

Internal market: ban the placing on the market and the import or export of cat and dog fur and products containing such fur

2006/0236(COD) - 20/11/2006 - Legislative proposal

PURPOSE: to ban the trading of cat and dog fur and products containing such fur.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: there is a strong political demand to ban the trade on cat and dog fur or fur products. Member States have asked the Commission several times to undertake an initiative to ban the trade of cat and dog fur or products containing such fur in the Community.

In December 2003, the European Parliament adopted a declaration on a ban of the trade in cat and dog fur requesting the Commission to draft a regulation under internal market powers to ban the import, export, sale and production of cat and dog fur and skins, so as to restore the confidence of EU consumers and retailers and to end this trade.

The Council of Agriculture Ministers in November 2003 and again in May 2005 asked by a vast majority for an initiative at Community level to stop the trade in cat and dog fur and fur products. They highlighted that a ban at Community level would be more effective than national bans which cannot be

effective. Some Member States have already introduced a ban on the trade in cat and dog fur.

CONTENT: this proposal aims to ban the placing on the market, the import and export of cat and dog fur and products containing such fur and requires the Member States to inform each other about analytical methods used to identify cat and dog fur.

The enforcement of the proposed ban requires the availability and improvement of analytical methods to distinguish cat and dog fur from other species' (in particular fox and wolf). As most fur from cat and dog is produced and processed in third countries and enters the Community as part of a garment or toy, the analytical methods must allow cat and dog fur identification also where fur has been treated (e.g. dyed, as dyeing may destroy the natural structure of a fur and even destroy the DNA).

Several methods are currently available and reported to be in use by the competent authorities of those Member States where a ban on trade, import or export is already in place. The methods offering the most reliable results according to the evaluations provided by Member States' authorities are: microscopy, DNA testing and the MALDI-TOF Mass Spectrometry. These methods provide different degrees of reliability. In particular the MALDI-TOF Mass Spectrometry is in general able to detect fur from domestic cat and dog and recent results suggest that this is probably also the case for treated fur.

In the EU there is at least at present one laboratory offering this analysis of fur commercially. The Commission is informed that the technology necessary to perform the MALDI-TOF Mass Spectrometry is available in several laboratories in Member States. Once an EU wide ban will be in force other laboratories would thus be able to perform this analysis if they developed the necessary database.

Despite the use of different techniques for the detection of cat and dog fur at present the entry into force of a EU wide ban should lead in the future to the positive effect of the application of a common approach to

the enforcement by Member States. Therefore it is appropriate for the information regarding such techniques to be shared among Member States and made available to the Commission by 30 March 2009 and subsequently each year no later than March, so that enforcement bodies are kept up to date to innovation in this field.