

Stockholm 2024-03-13

# Comments on Proposal for a regulation on the welfare of dogs and cats and their traceability

## General comments

It's positive that dogs and cats will be covered by an animal welfare framework. The proposal that aims at improving and protecting the welfare of dogs and cats through regulations concerning traceability, care, breeding, and importation is generally positive and will be able to make a difference for dogs and cats both within and outside the union. However, we believe that the proposal needs to be strengthened and needs to include more animals to achieve the desired effect regarding the welfare of dogs and cats within the EU.

Among the important changes we believe must be implemented for the new framework to have sufficient effect are:

## Scope

We advocate for a comprehensive regulation that addresses the welfare of all companion animals. Many aspects of the proposal are applicable across various types of companion animal species, particularly the more general wordings. Presently, numerous companion animals face significant welfare challenges that necessitate clear legislative protection. In a regulation covering all companion animals/pets, it should be incorporated provisions for establishing a so called 'positive list,' specifying which companion animals private individuals are permitted to keep within the union.

As currently drafted, the framework will not apply to breeders, pet shops, and shelters below a specified size. Regrettably, this means that a considerable number of dogs and cats will fall outside the proposed regulatory framework. For example, it is imperative that all breeders, regardless of the number of litters produced, are subject to regulation and oversight.

## Identification and registration

The proposal that all dogs and cats kept within establishments or supplied should be marked for identification and registered is positive. However, we wish for extending this requirement to encompass all dogs and cats within the union, irrespective of ownership status or whether they are intended for supply. In this way, the intention would be achieved more effectively.

## Breeding and extreme anatomies

Health problems caused by breeding and extreme anatomy are human-made issues that cause some of the biggest animal welfare problems seen in dogs and cats today. As the proposal stands, the rules regarding breeding are far from sufficient and need to be expanded. We suggest that provisions regarding breeding are delineated in a separate article that includes, among other things, significantly stricter rules regarding which animals are allowed to be bred, a ban on using animals with genetic defects in breeding, and better control over the degree of inbreeding. The wording regarding brachycephalic animals must be removed; instead, breeding of all animals with extreme anatomies should be prohibited.

## Mutilations

We support the proposal to ban mutilations, which inflict significant suffering on dogs and cats solely for aesthetic preferences or human convenience. However, our understanding is that the proposal currently only applies to establishments of a certain size. This needs to be expanded to encompass all dogs and cats kept within the union.

## Pet shops

Even though the regulations regarding dogs and cats kept in pet shops is strengthened in the proposal, it still allows for such operations. The needs of dogs and cats cannot be adequately met in pet shops, as evidenced by the more frequent development of problem behaviours among these animals. Consequently, the practice of keeping dogs and cats in pet stores should primarily be entirely prohibited.

## Detailed comments

### Chapter 1

#### Article 1

For meaningful impact, the regulations should apply to significantly more animal owners than those managing animals within a breeding establishment, shelter, or pet shop.

We propose the following:

- "a) The welfare of dogs and cats bred or kept in establishments, handled or placed on the union market
- b) the traceability of dogs and cats in the union or placed on the union market or supplied in the union".

## Chapter 2

### Article 4

To secure the welfare of as many dogs and cats as possible, more breeders, pet shops, and shelters must be included. The rules are not particularly difficult to comply with and only provide a very basic level of animal welfare. Moreover, if more breeders, pet stores, and shelters are included, the framework will also have a more uniform effect across different countries.

#### Article 4, point 1

The proposal that the regulations should not apply if a breeder has a maximum of two litters per calendar year will mean that in certain countries, for example the Nordic ones, only a fraction of breeders will be affected. This will result in an absolute majority of breeding animals and puppies/kittens in these countries not being covered by the proposed framework.

Breeding of dogs and cats differs across European countries. In Sweden and many other Nordic countries, a large part of the breeding of both cats and dogs is conducted by smaller, private breeders who would not be covered by the proposed framework. According to the Swedish Kennel Club's registry, for example, there were 340 breeders of Labrador retrievers who produced at least one litter in 2022, and about 90% of these produced at most two litters, and would hence not be covered by the proposal.

Breeding-related issues are the foundation of some of the biggest welfare problems that occur in both dogs and cats. Genetics, as well as the environment of the breeder, will have a significant impact on the welfare and behaviour of the animals.

Having more breeders and thus more animals covered by the regulations will have an obvious effect on both the welfare of the mother and the puppies/kittens. It would also likely have an effect on the issue of so-called dangerous dogs. A dog bred in a substandard manner, both in terms of environment and breeding program, has a much greater risk of developing into a dangerous dog. This is a topic that is widely debated both in Sweden and internationally, and to find a proactive solution to the problem, control over breeders is needed.

We propose that the framework applies to **all breeders of dogs and cats**. This means that the exemption is completely removed from the proposal.

