

Basic information	
<b>2006/0236(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Internal market: ban the placing on the market and the import or export of cat and dog fur and products containing such fur  <b>Subject</b>  2.10 Free movement of goods 3.10.04 Livestock farming 3.10.04.02 Animal protection 6.20 Common commercial policy in general	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>IMCO</b>	Internal Market and Consumer Protection	SVENSSON Eva-Britt (GUE/NGL)	28/11/2006
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>INTA</b>	International Trade	LUCAS Caroline (Verts/ALE)	18/12/2006
	<b>ENVI</b>	Environment, Public Health and Food Safety	The committee decided not to give an opinion.	08/03/2007
	<b>AGRI</b>	Agriculture and Rural Development	STEVENSON Struan (PPE-DE)	19/12/2006
	Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>
Agriculture and Fisheries		2777	2007-01-29	
Agriculture and Fisheries		2834	2007-11-26	
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Health and Food Safety		KYPRIANOU Markos	

Key events			
Date	Event	Reference	Summary

20/11/2006	Legislative proposal published	COM(2006)0684 	Summary
29/11/2006	Committee referral announced in Parliament, 1st reading		
29/01/2007	Debate in Council		Summary
12/04/2007	Vote in committee, 1st reading		Summary
25/04/2007	Committee report tabled for plenary, 1st reading	A6-0157/2007	
18/06/2007	Debate in Parliament		
19/06/2007	Decision by Parliament, 1st reading	T6-0260/2007	Summary
19/06/2007	Results of vote in Parliament		
26/11/2007	Act adopted by Council after Parliament's 1st reading		
11/12/2007	Final act signed		
11/12/2007	End of procedure in Parliament		
27/12/2007	Final act published in Official Journal		

Technical information	
Procedure reference	2006/0236(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 133 EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/6/43096

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE384.485	05/02/2007	
Amendments tabled in committee		PE386.426	08/03/2007	
Committee opinion	<span style="border: 1px solid red; padding: 2px;">INTA</span>	PE384.287	20/03/2007	
Committee opinion	<span style="border: 1px solid red; padding: 2px;">AGRI</span>	PE384.234	21/03/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0157/2007	25/04/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0260/2007	19/06/2007	Summary
Council of the EU				
Document type		Reference	Date	Summary

Draft final act		03632/2007/LEX	11/12/2007	
<b>European Commission</b>				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2006)0684 	20/11/2006	<a href="#">Summary</a>	
Document attached to the procedure	SEC(2006)1448 	20/11/2006		
Document attached to the procedure	SEC(2006)1449 	20/11/2006		
Follow-up document	COM(2013)0412 	13/06/2013	<a href="#">Summary</a>	
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0606/2007	25/04/2007	

<b>Additional information</b>		
Source	Document	Date
National parliaments	<a href="#">IPEX</a>	
European Commission	<a href="#">EUR-Lex</a>	

<b>Final act</b>
<a href="#">Regulation 2007/1523</a> <a href="#">OJ L 343 27.12.2007, p. 0001</a> <span style="float: right;"><a href="#">Summary</a></span>

## 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) - 13/06/2013 - Follow-up document

The Commission presents its report on the application of Regulation (EC) No 1523/2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur. The ban on cat and dog fur applies in the European Union since 31 December 2008.

The report describes the enforcement measures put in place by the Member States to prevent the placing on the market, the import to or export from the Union of cat and dog fur, and products containing such fur. It also provides an overview on the methods of analysis used by the Member States to identify the species of origin of fur and on the penalties applicable in case of infringements. It covers the years 2009 and 2010.

The adoption of this report was delayed due to the need for the Member States to collect enough information on the implementation of the ban. Some data were received only at the beginning of 2012, allowing a full analysis to be undertaken only during 2012.

The **main conclusions** of the report are as follows: Member States set up a system of controls in order to implement the ban. They mainly integrated checks for the ban in their existing systems of controls by taking the following actions:

- the modification of national legislations in order to repeal previous national measures prohibiting cat and dog fur and to introduce penalties;
- the designation of the competent authorities and officials responsible;
- the designation of the methods of analysis and laboratories performing them in order to identify whether the fur comes from a domestic dog or cat in case of suspicion;
- the training and elaboration of procedures in order to inform officials performing the controls;
- the dissemination of information to business operators and general public.

The primary objective of the systems of controls is to prevent the entry into the Union of illegal commercial imports of cat and dog fur from third countries because most of it originates from there.

