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From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability - Letter to the Chair of the European Parliament Committee on Agriculture and Rural Development (AGRI)

Following the Permanent Representatives Committee meeting of Coreper Meeting on 10 December 2025 which endorsed the final compromise text with a view to agreement, delegations are informed that the Presidency sent the attached letter, together with its Annex, to the Chair of the European Parliament Committee on Agriculture and Rural Development (AGRI).

Council of the European Union

SGS 25/04824

Brussels,10 December 2025

Ms Veronika VRECIONOVÁ
Chair of the Committee on Agriculture and Rural Development
European Parliament
Rue Wiertz 60
B-1047 BRUSSELS

Subject: Proposal for a Regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability [2023/0447 (COD)]

Dear Ms VRECIONOVÁ,

Following the informal negotiations on this proposal between the representatives of the three institutions, today the Permanent Representatives Committee agreed with the final compromise text.

I am therefore now in a position to inform you that, should the European Parliament adopt its position at first reading, in accordance with Article 294(3) TFEU, in the exact form of the text set out in the Annex to this letter (subject to revision by the lawyer-linguists of the two institutions), the Council, in accordance with Article 294(4) TFEU, will approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the position of the European Parliament.

On behalf of the Council, I also wish to thank you for your close cooperation which should enable us to reach agreement on this file at first reading.

Yours faithfully,

Søren JACOBSEN

Chairman of the
Permanent Representatives Committee

Copy:
- Mr Olivér VÁRHELYI, Commissioner for Health and Animal Welfare
- Mr Norbert LINS, Vice-Chair of the Committee on Agriculture and Rural Development

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2023/0447 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the welfare of dogs and cats and their traceability

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having ~~regard to the opinion of~~***consulted*** the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

[1] OJ C , , p. .
[2] ~~OJ C , , p. .~~

(1) Live animals, including ~~cats and dogs~~***dogs and cats*** are covered by Annex I to the Treaty on the Functioning of the European Union and form part of the common agricultural policy of the Union ***and their welfare should be protected***. There is a market for these animals in the Union, including substantial cross-border trade. ~~Many~~ Member States ***are committed to the protection of pet animals and the majority of them*** are signatories to the European Convention for the Protection ***of Pet Animals, which includes, among others, provisions on breeding, keeping and trading*** of pet animals. There is a wide range of evidence of sub-optimal functioning of the ~~internal~~ market for dogs and cats in the Union as well as of illegal trade in these animals within the Union and at import into the Union ***that undermines their welfare***. Therefore***, considering that animal are sentients beings that are able to experience emotions, pain and social interactions***, it is necessary to establish minimum requirements for the welfare of dogs and cats ***that are*** bred and kept in establishments, as well as strengthened requirements regarding the traceability of dogs and cats ~~supplied in the Union~~.

(1a) The number of dogs and cats kept as pets in the Union has increased significantly over recent years, reflecting the strong attachment of Union citizens to these animals. Animal welfare is a Union value enshrined in Article 13 of the Treaty, according to which, since animals are sentient beings, the Union and its Member States shall pay full regard to the welfare of animals.

(2) ***Dogs and cats, with its own unique biological and behavioural needs, are traded and kept in the Union.*** The absence of Union welfare provisions on breeding, keeping and placing on the market of dogs and cats, as well as divergent national rules where they exist, have ~~very often~~***sometimes*** led to those animals being born, bred and sold or adopted at no cost, in circumstances ***which could have serious*** detrimental ***consequences*** to their welfare. Competition between commercial breeders of dogs and cats in different Member States is not conducted on a level playing field because animal welfare conditions are one of the main elements of the competitiveness of these operators and they differ considerably between Member States. As a consequence, competition is distorted, especially for high standards breeders and keepers, which are unable to monetise their investments into animal welfare when they trade cross border because they are confronted with operators that profit from sub-standard animal welfare conditions to exert competition and drive prices and standards down.

(3) Also, consumers are insufficiently protected as they are often confronted, when acquiring a dog or a cat, with the negative consequences of the poor welfare conditions in which the ~~animals~~***dogs and cats*** have been bred and kept in the establishments, such as health problems, behavioural problems or genetic defects of the dog or cat ~~purchased or~~ acquired.

(4) Therefore, minimum animal welfare requirements should be laid down for establishments that engage in breeding, keeping and placing on the market of dogs and cats. This will ensure the rational development of the sector, ~~uniform~~***fair*** conditions of competition, and consumer protection, while ensuring a high level of animal welfare.

(4a) The Pet Animal Network under the Administrative Assistance and Cooperation (AAC) Network facilitates cooperation between Member States to identify illegal establishments, dismantle associated networks, and ensure effective enforcement of applicable rules. In accordance with Title IV of Regulation (EU) 2017/625, non-compliances with this Regulation are to be communicated via this network. This contributes to strengthening cross-border collaboration and information exchange, which is essential to address the transnational nature of certain illegal activities and to protect animal welfare and consumer interests across the Union.