#### Article 4, point 2

Pet shops are not suitable environments for dogs and cats, and it is not possible to meet their welfare needs in such an environment. Various studies have shown that dogs purchased from pet stores are more likely to display aggression and other behaviour problems<sup>1, 2</sup>. There are also

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<sup>1</sup> McMillan et al. 2013. Differences in behavioral characteristics between dogs obtained as puppies from pet stores and those obtained from noncommercial breeders. *Scientific reports*, 242.

<sup>2</sup> Pirrone et al. 2016. Owner-reported aggressive behavior towards familiar people may be a more prominent occurrence in pet shop-traded dogs. *Journal of veterinary behavior*, 13-17.

studies indicating that the same applies to cats<sup>3, 4</sup>. Selling dogs and cats in pet shops should therefore not be allowed.

We propose that, primarily, it should be **prohibited to sell dogs and cats in pet shops**. Secondly, the **regulations should apply to all pet shops** that sell dogs and cats, regardless of the number of animals kept.

#### **Article 4, point 3**

The exemption, as it is written, depends on the number of animals kept on the shelter simultaneously. This overlooks shelters with high turnover rates, where a significant number of animals may be sold or rehomed throughout the year despite having only a few animals present at any given time, since the time each animal spends at the shelter is not always long. Therefore, we suggest including the total number of rehomed animals per calendar year as a factor. Running a shelter is demanding, especially since many of the animals kept have an unknown history and require significant knowledge. We also do not see why there should be a difference in the number of cats versus dogs kept. Caring for cats can be just as demanding as caring for dogs, especially when they are kept in groups.

We propose that the regulations should apply if the shelter rehomes **more than three cats or dogs per year or if it houses ten or more cats or dogs at any given time**.

#### **Article 5**

The phrase "Operators and natural legal persons responsible for shelters..." is generally difficult to interpret due to the definition of "operator" being responsible for all establishments except shelters. When the sentence is read without having the definition of operator completely clear, it can rather be interpreted as if the provision only applies to shelters. We assume that it is a way to differentiate which regulations apply to shelters or not, but we believe it would be more easily interpreted if it were written differently, explicitly stating when a particular article or rule does not apply to shelters.

We propose making it explicit when a certain provision is not applicable to shelters.

#### **Article 5a**

Here, it would need to be clarified that feeding should also result in an appropriate body condition.

#### **Article 5c**

Here it would be appropriate to add breeding practices to the measures to be taken to prevent diseases, disabilities, and pain, as incorrect anatomy/health conditions often result from inappropriate breeding strategies.

We propose the following wording: "...due in particular to management, handling practices, mutilations, or **breeding practices**".

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<sup>3</sup> Amat et al. 2016. Stress in owned cats: behavioural changes and welfare implications. *Journal of Feline Medicine and Surgery*, 18:577-586.

<sup>4</sup> Amat et al. 2009. Potential risk factors associated with feline behaviour problems. *Applied Animal Behaviour science*, 121: 134-139.

### **Article 5d**

It needs to be specified that the interaction with humans should occur daily and be of a longer duration for both dogs and cats. Additionally, regulations regarding interaction with conspecifics should be included.

Human contact for dogs is very important, and it has been suggested that they are hypersocial towards humans<sup>5</sup>. Socialization with humans is critical for their welfare and their ability to integrate as well-adjusted members of society. Therefore, dogs' social contacts with humans should be abundant.

Interaction with other dogs is particularly important for young dogs under six months of age, since they engage in frequent play and need to develop their social skills during this period<sup>6</sup>. For dogs with limited contact with humans, such as laboratory dogs, it is recommended to keep them in groups<sup>7</sup> as they exhibit more problem behaviours when kept alone<sup>8</sup>.

For cats, early socialization with both other cats (up to at least 14 weeks) and humans (up to at least 4 months) is vital, both for the cat's welfare and for it to function well in its home. Also, adult cats can thrive in group settings if there are sufficient resources and if the groups are kept stable<sup>9</sup>.

We propose that:

Dogs that are permanently kept with limited contact with humans should normally be kept in groups composed of individual dogs that get along well together.

Kittens under four months of age should have access to social interaction with conspecifics.

Cats kept in groups should be kept in stable groups and with individuals that get along well together.

### **Article 6.2**

Puppies/kittens have a significant need for socialization and care, and it requires an adequate number of animal caretakers to meet both their and the mother's needs. The number of animal caretakers/keepers per animal with a litter of puppies/kittens needs to be specified. The word "suitable" leaves too much room for interpretation.

We propose that each animal caretaker/keeper is responsible for a maximum of three female dogs/cats with litters of puppies/kittens simultaneously.

