



27.1.2016

NOTICE TO MEMBERS

Subject: Petition No 1646/2014 by Antonia Morral Agusti (Spanish) on EU regulation on pet protection

1. Summary of petition

The petitioner requests the adoption of a EU regulation on pet protection. She acknowledges that part of the competences belong to Member States and in the Spanish case, to the different regions. However, she reminds that the Directive 2010/63/EU is also applicable to pets. In particular she asks for an enforcement of veterinary controls regarding animals coming from non EU members, since several cases of dogs with hydrophobia coming from Maghreb have taken place recently. Furthermore, she considers that both legal measures and advertisement campaigns on vaccination, abandonment, sterilization and making chips compulsory could be made at European level.

2. Admissibility

Declared admissible on 20 May 2015. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 27 January 2016

The Commission would like to refer to its reply to Petition 694/2013 which contained similar requests.

Directive 2010/63/EC¹ establishes measures for the protection of animals used for scientific purposes and is not applicable to welfare of pets in general.

¹ Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33).

As previously explained, many of the issues raised in this petition are not covered by EU rules and the Commission therefore cannot investigate a Member State on these grounds. Any new legislation proposed in this field would need to fall within the competences of the EU as defined by the Treaties.

Rabies in dogs and cats has remained a major problem in many third countries, including in the North of Africa. Therefore, the introduction into the EU of dogs and cats from certain third countries may pose a significant risk of rabies where such animals do not comply with the animal health conditions established in Union legislation.

Those conditions include a documented identification and vaccination against rabies where animals come from listed third countries. Dogs, cats and ferrets coming from non-listed countries must in addition have undergone a rabies antibody test to verify the effectiveness of the vaccination, which must be documented by the approved laboratory.

EU legislation also requires owners to present their animals at EU-designated travellers' points of entry for the purpose of compliance checks.

Member States are responsible for the control and enforcement of EU legislation. They are to lay down the rules on penalties applicable to infringements of EU legislation and to provide the public with clear and easily accessible information concerning the animal health requirements applicable to the movement of pet animals.

The decision to apply specific measures on dogs and cats within the territory of Member States in the event of an outbreak of rabies remains the sole competence of Member States.

Conclusion

A review of the scope of the existing animal welfare legislation is not foreseen at present.

The Commission cannot support the petition seeking the adoption of an EU Regulation on pet protection.