

# DEPARTEMENT OMGEVING

## **Government of Flanders**

Strategy, international policy and animal welfare division

Koning Albert II-laan 20 box 8

1000 BRUSSELS

T 02 553 15 08

www.omgevingvlaanderen.be

## Flemish Animal Welfare Council – OPINION 27/06/2018

# Breeding and trading of companion animals

*This advisory text is a summary. Additional information can be found in the accompanying opinion guide.*

The legislation pertaining to the breeding and trading of companion animals, specifically, the Royal Order of 27/04/2007 laying down the accreditation conditions for animal facilities and the conditions pertaining to the trading of animals, is amongst the best in the European Union. However, it dates back to 1997. Competent Minister Weyts has therefore requested that the Flemish Animal Welfare Council formulates suggestions for improvement. To this end, the Board established a working group in which all relevant stakeholder groups were represented.

The Council recommends adopting measures to promote the domestic breeding of cats and dogs. A logical consequence of this measure must be a decrease in the number of puppies that are commercially imported from abroad. The Board additionally proposes a number of changes to existing legislation. These must ensure a better guarantee that puppies and kittens, and by extension all companion animals, remain healthy and socialised during their breeding and sale.

The Council for Animal Welfare proposes the following changes:

### **Accreditation application**

- 'hobby breeder':
  - breeding of up to 5 (instead of 10) dog or cat litters per year
  - breeding of up to 3 different breeds
- 'professional breeder':
  - term replaced with 'professional breeder'
  - breeding of more than 5 cat or dog litters per year.
  - no restriction on the number of breeds
- 'occasional breeder':
  - breeding of up to 2 dog litters per year.
- 'breeder-trader':
  - no changes

- The **price** for accreditation application must be reviewed. The **re-inspection** of an accreditation application must also be paid for by the manager of the facility.
- Training and proficiency are essential for companion animal facility managers. This not only applies to professional and commercial breeding kennels, but also shelters, kennels and pet stores. For every new accreditation application, the facility manager or at least one permanent staff member must therefore have received **appropriate training**. Likewise, all staff and volunteers must undergo internal training.

Suitable training courses include:

- animal care (technical secondary education level),
- animal care (university college level),
- bachelor's degree in veterinary medicine,
- training courses organised by recognised breeding associations,
- Government of Flanders training course for shelter employees,
- training courses that are deemed equivalent by the Service.

This measure must be introduced gradually and generalised within 5 years of the legislation's publication in the Belgian Official Journal.

- Every professional breeder or breeder-trader provides **at least 1 full-time equivalent contract (pro rata) per 50 breeding bitches**. Animal welfare inspections additionally **assess** the **socialisation** of the breeding bitches (please refer to 'Animal health in accredited facilities').
- **Provisional accreditation** can lead to abuse and is no longer granted in practice. This type of accreditation must therefore be **removed** from the legislation. Final accreditation must be granted once the accreditation application is complete.
- Shelters increasingly work with foster families. Foster families must work under the responsibility of a recognised shelter and their details made available to the competent authority.

The shelter must therefore maintain a **register** containing the details of all host families and the animals that reside there and are offered for adoption. **Accreditation conditions for horse shelters** must be incorporated into the legislation. Amongst other things, the Animal Welfare Council opinion can serve as a guideline for this.

### **Contract veterinarian**

- The contract veterinarian's **inspection report** must meet minimum criteria and preferably be digitised. This report must contain the contract veterinarians' observations and recommendations. The contract veterinarian must also record every veterinary treatment they perform in this inspection report. In order to maintain the medical history of each individual animal, this must specify the animal's identification number, diagnosis and treatment.

- **Additional supervision** of accredited facilities is recommended. The Animal Welfare Inspection Service can deploy independent veterinarians for additional inspections. As a guideline, annual unannounced inspections must be adopted for professional breeders, breeder-traders and shelters.