### **Article 6.3**

Breeding and genetics are the foundation of many of the most serious welfare problems seen in both dogs and cats today. For example, dogs are the species with the highest number of hereditary

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<sup>5</sup> Von Holdt et al. 2017. Structural variants underlie hypersociability: A novel theory of dog domestication. *Science Advances* 2, e1700398

<sup>6</sup> Scott & Fuller. 1965. Genetics and the social behavior of the dog.

<sup>7</sup> Hubrecht et al. 1992. Correlates of pen size and housing conditions on the behaviour of kennelled dogs. *Applied Animal behaviour science* 34, 365-383.

<sup>8</sup> Hetts et al. 1992. Influence of housing conditions on beagle behaviour. *Applied Animal Behaviour Science* 34, 137-155.

<sup>9</sup> SLUs vetenskapliga råd för djurskydd. 2018. Yttrande från SLUs vetenskapliga råd för djurskydd om hållande av hund och katt.

diseases<sup>10</sup>. Our unilateral focus on appearance and breed purity has led to many breeds being in a very serious situation regarding health<sup>11</sup> and genetic variation<sup>12</sup>. Despite this being long recognized by both researchers, veterinarians, and animal welfare organizations, the situation has not changed. To address the problem, strong and detailed legislation is required. Animal Welfare Sweden has recently been able to demonstrate that broader regulations are ineffective<sup>13</sup>. In 2020, "Responsible dog/cat breeding guidelines"<sup>14, 15</sup>, were developed, which should better serve as the basis for new legislation.

Certain breeds of dogs and cats experience welfare problems due to high levels of inbreeding and extreme anatomies that make it difficult for the animals to perform natural behaviours, leading to suffering. For an overview of the characteristics that a dog or cat should have/being able to perform, please see the UK Brachycephalic working group's document on innate health<sup>16</sup>.

Some of the most well-known breed types with an anatomy that significantly affects their health are brachycephalic dogs<sup>17, 18</sup> and cats<sup>19</sup>. To more or less exempt these from the breeding and health provisions is neither ethical nor logical.

We propose that breeding is given its own article instead of a very limited point under a general article on health. This new breeding article can include both practical breeding issues (such as how the mother should be kept, rules about caesarean sections, etc.) and more genetic issues (such as inbreeding and breeding goals). The regulations regarding the more purely genetic issues, such as preventing inbreeding and health problems, need to be significantly strengthened for this to have any effect. The proposal that brachycephalic dogs and cats should not be prevented from being used in breeding as long as breeding programs minimize the negative consequences of brachycephalic traits, must be completely removed. Instead, we propose a ban on breeding with extreme anatomies that may cause suffering.

The entire breeding area needs to be reviewed, and the EU guidelines for responsible dog/cat breeding need to be much more incorporated into the regulation. When breeding dogs and cats, consideration must be given to the population, rather than just the individual litter. Examples of additions that we suggest:

- Dogs and cats allowed to roam freely without supervision should be neutered.
- Animals should be able to reproduce naturally. Planned caesarean sections must be prohibited. Insemination should only be performed in special cases, for example to increase

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<sup>10</sup> <https://omia.org/>

<sup>11</sup> Rooney & Sargan. 2023. Pedigree dog breeding in the UK: a major welfare concern.

<sup>12</sup> Lewis et al. 2015. Trends in genetic diversity for all kennel Club registered pedigree dog breeds. *Canine Genetic Epidemiology* 2, 13

<sup>13</sup> Åsberg, A. 2024. Djurhälsopersonalens anmälningsplikt och avelslagstiftningen. En rapport från Djurskyddet Sverige.

<sup>14</sup> [aw\\_platform\\_plat-conc\\_guide\\_dog-breeding.pdf \(europa.eu\)](#)

<sup>15</sup> [aw\\_platform\\_plat-conc\\_guide\\_cat-breeding.pdf \(europa.eu\)](#)

<sup>16</sup> [220512-BWG-Innate-health-in-dog-populations.pdf \(ukbwg.org.uk\)](#)

<sup>17</sup> O'Neill et al. 2020. Unravelling the health status of brachycephalic dogs in the UK using multivariable analysis. *Scientific reports* 10, 17251.

<sup>18</sup> O'Neill et al. 2021. French Bulldogs differ to other dogs in the UK in propensity for many common disorders: a VetCompass study. *Canine Medicine and Genetics* 8, 13.

<sup>19</sup> Gleason et al. 2023. Influence of feline brachycephaly on respiratory, gastrointestinal, sleep, and activity abnormalities. *Veterinary surgery* 52, 435-445.

genetic variation within a population, and after the female and male already have shown that they are able to mate naturally.

