

Non-commercial movement of pet animals

2012/0039(COD) - 06/03/2018 - Follow-up document

The Commission presented a report on the implementation of Article 5 of Regulation (EU) No 576/2013 on the non-commercial movement of pet animals, in particular on the maximum number of pet animals of Part A species (and the possibility of derogating from it).

This document draws mainly on the outcome of a consultation held with competent authorities in certain EU Member States and one European Free Trade Association (EFTA) country, Norway, on their experience with the implementation of this Article.

As a reminder, dogs, cats and ferrets are animals of species susceptible to rabies and are listed in **Part A of Annex I** to the Regulation. Animals kept as pet animals that are of species not affected by rabies (or of no epidemiological significance with regard to rabies) are listed in **Part B of Annex I**.

The maximum number of pet animals of Part A species which may accompany their owner or an authorised person during a single non-commercial movement into a Member State from another Member State or from a territory or third country shall **not exceed five**. However, this Article also provides for a derogation, which allows this number to exceed five if certain conditions regarding the age of the animals, the documentary evidence to be presented and the purpose of the movement are fulfilled.

The Commission stated that the contributions of the competent authorities of EU Member States and Norway to the consultation have **not provided solid evidence** that the maximum number of pet animals of Part A species (and the possibility of derogating from it) as set in Article 5 of the Pet Regulation, as well as the absence of EU rules setting the maximum number of pet animals of Part B species, constitute an undue burden for the non-commercial movement of pet animals. Nor do the contributions provide evidence that these rules encourage the disguise of intra-Union trade in and imports into the Union of animals of certain species as non-commercial movements.

Therefore, there is a need to **gather more experience** in the practical application of Article 5 of the Pet Regulation over a longer period of time before the Commission could envisage proposing changes to the current rules for pet animals of Part A species or the adoption of EU rules for pet animals of Part B species.

It is **not realistic** for the Commission to submit to the European Parliament and the Council a proposal for an amendment of paragraphs 1 to 4 of Article 5 of the Regulation on pet animals of Part A species to be adopted under the ordinary legislative procedure before 21 April 2021 and applicable until 21 April 2026. Any amendment in this area should also cover the relevant provisions of Regulation (EU) 2016/429 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'), including the transitional arrangements.

Taking into account the consultation with EU Member States and Norway, and the need to prioritise the preparatory work for the adoption of the key delegated acts listed in Article 274 of Regulation (EU) 2016/429, the **Commission does not intend to exercise its delegated power** under paragraph 5 of Article 5 of the Pet Regulation.

Nonetheless, the Commission will continue to **monitor** the situation and encourage Member States to take action for the proper implementation and enforcement of the applicable legislation that it considers essential to counter fraudulent practices.