#### Accreditation facility accommodation

- The option for animal shelters to **deviate** from the minimum surface area standard for an animal in extreme emergencies may be retained, provided that the Animal Welfare Service gives its written consent.
- **Concrete slatted floors or perforated floors above manure cellars** must be prohibited for every new accreditation application, or within 5 years of publication in the Belgian Official Journal for existing facilities. Customised profile floors (perforated coated panels) may be used on the condition that the profile floor can be completely removed.
- All dogs in breeding kennels, kennels and shelters must be given access to the outdoors on a daily basis. New and renovated professional breeding kennels, commercial breeding kennels and animal shelters must provide their dogs with fixed outdoor runs or allow them access to the outdoors for a minimum of 2 hours, 5 days a week. For the latter, the burden of proof rests with the breeder, kennel and shelter (e.g. chip registration, camera surveillance etc.). All existing facilities must have a suitable outdoor run for all dogs within 5 years of the legislation's publication in the Belgian Official Journal.
- **Dogs** are social animals that live in packs. Accredited facilities must therefore **house all dogs in groups**, providing their temperament or health status permits. This is essential for the socialisation of bitches and puppies, and the subsequent adoption of the bitches. These groups must be composed in such a way that as little aggressive behaviour as possible is allowed to manifest.  
As an exception, dogs in animal shelters need not be housed in a group if it is suspected that they will not form part of a stable pack for more than 1 month.
- Pet stores must provide gerbils, degus and chinchillas with a permanent **sand bath**.
- Pet stores must provide all reptiles, with the exception of snakes, with **UVA** and **UVB light**.

#### Animal health in accredited facilities

- The **number of litters** per female dog or cat must be limited to a maximum of 3 litters per 24 months.
- Breeders do not fall under the authority of the Animal Welfare Service. However, it must be ensured that the gene pool of each dog and cat breed remains as large as possible. **Targeted combinations** are extremely important and should be possible.
- The **quarantine period** for dogs and cats that have not been bred at the commercial breeding kennel itself must be extended to 10 days to reduce the number of disease outbreaks at the purchaser.

Not one single cat or dog may leave this quarantine any earlier, even with permission from the contract veterinarian<sup>1</sup>.

In order to prevent cross-contamination, cats and dogs from different breeding facilities must be housed in separate quarantine rooms.

In the case of imported animals, the Council recommends banning the shared transport of cats and dogs from different breeding facilities. **One transport** must be provided **per breeding facility**.

Furthermore, a veterinarian must **inspect** the animals upon their arrival in **quarantine**. The animals can only leave quarantine on day 11 after arrival and once the veterinarian has declared them fit and healthy.

In this way, the Council hopes to reduce the number of commercially imported puppies and kittens.

- If a private individual purchases or adopts a cat or dog abroad, this cat or dog must also be **quarantined for 10 days**. This means that the dog must be separated from public spaces for 10 days. The dog can be kept in the owner's home and/or garden for example.
- The Council is concerned about the **socialisation** of both puppies and breeding bitches in breeding kennels. This must be monitored during animal welfare inspections via the testing of several basic handling activities, such as leashing, encouraging play, feeding, brushing and petting.
- The use of a scientifically based **vaccination program** is recommended for breeding kennels, yet should not be imposed.

### Miscellaneous

- The **guarantee certificate** must be rewritten to ensure that purchasers are aware that consumer law applies whenever purchasing an animal from an accredited facility.

The puppy or kitten's **chip number** must be linked to the mother animal's chip number. To facilitate this, the existing database for registering dogs and cats must be expanded as quickly as possible, and in consultation with the other two regions and the database manager. This exercise must also take the new privacy legislation into account.

- Each dog or cat offered for sale via written press or internet must be displayed using the actual photo of the animal. The use of **stock photos** must be **prohibited**.

---

<sup>1</sup> Memorandum: Ani-Zoo, which is a member of the working group, but not of the Flemish for Animal Welfare Council, does not agree with this measure. The primary reasons are a lack of objective measurements on the current "risk" and the danger of creating additional health risks. Ani-Zoo opts for prevention by making vaccinations mandatory. Ani-Zoo is also concerned about the socialisation of puppies in quarantine.

- Shelters and breeders **are only permitted to sell kittens from the age of 12 weeks onwards**. Since it affords behavioural benefits for the kitten, kittens must stay with the mother cat until this age wherever possible.
- The Council recommends that prospective cat or dog purchasers pay specific attention to whether the mother animal is present with the puppy or kitten. Future legislation must make the **visibility of the mother animal** (potentially in a digital format) obligatory for breeders; it is recommended, but not obligatory, for breeder-traders.
- Raising awareness is essential to preventing the illegal breeding and trafficking of **puppies via the internet**. The **adoption of foreign rescue dogs** is also not without risk, and is advised against. The public must be informed about this and appropriate measures developed to prevent the adoption of foreign rescue dogs in the long-term.
- Strict regulations already apply for both domestic and foreign breeders and consequently the commercial import of foreign puppies. The competent Flemish authority must strengthen its ties with foreign colleagues to facilitate a more accurate assessment of these requirements.