(5) Over the past decade, the demand for dogs and cats to be kept as pet animals ~~in households~~ has increased significantly. As a result, there has been a substantial increase in breeding and trade on the Union market of dogs and cats, including sales, adoptions, and imports from third countries. The lack of requirements on the welfare of these animals in the Union, and the disparities between requirements applicable in different Member States have given rise to a significant amount of ***misleading or deceptive trade practices, including*** illegal trade***, where*** ~~in~~ dogs and cats ***are kept*** in conditions that are highly detrimental to their welfare.

(5a) Traceability is important to fulfil the objective of ensuring a smooth functioning of the market of dogs and cats in the Union with a high level of animal welfare, as illegal trade creates both disturbances of the market (distortion of competition) and, allows negative animal welfare conditions to flourish due to the lack of control and the maximisation of profit. Furthermore, traceability requirements are needed to be able to trace back the establishment of origin and to establish responsibilities, in particular in case of welfare-related problems identified in a dog or cat.

(6) ~~Illegal trade of~~***As a consequence of consumer demand for*** dogs and cats***, facilitated by online purchasing, unacceptable or illegal trade*** has developed in part ~~due to~~***caused by*** lack of traceability of these animals ***back*** to the original ~~litter~~***establishment***. In turn, ***unacceptable or*** illegal trade practices are associated with suffering of dogs and cats subject to uncontrolled breeding practices. It is not possible to ensure that operators abide by the same standards of animal welfare, and to ensure ~~uniform~~***fair*** conditions of competition in the internal market in relation to the ~~supplying~~***placing on the market*** of dogs and cats without reliable means to trace ~~the~~***these*** animals to their origin. It is therefore crucial to ensure the traceability of dogs and cats by a system that identifies and registers dogs and cats ~~before their first supplying in the Union as well as each time there is~~***and complements the information registered in case of*** a change of ownership ~~of the animals~~***or responsibility for the dogs and cats***.

(6a) There is evidence that illegal traders often disguise themselves as pet owners to conduct their trade. For example, the EU Coordinated Action on the illegal trade of cats and dogs carried out in 2022 and 20231 shows that movements of dogs and cats for commercial purposes are disguised as non-commercial movements. Investigations into online advertising of dogs and cats in the Union for sale have also shown that illegal traders often pose as pet owners. The EU Alert and Cooperation Network (ACN) receives an important number of notifications concerning illegal trade in cats and dogs that are advertised or moved within the Union as pets by traders posing as pet owners. There is a need to counter the pattern of fraudulent activities, that profits from poor welfare conditions, is misleading for the consumers and poses risks for public and animal health. Some Member States already require the identification and registration of all dogs and cats for all owners, including pet owners, and regardless of whether or not they intend to place any dogs or cats on the market. Differences in the national traceability systems of dogs and cats inevitably give space to of illegal patterns of trade that this Regulation aims to counter. Therefore, it is necessary to provide for identification and registration obligations to all dog and cat owners in the Union. Such measures aim, through a harmonized traceability system, to ensure a level playing field for all actors involved in the placing on the market of dogs and cats, and to prevent the circumvention of the animal welfare standards as well as the use of misleading and deceptive trade practices, thus strengthening the fight against illegal trade.

(7) Illegal ~~trade in cats and dogs~~***import of dogs and cats*** from outside the EU has been increasing. Current EU rules on the movements of dogs and cats into the EU, such as the provisions of ~~Regulation 576/2013 and of~~ ***Regulation (EU) 2016/429 (***the Animal Health Law***)***, do not contain sufficient tools to prevent this illegal trade ***and its associated animal welfare problems***. This means that additional rules to fight ***fraudulent practices and*** illegal trade in dogs and cats are required. ~~Existing animal health rules require that, both for commercial and non-commercial movement of dogs and cats entering into the Union, the animals must be identified with a microchip. To reinforce these traceability provisions, the owners of dogs and cats entering into the Union should ensure their registration in one of the Member States' databases at the place of destination. This will provide for greater control on the movements of those animals.~~

(8) The traceability provisions of this ~~proposal~~***Regulation*** also contribute to the protection of public health via better animal welfare, ***and*** better animal health, ~~and~~***through*** better controls on the possible transmission of animal diseases (some of which being of zoonotic nature), this following a One Health approach.

(9) Regulation (EU) 2016/429 of the European Parliament and of the ~~Council~~[3]***Council1*** regulates transmissible animal diseases for the purpose of avoiding the spread of such diseases in the Union. The health of animals is one of the five domains of animal welfare, and thus addressed in this Regulation. ***Breaches of Regulation (EU) 2016/429 do have an impact on animal welfare.*** However, this Regulation does not address the diseases listed in Regulation (EU) 2016/429, but rather the state of health of dogs and cats as shaped by non-communicable diseases (for example injuries***, such as traumas and bites on animals or humans caused by attacks***) or non-listed diseases (for example certain parasites~~). The rules laid down in this Regulation are therefore complementary to Regulation (EU) 2016/429 and do not duplicate or overlap with the rules laid down in that Regulation~~ ***like Giardia, Leishmania and bacterial infection with Leptospira as well as skin infections like Dermatophytosis, and Scabies (Sarcoptic mange)). Furthermore, dogs and cats can carry agents like resistant bacteria that could cause infections in humans***. ***As the traceability requirement serves two purposes, namely to combat fraudulent practices and illegal trade, as well as to protect public health, it is appropriate to extend the traceability requirement to all owners of dogs and cats, thus including operators, persons placing dogs and cats on the market and pet owners.***

