate anxiety-based behaviour in pets – making underlying behavioural and health problems worse. (1,2)

Pinch or prong collars are also sometimes used to stop unwanted behaviour e.g., pulling when walking. They cause pain or frighten the dog in order to stop an undesirable behaviour e.g. when a dog pulls on the lead, the prongs of the collar close around the neck which can cause pain or discomfort which reduces the chance of the dog pulling on the lead again.

Overall, research finds that training with positive reinforcement to be more effective at addressing unwanted behaviour as well as general obedience training. Using positive reinforcement training also poses fewer risks to dog welfare and quality of the human-dog relationship. They conclude that there is no evidence to indicate that E-collar training is necessary (3). The European Society for Veterinary Clinical Ethology also calls for an EU-wide ban on the sale, use, distribution, and promotion (including internet sale and promotion within Europe) of electric shock collars ('e-collars') (4).

Current legal situation:

Some Member States and EFTA countries have introduced legislation to prohibit the use of electrical shock collars (e.g. Germany, Denmark, Netherlands, Spain, etc), others are phasing it out (e.g. Belgium), in other countries it is not regulated. Several countries are also prohibiting pinch and prong collars (e.g. Germany, Netherlands, etc). On an EU level currently, no legislation exist (5).

Options for solutions:

6.1 recommendation:

***'The selling, import, advertisement, manufacturing and use of equipment on dogs and cats that can deliver electrical shocks, such as electronic shock collars for training or containment (invisible fencing), and pinch or prong collars should be prohibited.'*¹¹**

¹¹ One country suggested to add an exemption for e-collars used for containment when the shock is preceded by a warning signal and there's a visible warning cue like a fence, flag, different surface.

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
High (+++) Less stress, fewer painful experiences	Medium (++) Banning use and sale of devices that deliver electrical shocks in line with public opinion.	Low (+) Need to check that this prohibition is followed up, but some countries already have a ban. Prohibition of sales will facilitate competent authorities.

2. Permanent restriction of movement**Problem statement:**

Some dogs are constantly tethered or constantly being kept in a cage or outdoor run without a proper possibility to get exercise or other stimulation outside of their living quarters. The tethered dog or dog kept in a cage/outdoor run does not always have enough protection against negative weather effects, misses social contact and lacks exercise and the opportunity to perform natural behaviours to sustain positive welfare. This will deteriorate the health and welfare of these dogs [8, 9, 10].

Current legal situation:

Most EU countries have already a legal provision that forbids constant tethering or caging of dogs and says they have to be housed in a way that they are protected from adverse weather conditions and give enough opportunity to perform natural behaviours, however, not all countries have this and enforcement varies. On the EU level, currently, no legislation exists.

Options for solutions:**6.2 recommendation:**

'Dogs and cats should not be permanently tethered or kept in a cage without enough freedom. They should have enough freedom to perform natural behaviours such as exercise, social contact, eat, walk and play. Dogs should have daily outdoor access. If housed outside, they should be able to protect themselves from adverse weather conditions.'

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
High (+++) Better welfare for dogs that are now still tethered or caged	Medium(++) Banning permanent tethering/caging in line with public opinion	Low (+) Is already in the law in many countries

3. Minimum age to buy, breed dogs and cats (EXTRA – BELONGS TO SALES & MARKETING)

Problem statement:

Companion animals need responsible owners who can look after the needs of the animals. Therefore, most countries require that the animal owners should be at least 16 or 18 years old.

Current legal situation:

Most European countries have legislation that it is prohibited to trade (meaning to buy, to sell, to obtain, to exhibit, to work, etc) animals to minors, without the explicit permission of their parents or guardians (11). No EU legislation exist on this currently. The European Convention on the Protection of Pet animals from the Council of Europe has set in Article 6 an age limit of 16 years (10).

6.3 recommendation:

‘No minor without the explicit permission of their parents or guardians are allowed to buy, sell, obtain or breed companion animals.’

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