- The mating combination must not be assumed to lead to the mother requiring a caesarean section.
- Breeding for known genetic defects or traits that can cause pain, illness, or hindrance to perform natural behaviour must be prohibited.
- The level of inbreeding in the population should be considered, not just the calculated level of inbreeding in the combination.
- Breeders should provide written information to puppy buyers regarding diseases specific to the breed or type.
- Prohibition on breeding between close relatives needs to be much stricter. For example, mating between siblings and half-siblings should also be prohibited.
- Limit the number of litters for both male and female animals.
- Mandatory veterinary check of both male and female animals before breeding.
- Prohibition of breeding animals with extreme anatomies that may cause pain, suffering, health problems, and hindrance to perform natural behaviour.
- Requirement to consider the temperament of both male and female animals before mating.
- Use genetic tests for diseases common within the population.
- Use estimated breeding values for complex diseases.

### **Article 7a**

Since "operator" does not include animal shelters, those responsible for animal shelters need to be added here.

### **Article 8.1**

It should be mandatory to provide information regarding animal welfare legislation applicable to the specific species upon sale.

We propose the following wording: "Operators and natural or legal persons responsible for shelters, when placing on the market or supplying dogs or cats for the purpose of keeping them as pets, shall provide the acquirer with **evidence-based** information necessary to ensure the welfare of the animal, including information on responsible ownership **and animal welfare legislation.**"

We also suggest adding a prohibition on minors buying or selling animals.

### **Article 8.2**

We suggest adding that all animal owners are obligated to be aware of the legislation they are subject to and that it becomes mandatory to inform about such legislation.

We propose the following wording: "An animal is not a toy. Buying or adopting an animal is a life-changing decision. As an animal owner, you are obliged to ensure that all the needs for its health and well-being are met at all times. **You are obliged to know and follow all legislation regarding the welfare of your animals.**"

### **Article 9**

We propose to include knowledge on unwanted/abnormal behaviour, appropriate social and physical environment, stress, disease control, basic health care and genetics and breeding.

### **Article 10a**

We are positive about an annual visit to assess animal welfare, but we believe that there are other professional groups besides veterinarians who are equally, or more, competent to make such an assessment.

We suggest providing more examples of professional groups besides veterinarians. For example, agronomists, ethologists, animal welfare inspectors, or animal scientists.

### **Article 11.2b**

Feeding should also be adjusted to the animal's body condition and behavioural needs. One example is meeting dogs' need to chew.

We propose the following wording: "Feed in sufficient quantity and quality to meet the physiological, nutritional, metabolic, and **behavioural needs** /.../ adapted to the age, breed, category, **body condition**, activity level, and health status."

### **Article 12.1**

Most of the provisions in the annex could also apply to animal shelters. Space requirements would pose challenges for animal shelters and may need adjustments, but it should be possible to grant exceptions for shelters that house animals for a shorter period (there is such an exemption in the Swedish legislation).

### **Article 12.2b**

How does this particularly affect breeders who operate in a private household? Do they also need to be possible to disinfect, for example?

### **Article 12.2c**

As we understand it, this should only apply to breeders and pet shops. The requirements are important and not difficult to achieve even for animal shelters and should therefore obviously apply to them as well.

We suggest the following wording: "...where animals are kept in **establishments**..."

### **Article 12.2e**

Only animals suitable for permanent outdoor housing may be kept outdoors during cold periods. The animals must have access to shelter from sun, wind, and precipitation. The ground should be drained and appropriate. They must have free access to indoor resting areas/shelters as well as lookout posts.

### **Article 12.3**

We are supportive of the prohibition on keeping animals in containers but believe that the conditions under which it is allowed need further specification.

Specify what "temporary" means and provide additional conditions besides avoiding extreme temperatures. For example, they should have sufficient space to stand, sit, lie down, and turn around naturally.



#### **Article 12.4**

Dogs should have access to outdoor areas more frequently than just once a day. If they are primarily kept indoors, they should be taken outdoors for walks several times a day. Even if they have permanent access to an outdoor enclosure, they should still have the opportunity to be walked and spend time in other outdoor environments.

Regarding the requirement for dogs kept in kennels to have free access to an outdoor area, this could be replaced by walking, exercising, and spending time outdoors accompanied by a person several times a day.

Having the opportunity to move across large areas and in different environments is important for dogs. The Swedish Scientific Council for Animal Welfare has compiled a thorough overview of the important effects on behaviour as well as physical and health aspects that physical exercise has on dogs<sup>20</sup>.

We propose the following:

- Dogs kept without constant access to an outdoor enclosure should be walked outdoors several times a day.
- Dogs kept in outdoor enclosures should always have the opportunity to be walked elsewhere daily.
- Dogs kept in kennels should have free access to an outdoor area or be walked, exercised, and spend time outdoors at least every six hours during daytime.

#### **Article 12.5**

It should be clarified that indoor spaces for cats also should satisfy their need for physical activity.

We propose the following wording: "When cats are kept in catteries, operators shall design and construct individual enclosures to allow cats to engage in daily physical exercise, move freely both horizontally and vertically, and express natural behaviours."

