



**2019/2814(RSP)**

11.10.2019

# **DRAFT MOTION FOR A RESOLUTION**

further to Questions for Oral Answer B9-x and B9-x

pursuant to Rule 136(5) of the Rules of Procedure

on protecting the EU's internal market and consumer rights against the negative implications of the illegal trade in companion animals  
(2019/2814(RSP))

**Stanislav Polčák, Sylwia Spurek, Martin Hojsík, Alexandra Louise Rosenfield Phillips, Jadwiga Wiśniewska, Anja Hazekamp, Eleonora Evi**  
on behalf of the Committee on the Environment, Public Health and Food Safety

**European Parliament resolution on protecting the EU's internal market and consumer rights against the negative implications of the illegal trade in companion animals (2019/2814(RSP))**

*The European Parliament,*

- having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC<sup>1</sup>,
  - having regard to Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003<sup>2</sup>,
  - having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein<sup>3</sup>,
  - having regard to its resolution of 25 February 2016 on the introduction of compatible systems for the registration of pet animals across Member States (2016/2540(RSP)),
  - having regard to its resolution of 24 November 2016 on an EU action plan against wildlife trafficking (2016/2076(INI)),
  - having regard to the questions to the Commission on Protecting the EU's internal market and consumer rights against the negative implications of the illegal trade in companion animals (O-0000/2019 – B8-0000/2019 and O-0000/2019 – B8-0000/2018),
  - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
  - having regard to Rules 136(5) and 132(2) of its Rules of Procedure,
- A. whereas a significant number of companion animals are illegally traded across Member States through the deliberate misuse of Regulation (EU) No 576/2013, which is intended for the non-commercial movements of pet animals, when they should be transported under Council Directive 92/65/EEC;
- B. whereas it is estimated that the illegal trade in companion animals within the EU can generate very high profits for the actors involved, including illegal breeders;
- C. whereas differences between Member States in breeders' standards of animal welfare have led to big differences in prices of companion animals on the internal market, which is exploited by illegal traders;

---

<sup>1</sup> OJ L 268, 14.9.1992, p. 54.

<sup>2</sup> OJ L 178, 28.6.2013, p. 1.

<sup>3</sup> OJ L 61, 3.3.1997, p. 1–69

- D. whereas the illegal breeding of cats and dogs often happens in terrible conditions; whereas puppies are often separated from their mothers much too early and subjected to long journeys across the EU in cramped and filthy conditions with no food, water, or air-conditioning, and no breaks;
- E. whereas pet passports are often counterfeited with veterinarians involved in this illegal practice;
- F. whereas illegally bred companion animals are very often not vaccinated; whereas there are various zoonotic risks associated with the illegal trafficking of companion animals, including the introduction of rabies from endemic parts of Europe into countries that are rabies-free, as well as the spreading of parasites such as *Echinococcus multilocularis* and others;<sup>4</sup>
- G. whereas in addition to harming the welfare of animals, the illegal trafficking of companion animals has negative impacts on consumer protection, the smooth functioning of the EU internal market through unfair competition, and public finances through the loss of tax revenues;
- H. whereas a very common method used to purchase companion animals in the EU is now through online classified adverts, followed closely by social media;<sup>5</sup> whereas consumers who purchase companion animals via online advertisements have little protection of their rights, whether at national or EU level; whereas unaccounted numbers of illegally bred companion animals are sold on markets in Member States or directly out of cars along the internal borders of the EU;

### ***Identification and registration of cats and dogs***

1. Emphasises that the identification and registration of cats and dogs is a crucial and necessary first step in the fight against illegal trade, and that registration and identification are key conditions for control, enforcement, and traceability;
2. Urges the European Commission to come forward, via a delegated act under the Animal Health Law, with a proposal for detailed, compatible systems for the means and methods of identification and registration of cats and dogs in databases in the Member States, which should be interconnected;

---

<sup>4</sup> European Commission (2015). Study on the welfare of dogs and cats involved in commercial practices. Specific Contract SANCO 2013/12364, Final Report. [https://ec.europa.eu/food/sites/food/files/animals/docs/aw\\_eu-strategy\\_study\\_dogs-cats-commercial-practices\\_en.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf), pp. 65-66; also EU Dog & Cat Alliance (2016). Briefing on the review of pet movement legislation under the “Animal Health Law.” [https://s3-eu-west-1.amazonaws.com/assets.dogandcatwelfare.eu/live/media/publicationtemp/EU\\_Dog\\_Cat\\_Alliance\\_briefing\\_AHL\\_pet\\_movement\\_review.pdf](https://s3-eu-west-1.amazonaws.com/assets.dogandcatwelfare.eu/live/media/publicationtemp/EU_Dog_Cat_Alliance_briefing_AHL_pet_movement_review.pdf).

