

EN
E-005475/2013
Answer given by Mr Borg
on behalf of the Commission
(2.7.2013)

The Commission is responsible for ensuring that EU law is correctly applied, and for this purpose the Food and Veterinary Office of the Commission's Health and Consumers Directorate General (FVO) carries out audits in the Member States to verify compliance with EU legislation. When carrying out its audits, the FVO also considers possible guidelines issued by the Commission itself to support smooth implementation of legislation. However, those guidelines do not have a legally binding value.

Where a Member State fails to comply with EU law, the Commission may start infringement proceedings against that Member State and, where necessary, refer the case to the European Court of Justice.

Each Member State is responsible for the effective implementation of EU legislation regulating Union trade in and imports of dogs and cats from third countries and non-commercial movements of pet animals into Member States.

The use of animals for scientific purposes is covered by Directive 2010/63/EU. Member States were to transpose the Directive in their national legislation by 10 November 2012 and apply it from 1 January 2013. The Directive requires that each project using animals, including dogs, for scientific purposes has to be evaluated and authorised. Dogs need to be purpose bred and their housing and care has to comply with the standards set out in the Directive. There are specific provisions on risk based inspections of user establishment, including unannounced visits. In case of due reason for concern, the Commission may audit the national inspection system.

The duties of the European Food Safety Authority (EFSA)¹ do not include the implementation of controls and inspections.

¹ OJ L31/1, 1..2002