A similar provision is needed for dogs.

This point should be expanded by providing examples of natural behaviours that should be fulfilled.

Natural behaviours that an enclosure for cats should fulfil include utilizing vertical space, hiding, playing, scratching, and providing an adequate number of litter boxes.

Natural behaviours that an enclosure for dogs should fulfil include digging, searching for food, and playing.

#### **Article 12.6**

We understand from the text that the implication is that the regulation does not encompass animal shelters, a view we disagree with as we believe it should. It must also be a requirement that dogs and cats in animal shelters are kept within the thermoneutral zone.

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<sup>20</sup> SLUs vetenskapliga råd för djurskydd. 2018. Yttrande från SLUs vetenskapliga råd för djurskydd om hållande av hund och katt.

We suggest the following phrasing: "Operators **and natural or legal persons responsible for shelters** shall ensure..."

#### **Article 12.7**

We understand from the text that the implication is that the regulation does not encompass animal shelters, a view we disagree with as we believe it should. It must be a reasonable requirement for animal shelters as well that the animals have access to daylight and artificial light.

We suggest the following phrasing: "Operators **and natural or legal persons responsible for shelters** shall ensure..."

#### **Article 13**

It should be added that animal shelters are not to engage in breeding activities and must prevent the animals kept in the shelter from being used for breeding purposes.

We propose the following wording: "**Animal caretakers in shelters shall prevent reproduction of the animals kept in the shelter.**"

#### **Article 13.2a**

Supervision once a day is not sufficient, and twice a day is not burdensome.

We propose the following wording: "dogs and cats under their responsibility are inspected by animal caretakers at least **twice a day**."

#### **Article 13.2d**

Of course, parasite occurrence should be monitored, and when necessary, medication should be used, but it should be somehow emphasized that preventive measures and testing for occurrence are most important, and that everyone is obligated to use measures that prevent resistance.

#### **Article 13.3**

More rules need to be added to ensure the welfare of breeding animals, and it would be advantageous if these were added in a separate article concerning breeding (see comments regarding Chapter 2, Article 6, point 3).

Here, points need to be added about animals being able to reproduce naturally, age for first mating for males, prohibition of routine caesarean sections, mandatory neutering of cats roaming freely outdoors, and mandatory veterinary inspection before mating (see comments regarding Chapter 2, Article 6, point 3).

#### **Article 13.3a**

There should be a minimum age for first mating for males as well. Although males generally are not negatively affected by mating at an early age, they must be evaluated for both health and temperament to fulfil other parts of the regulation and to guarantee the welfare of the offspring. For this, they need to be fully grown.

We propose the following wording: "**dogs and cats** are only bred if they have a minimum age in accordance with /.../. **For bitches and queens**, their skeletal growth must be completed..."

### **Article 13.3e**

This should also apply to males.

We propose the following wording: "**dogs and cats** which are no longer used for reproduction..."

### **Article 14.2d**

Remove the possibility to restrict freedom of movement for reproductive purposes. It is common, especially for bitches, to be restrained and forced into mating, which should be prohibited.

We propose the following wording: "(d) procedures for hygienic or health purposes".

### **Article 14.3**

We do not foresee a situation where a dog or cat would need to be tied up for a medical reason. If the animal needs to be kept still, a confined space is a useful and safe alternative. There is no defined duration for this medical reason, and leaving an animal tied up unattended for an extended period poses a risk of harm. For cats, we see too great a risk of harm with tying up. Tying up a dog or cat indoors should never be permitted. It should never be allowed to tie up cats.

We propose:” Tethering a cat shall be prohibited. Tethering a dog inside shall be prohibited. Tethering a dog outside is only permitted if the dog is kept under supervision. “.

### **Article 14.4**

The behavioural needs that should be fulfilled need to be specified.

For dogs, it should be clearly stated that they must have sufficient opportunities to fulfil their need for physical activity, mental stimulation, use of their sense of smell, digging, and expression of hunting and foraging behaviour.

For cats, it should be clearly stated that they must have sufficient opportunities to fulfil their need for physical activity, climbing, scratching, expression of hunting and foraging behaviour, and mental stimulation.

Alternatively, this could be added to the appendix instead.

### **Article 14.5**

Socializing dogs with humans should be a requirement for both pet shops and animal shelters. Daily social contact with humans should be a requirement.

We suggest the following phrasing: "Operators **and natural or legal persons responsible for shelters** shall ensure that an appropriate strategy is in place to socialize animals with humans, and where possible, with other animals. **All animals should have the possibility to experience social contact with humans daily.**"

### **Article 15**

From what we understand, this article should only apply to breeders, pet shops, and animal shelters of a certain size according to the exemptions in Article 4. If Article 4 remains, then the rules regarding painful procedures/handling need to be moved to a separate chapter that applies to all pet owners throughout the Union.

