

E-3787/09EN

Answer given by Mrs Vassiliou
on behalf of the Commission
(16.9.2009)

The Commission is aware of problems arising from movements of young dogs within and into the European Union. However, detailed investigations by the Commission into alleged poor welfare and sanitary conditions of puppy traffic from Eastern Europe have been hampered by lack of supporting evidence.

The Community has a comprehensive set of rules on the protection of dogs during transport and the Commission is exploring animal health options to address the problem of trade in dogs disguised as non-commercial movement of pet dogs.

Dogs intended for intra-Community trade and pet dogs imported from third countries in numbers exceeding five animals must meet the requirements of Article 10 of Council Directive 92/65/EEC¹ which refer to the health requirements laid down in Regulation (EC) No 998/2003 of the Council and of the European Parliament laying down the animal health requirements applicable to the non-commercial movement of pet animals² ("the Pet-Regulation"). The Pet-Regulation provides that Member States may authorise the movement of pet dogs which are under three months old and unvaccinated against rabies subject to compliance with certain additional conditions.

As regards the protection of animals, dogs and pet dogs moved under the conditions laid down in Directive 92/65/EEC are subject to a pre-movement clinical examination, and their fitness to travel is certified. Those animals are, during transport, covered by Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations³. This legislation in particular bans without exception the transport of puppies under the age of eight weeks without their mother. Regulation (EC) No 1/2005 does not apply to the non-commercial movement of pet dogs.

Council Directive 90/425/EEC⁴ concerning veterinary and zootechnical checks applies to trade in dogs and not to non-commercial movements of pets accompanied by and under the responsibility of a natural person. Article 8 of that Directive provides guidance on the measures to be taken in case of non-compliance with the trade rules. Article 14 of the Pet-Regulation requires that the competent authorities decide in cases of non-compliance of a pet dog arriving from a third country whether it is to be returned to the country of origin, isolated until brought into compliance with the legislation or, as a last resort, put down without financial compensation.

Veterinary checks on non-commercial movements between Member States of pet dogs are carried out by law-enforcing bodies in the Member States in the framework of general or targeted routine and random checks on persons and means of transport, in line with general principles of the Treaty and without jeopardising the single market. When the competent authority identifies non-compliance, it shall act in accordance with Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁵.

¹ OJ L 268, 14.9.1992.

² OJ L 146, 13.6.2003.

³ OJ L 3, 5.1.2005.

⁴ OJ L 224, 18.8.1990.

⁵ OJ L 165, 30.4.2004.