<sup>5</sup> EU Dog & Cat Alliance + Blue Cross (2017). Online Pet Sales in the EU: What’s the cost? [https://s3-eu-west-1.amazonaws.com/assets.dogandcatwelfare.eu/live/media/publicationtemp/12195\\_-\\_EU\\_Pet\\_sales\\_report\\_spreads.pdf](https://s3-eu-west-1.amazonaws.com/assets.dogandcatwelfare.eu/live/media/publicationtemp/12195_-_EU_Pet_sales_report_spreads.pdf)

3. Calls for a clear linkage between the EU Pet Passport and Pet Microchip Registration to ensure that the origin of the companion animal remains clear even if the Pet Passport is replaced;

#### ***An EU Action Plan to address the illegal trade in companion animals***

4. Calls on the European Commission to draw up a cross-sectorial EU Action Plan to address the illegal trade in companion animals in the EU; considers that the Action Plan should clearly define the responsibilities of all stakeholders and decision-makers, including the Member States, the European Commission, border, customs and veterinary authorities, veterinarians and civil society organisations;
5. Recommends that the European Commission involve in the Action Plan its different Directorate-Generals working on animal welfare, public health, consumer protection, internal market, and trafficking issues;
6. Considers that a uniform EU definition of large-scale commercial breeding facilities, known as puppy mills, is necessary in order to tackle illegal trade
7. Calls on the European Commission to improve the protection of consumers buying companion animals via online adverts as part of its Digital Agenda;
8. Supports the exclusion from the scope of the Directive on Contracts for the online and other distance sales of goods (2015/0288(COD)) of the sales of live animals between trader and consumer;

#### ***Controls and better enforcement of EU legislation***

9. Is of the opinion that the illegal trafficking of companion animals could be curbed by improving law enforcement and toughening sanctions against economic operators, veterinarians and national public services - from source, transit and destination countries - who supply counterfeit pet passports;
10. Calls on the Commission and the Member States to develop strategies for regulation or self-regulation of online companion animal adverts in order to stop misleading advertising;
11. Calls for the Directorate for Health and Food Audits and Analysis' inspection programmes (European Commission - DG Health and Food Safety) to include checks on Member State's compliance with Regulation (EU) No 576/2013;
12. Calls for a REFIT evaluation of Regulation (EU) No 576/2013 and Council Directive 92/65/EEC in order to assess the animal health requirements and controls for the cross-border movement of companion animals under the different legislative acts, and if considered necessary, improve the guidance and involvement of external experts in the inspection process;
13. Calls on the Commission to propose consistent and enforceable breeding rules for companion animals to be put in place across the EU;

14. Calls on Member States to ensure that there are detailed rules for the control of companion animal breeders and appropriate oversight by veterinarians;
15. Considers that Member States should be encouraged to set up a compulsory register of authorised companion animal breeders and sellers;
16. Calls, in addition to border checks required under Regulation (EC) No 338/97, for Member States to introduce in-country compliance monitoring with regular checks, on traders and permit holders such as shops selling companion animals, breeders, research centres and nurseries;
17. Believes that the frequency of inspections should also be harmonised across the EU and carried out in cooperation with the customs, police and veterinary services of the Member States;
18. Calls on the competent authorities of the Member States, in case of non-compliance with Regulation (EU) no 576/2013, to adhere strictly to the procedures laid down therein and to ensure the rehoming of any seized companion animals; calls, furthermore, on the Member States to adequately support animal rescue centres;

#### ***Cooperation, communication and training***

19. Considers that there is an urgent need for good cooperation between Member States;
  20. Advocates collaborative cross-agency working in Member States to tackle the illegal trade in companion animals, including developing an intelligence system to record and share data in respect of illegally traded commercial animal consignments;
  21. Considers that tailor-made training for customs and veterinary authorities to detect the smuggling of companion animals should be promoted and improved;
  22. Recognises the important role played by animal protection associations and NGOs in the fight against the illegal trafficking of companion animals;
  23. Considers that more should be done to raise awareness among potential purchasers and economic operators, including online services providers, in relation to illegal sales of companion animals and associated low welfare standards;
  24. Calls on the Member States to carry out more awareness-raising campaigns to encourage buyers to adopt rather than purchase companion animals;
- \*\*\*
25. Instructs its President to forward this resolution to the Council and the Commission.