In 2009 and 2010, Member States' controls were therefore **mainly focussed on preventing illegal imports**. Direct involvement of Customs authorities and the use of the Commission database TARIC by business operators and Member States allowed for a harmonized implementation of the ban regarding illegal imports. Member State controls were complemented within the Union by checks carried out mainly in retail shops. Where necessary, samples were taken for analysis to confirm the presence of cat and dog fur. Illegal products were seized and destroyed when identified. Sanctions were pronounced in the case of infringements.

The number of controls increased in 2010 compared to 2009 as well as the number of samples taken and sent for analysis. 2009 was the first year when the Regulation came into force and the level of implementation increased in 2010 as, by that time, Member States had taken measures to organise the checks. According to the Member States, goods that they identified as potentially containing cat and dog fur were mainly jackets and coats, scarves, neckerchiefs, key rings and leather articles.

Overall, the application of the Regulation had a **positive impact** as it simplifies the work of business operators since it has replaced several national bans applied with different procedures. In addition, in stakeholders' opinion, the ban contributed to limiting the risk that European consumers may be exposed to buying cat and dog fur or products containing such fur.

## **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.

## **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) - 11/12/2007 - Final act

PURPOSE: to ban the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur.

LEGISLATIVE ACT: Regulation (EC) No 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur.

CONTENT: the Regulation was adopted by a qualified majority at 1<sup>st</sup> reading, the Italian delegation voting against. The Regulation aims to ban the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur in order to prevent obstacles to the smooth operation of the internal market and to re-establish consumer confidence in the fact that the fur products they buy do not contain cat or dog fur.

In exceptional cases, the Commission may adopt measures enabling the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur for educational or taxidermy purposes, stipulating the conditions under which such derogations shall apply. These measures, which aim to amend the non-essential elements of the Regulation, will be adopted in the accordance with the new regulatory procedure with scrutiny (comitology).

Member States shall inform the Commission of the analytical methods they use to identify the species of origin of fur by 31 December 2008 and subsequently whenever required in the light of new developments. The Commission may adopt – in accordance with the regulatory procedure with scrutiny - measures establishing analytical methods to be used to identify the species of origin of fur.

Member States shall report to the Commission on their efforts to enforce this Regulation. The Commission shall report to the European Parliament and the Council on the application of this Regulation, including customs activities, no later than 31 December 2010. The Commission's report shall be made available to the public.

ENTRY INTO FORCE: 16/01/2008

APPLICATION: from 31/12/2008

## **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) - 29/01/2007

The Council held an exchange of views on banning the marketing and import of cat and dog fur. Delegations were asked to share their experience on controls and analytical methods.

The Council noted the unanimous support of delegations for the proposal's objective and for the principle of improving public information and consumer confidence.

Concerning the analytical tools needed to carry out efficient controls, most delegations offered either to share their experience or to co-operate with those Member States that had such a ban in force under their national law. Some delegations gave a reminder that the costs and resources involved in performing such controls should remain proportionate.

The Council also took note of those delegations (a majority) who oppose any derogation that could weaken the proposal's objective. The Council mandated the Council's preparatory bodies to continue the examination of the proposal, with a view to reaching a conclusion during the German Presidency.

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

The European Parliament adopted the resolution drafted by Eva-Britt SVENSSON (GUE/NGL, S), and made some amendments to the Commission's proposal. Parliament entered into negotiations with the Council with a view to reaching agreement at first reading.

The main amendments adopted are as follows:

- Article 3 of the legislation states that the placing on the market and the import to or export from the Community of fur of cats and dogs and products containing such fur shall be prohibited ;
- Parliament agreed with its competent committee and rejected the derogation proposed by the European Commission. The derogation in question would have made it possible to place on the Community market furs where such fur is labelled as originating from cats or dogs that have not been bred or killed for fur production or which are personal or household effects being introduced into the Community, or exported there from. Parliament felt that this would leave a gaping loophole in the legislation, which traders would quickly exploit;
- by the way of exceptional derogation from Article 3, the Commission may adopt provisions to allow the placing on the market, import or export of fur of cats and dogs or products containing such fur for educational or taxidermy purposes including conditions under which such derogations shall be applied. These measures will be adopted in accordance with the regulatory procedure with scrutiny;
- Parliament amended some of the definitions in the text. It stated that "cat" shall mean an animal of the species *felis silvestris*, and "dog" shall mean an animal of the subspecies *canis lupus familiaris*;
- Member States must inform the Commission of the analytical methods they use to identify the species of origin of fur by 31 December 2008 and subsequently every time when required in the view of new developments;
- Member States must report to the Commission on their efforts to enforce the Regulation. And the Commission must produce a report on the implementation of the Regulation including customs activities no later than 2 years after the date of application of the Regulation. The Commission's report must be made available to the public.
- lastly, the Regulation will apply from 31 December 2008.