In the justification for why Chapter 2 should only apply to larger establishments, the principle of proportionality is mainly mentioned. It is in no way burdensome not to be able to mutilate dogs and cats, so this should not apply to these procedures.

We propose that Article 15 is relocated to its own chapter, which apply to all dogs and cats kept across the EU.

### **Article 15.1**

To effectively address the issue of mutilation of dogs and cats for human convenience and cosmetic purposes, the regulations must be strengthened.

We suggest that claw removal is added to the list of prohibited procedures and that veterinary certification for any medical justifications for mutilation is required.

Additionally, measures should be implemented to prohibit the importation, sale, participation in competitions, or use in advertising of animals that have been mutilated without medical necessity.

### **Article 15, point 3**

More painful handling processes should be included, and it should never be allowed to tie together body parts of dogs and cats.

We propose the following wording:

“3. The following handling practices shall be prohibited:

**(a) tying up body parts**

(b) kicking, hitting, dragging, throwing, squeezing animals;

(c) exposing dogs and cats to any electric current **by, for example, using electric collars or virtual fencing**

**(d) use of pinch or prong collars**

(e) prolonged use of muzzles, unless required for health or welfare reasons, in which case the duration shall be limited to the minimum period necessary.

(f) lifting dogs or cats by the limbs, the head, the tail, **the skin**, and the hair.”

## **Chapter 3**

### **Article 17.1**

We strongly support the notion that the identification rule should encompass all dogs and cats housed in an establishment or intended for supply within the EU. However, we believe that the objective would be better served if it was mandatory for all dogs and cats kept, irrespective of ownership status or intended distribution.

We propose the wording: “From [3 years from the date of entry into force], **all dogs and cats kept in the Union** shall be marked for identification by means of a subcutaneous transponder containing a microchip, in accordance with Annex II. **Any natural and legal persons** shall ensure that dogs and cats **kept in the Union** are marked for identification...”

We suggest that marking should be able to be performed by a veterinarian or other trained person.

### **Article 17.2**

We are positive about mandatory registration, but it should apply to all dogs and cats in the Union, and the information should be verifiable.

It is important for the responsible authority to be able to trace previous owners/breeders of the animal.

We propose the wording: "From [3 years from the date of entry into force], dogs and cats identified in accordance with paragraph 1 shall be **verifiably** registered by the veterinarian /.../ **For natural persons**, the registration shall be made in the name of that person..."

### **Article 17.3**

For effective monitoring of breeders' compliance with breeding regulations, it is suggested that the chip numbers of parent animals be provided, where feasible.

Furthermore, dates of vaccinations, deworming, and the date of the last veterinary inspection should be provided.

We propose the following:

" (v) when possible, the ID-number of the parent animals

(vi) date of vaccinations and deworming

(vii) veterinary protocol no more than seven days old

### **Article 17.4**

There are systems for double verification, which make it easier to ensure that the information provided in an advertisement is true. See, for example, veripet, used in France.

We propose that requirements for double verification systems, such as veripet, are introduced.

## **Chapter 5**

### **Article 21.1**

Chapter 2, referred to here, as we understand it, should only apply to establishments above a certain size. However, it's unclear whether the regulations outlined in Article 21 apply to animals originating from third countries, regardless of the size of the breeder, pet shop, or animal shelter from which the animal is sold. If indeed the regulations encompass animals from third countries regardless of establishment size, it would be advantageous, but clarification may be necessary for better understanding.

### **Article 21.4**

To ensure traceability, the animal should be registered in the country of origin before entering the Union.

We propose adding a requirement that dogs or cats from third countries should be registered in a database in the country of origin.

## Chapter 6

### Article 25.2

Member States must have the possibility to have stricter national legislation in all areas. This means that the areas under point 2 need to be removed.

We propose the following wording: “This Regulation shall not prevent Member States from adopting stricter national measures aimed at ensuring more extensive protection of the welfare of dogs and cats kept in establishments within the territory of a Member State.”.

## Annex 1

### Point 1

The entire feeding section requires thorough review as it appears to lack comprehensive scientific grounding and clarity.

#### Point 1b

Nutrient intake during pregnancy is crucial for both dogs and cats. Both too little and too much feed can have very negative effects on both the bitch and the puppies, hence feeding and the type of feed need to be adjusted and monitored. Offering free access can therefore pose a very large risk, especially for dogs.

Dogs have virtually no increased energy requirement until day 40 of pregnancy. During the first 5-6 weeks, the feed intake usually does not need to be changed<sup>21</sup>. After day 40, the energy requirement usually increases by 25-50%. Cats are different and have a higher energy requirement earlier.

Overfeeding pregnant animals is common, especially bitches. Overfeeding leads to overweight and increased fat deposits<sup>22</sup>. Overweight bitches are more likely to have delivery problems<sup>23</sup>. Overweight in pregnant female cats has been shown to be associated with kitten mortality<sup>24</sup>.

Few dogs regulate their food intake appropriately; there are even dogs with genetic changes that make them have a very large appetite and are prone to becoming overweight<sup>25</sup>.

We suggest that: Pregnant bitches and queens should be offered a diet, nutrient intake, and feeding frequency appropriate for the stage of pregnancy.

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<sup>21</sup> Ivanova & Georgiev. 2018. Pregnancy in the bitch – a physiological condition requiring specific care – review. *Tradition and modernity in veterinary medicine*, 3: 77-82.

<sup>22</sup> Fontaine. 2012. Food intake and nutrition during pregnancy, lactation and weaning in the dam and offspring. *Reproduction in domestic animals* 47, 236-330.

<sup>23</sup> Fontaine et al. 2007. Risk factors affecting parturition and neonatal mortality: a retrospective study on 1615 bitches. *5<sup>th</sup> annual European veterinary symposium on small animal reproduction (EVS-SAR, Estoril, Portugal)*

<sup>24</sup> Gunn-Moore. 2006. Small animal neonatology: they look normal when they are born and Then They Die. *World small animal veterinary association world congress proceedings, Prague, Czech Republic.*

<sup>25</sup> Raffan et al. 2016. A deletion in the canine POMC gene is associated with weight and appetite in obesity-prone labrador retriever dogs. *Cell metabolism*, 23:893-900.

### **Point 1.1c-d**

The suggested feeding frequency for puppies and kittens before 8 and 12 weeks, respectively, is ambiguous. The first weeks in life, they should ideally still be with the mother (bitch or queen) and have unrestricted access to nursing. Any feeding beyond this should only occur in the event of illness preventing the mother from nursing. A little later, they should definitely start getting supplemental feed before weaning; if this is what is meant, it should be clarified.

If this refers to those requiring milk replacers (as outlined in point 1.3), the suggested feeding frequency may be insufficient, especially for very young puppies or kittens.

### **Point 1.2**

The phrasing is unclear to us. If the puppies and kittens are permitted to nurse, as they should be if the mother (bitch/queen) is healthy, this process occurs naturally. In the event of illness, point 1.3 should be followed instead.

We propose the wording: "***It must be ensured that each individual new-born puppy or kitten receives enough*** colostrum from their bitch or queen..."

### **Point 1.3**

It states here that puppies/kittens should receive milk from other bitches/queens within the same breeding establishment and milk replacers. We suggest this is exchanged for "or milk replacers". as there may not always be other lactating individuals available at the same location. If the bitch/queen is too ill to nurse and are completely separated from the puppies/kittens, it is usually most advantageous to try to find a nursing mother from another breeder.

We propose: "If the bitch or the queen is ill or otherwise unable to feed her offspring, the operator shall provide milk from other bitches and queens or supplementary milk formulas..."

Additionally, include a provision stating that if the bitch/queen must be entirely separated from the puppies/kittens, efforts should be made to find a substitute bitch/queen.

### **Point 1.5**

The natural transition from nursing to solid food is significantly longer than seven days for both dogs and cats, probably at least four weeks.

According to the Swedish Scientific Panel on Animal Health and Welfare's review<sup>26</sup> of weaning times and separation of kittens and puppies, weaning for dogs seems to occur linearly until nursing completely ceases at 8-9 weeks of age. For cats, it seems that kittens start getting used to solid food at about 4 weeks of age and have completely switched to solid food at about 8 weeks. A suitable separation age for kittens is 12-14 weeks. Since it is difficult to practically distinguish between weaning and separation, we propose ensuring that both kittens and puppies, at separation at the earliest at 12 and 8 weeks, respectively, should be consuming solid food, and this process should occur gradually over four weeks.

We see no reason to time weaning much earlier than separation; as long as solid food is offered several times a day and gradually increased, this will happen naturally. However, we do see a risk that if weaning occurs much earlier than separation, the puppies/kittens will have less time with the

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<sup>26</sup> SLUs vetenskapliga råd för djurskydd. 2018. Yttrande från SLUs vetenskapliga råd för djurskydd om hållande av hund och katt.

bitch/queen as they will be consciously kept apart for much of the day. This may lead to an increase in problem behaviours and reduced welfare.

We propose: “**At the time of separation, puppies and kittens shall be fully weaned and hence used to eating firm feed.** Weaning shall be performed with gradual introduction of firm feed, in a process not shorter than **four weeks.**”.

### **Point 2.1**

Temperature ranges should be adjusted to accommodate the physiological needs of the animals, taking into consideration not only extreme anatomies like brachycephalic breeds or animals with thick fur, but rather the general physiology of the animals.

We propose: “Temperature ranges shall be adapted accordingly to animals' individual ability to cope with high or low temperatures. Examples of features that may influence this include age, health, defects in temperature regulation due to extreme anatomies, and different coat types.”

### **Point 2.3.1**

Due to primarily dogs' different body types, it would be beneficial to base space requirements on shoulder height, not weight. Additionally, it needs to be clarified what applies if two dogs of different sizes are kept in the same space. By basing the table on weight, there will be dog breeds/types of the same shoulder height, but with very different space requirements. An example is certain sight hounds that are around 50 cm tall and weigh less than 10 kg, which would then require an area of 4 sqm. At the same time, other breeds with a completely different body structure, such as a Bull Terrier, which can also be around 50 cm tall but can weigh over 30 kg, would then require an area of 10 sqm.

As mentioned before, we believe that animal shelters should also be subject to space requirements, albeit possibly adjusted for them. Animal Welfare Sweden primarily advocates for ample space for dogs and cats, however we acknowledge the necessity of distinguishing between spaces where animals are housed more permanently (e.g., a breeding animal permanently kept in a pen) as opposed to animals being kept in an enclosure for a shorter period of time (e.g. in a shelter).

We propose that:

- Review the entire table and base the space requirements on shoulder height instead of weight.
- For cats kept permanently in a box, for example, at a breeding establishment, the area may need to be larger.
- If the rules also are to apply to animal shelters, it needs to be reviewed whether it is possible to have slightly smaller space requirements for an animal shelter where animals are kept for a short period.

### **Point 3**

Under point 3 (Health) or within a distinct breeding article, regulations concerning caesarean sections should be included. In certain dog breeds, a significant number of females undergo caesarean sections during birth, often due to their anatomy and physiology. It's imperative that these females are not being bred.



We propose:

- Planned caesarean sections are prohibited.
- Bitches that have undergone two caesarean sections should be taken out of breeding.
- If the first caesarean section is due to her anatomy or physiology, the bitch should be taken out of breeding after the first caesarean section.

An important issue in dog breeding particularly, but also seen in cat breeding, is the "popular sire syndrome." This refers to certain males siring a disproportionately large number of offspring, leading to an increase in the population's already elevated level of inbreeding over time. A common recommendation is that a male should not be the father of more than 5% of the born puppies in one generation.

We propose: Introduce a regulation for a maximum number of litters for females and males.

#### **Point 3.1-2**

It is unfortunate that only the health and maturity of the bitch/queen are considered. For the welfare of the offspring, the breeding animals should be slightly older to reduce the risk of hereditary disease developing after the breeding animals have already had offspring, and for the temperament of the breeding animals as adults to have time to develop and be evaluated before they are used for breeding.

We propose:

Increase the age for breeding to at least 2 years for dogs (both female and male) and 1.5 years for cats (both female and male). Older may be advantageous.

#### **Point 3.3**

The welfare of the future offspring needs to be considered more clearly. To determine whether a bitch/queen should have additional litters, it's essential to allow the first offspring to reach adulthood for evaluation of their health and behaviour. In many smaller populations (breeds), it is recommended that both female and male should have a maximum of three litters to mitigate inbreeding and prevent further reduction in genetic variation within the population.

We propose: The time between two matings should be at least one year for both male and female. This means a maximum of 2 litters in two years. After two litters, the offspring should be evaluated for health and behaviour to then decide if the bitch/male should have a third litter.

#### **Point 4.1a**

Socialization should occur daily. See previous comments to Chapter 2, Article 5d.

We propose: "In the first 15 weeks of age, puppies and kittens have **daily** opportunities for social contact with their conspecifics and humans, and, if possible, with other animals."

#### **Point 4.1d**

We support the proposal regarding the separation age but believe that the word "permanently" may lead to the bitch being separated from the puppies a large proportion of the time before the actual separation.

In cases where the bitch, due to illness, needs to be replaced by another bitch, the same separation age should apply.

We propose: “puppies are not separated from their mothers, **except temporarily**, before the age of 8 weeks.”

**Point 4.1e**

We support the proposal regarding the separation age but believe that the word “permanently” may lead to the queen being separated from the puppies a large proportion of the time before the actual separation.

In cases where the queen, due to illness, needs to be replaced by another queen, the same separation age should apply.

A study shows that weaning at 14 weeks leads to additional welfare benefits<sup>27</sup>.

We propose: “kittens are not separated from their mothers, **except temporarily**, before the age of 12 weeks.”

**On behalf of Djurskyddet Sverige,**

Åsa Hagelstedt  
Secretary general

Emma Brunberg  
Ph.D. in animal science, policy advisor

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<sup>27</sup> Ahola et al. 2017. Early weaning increases aggression and stereotypic behaviour in cats. Scientific Reports, 7, 10412