(10) Regulation (EU) 2016/429 requires the identification of dogs and cats with a transponder but only if they are subject to movements between Member States ~~entered~~***or entering*** into the Union. The identification required by that Regulation is not fully harmonised as it does not include precise standards regarding transponders. Furthermore, that Regulation does not require Member States to keep databases of dogs and cats. ***The rules laid down in this Regulation are*** therefore~~, Member States should be required to establish and maintain databases of dogs and cats supplied in the Union market to ensure the traceability of these animals. It is also necessary to ensure the interoperability of these databases. This will facilitate finding information on dogs and cats across the Union, as well as enable competent authorities to carry out official controls to ensure compliance with animal welfare~~ ***complementary to Regulation (EU) 2016/429 and do not duplicate or overlap with the*** rules ***laid down therein***.

~~3~~ ~~Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'), OJ L 84, 31.3.2016, p. 1.~~

(10a) The regulation focuses on two elements. On the one hand, it regulates the welfare requirements when breeding and keeping dogs and cats that are to be placed on the market. These welfare requirements are addressed to operators of breeding establishments, selling establishments, shelter and operators that place and are responsible for dogs or cats in foster homes. Persons that do not qualify as operators are not covered by these requirements. On the other hand, this Regulation sets requirements on the traceability of dogs and cats, including identification and registration requirements in interoperable national databases and the provision of information on the dog or cat when placing on the market. The identification and registration requirements are addressed to all persons owning a dog or cat (being operators, pet owners or any other natural or legal person owning a dog or a cat) and the requirement to provide information on the identification and registration of the dog or cat is addressed to all persons that place dogs or cats on the market (being operators or other natural or legal persons).

(10b) The development and use of digital tools in the area of animal health and welfare brings numerous benefits, such as operational efficiency, more accessible and more reliable data collection, better enhanced traceability and regulatory oversight. The provisions of this Regulation integrate multiple digital solutions to enhance the traceability of dogs and cats across the Union. These measures aim to achieve the aggregation and transmission of relevant data to competent authorities, thereby facilitating the consistent enforcement of this Regulation. This will help authorities to gather new insights, coordinate and fight fraud more effectively. Furthermore, they will support interested buyers in making informed decisions at the time of acquiring a dog or a cat.

(11) The ~~supplying~~***placing on the market*** of dogs and cats, whether for profit or at no cost, has an impact on the internal market. Therefore, to prevent fraud, traceability of ~~all animals~~***dogs and cats*** traded in the Union market should be ensured and the keeping of ~~animals~~***dogs and cats*** in breeding establishments, ~~pet shops or animals~~***selling establishments,*** shelters ***or foster homes*** should be subject to detailed rules.

(11a) The breeding, keeping and placing on the Union market of dogs and cats are the activities on which this regulation focuses, bearing in mind its objectives, namely ensuring a smooth functioning of the market of dogs and cats and rational development of the sector. These activities are associated with regular offering of goods and services on the market, whether in return of payment or free of charge. The intention to make a profit is not decisive, nor is the legal or economic status of the operator, but the professional or business related context in which such activities are carried out. The military, police or customs that breed or keep dogs for their own services' use are not in such situation as they do not carry out their breeding or keeping activities for the market. Pet owners that occasionally and irregularly donate a dog or cat without online advertising, for example donation of up to one litter per 24 months between family members or neighbours, are not considered to place the animals on the market.

(12) Keeping of dogs and cats on behalf of owners, such as pet boarding activities, is a ~~temporary~~***short-term*** and local activity and does not have a significant impact on the ~~internal~~ market. ***As there is no placing on the market,*** it is ~~therefore~~ justified ***not to regulate them. Similarly, pounds do not keep dogs or cats with the purpose of placing them on the market*** ~~to exclude pet boarding activities from the requirements laid down in this Regulation for establishments keeping dogs and cats~~. ***As opposed to shelters, they merely ensure emergency housing when a lost dog or cat has been found and keep it for a short duration to make it possible for the owner to retrieve their dog or cat.***

(13) Directive 2010/63/EU of the European Parliament and of the Council[4] regulates the keeping, breeding and supply of animals kept for scientific purposes including dogs and cats. ***Regulation (EU) 2019/6 of the European Parliament and of the Council regulates clinical trials for veterinary medicinal products involving the use of animals, including dogs and cats.*** Dogs and cats intended ***or used*** for scientific purposes ***as well as dogs and cats used in clinical trials required for the marketing authorisation of veterinary medicinal products*** should therefore be excluded from the scope of application of this Regulation. ***Stray cats that roam freely in and around farms often serve a useful functional and symbiotic purpose, by controlling rodent populations in the farm. Farmers who provide food and refuge to those cats, inter alia, for such a purpose of pest control are similarly excluded from the scope of this Regulation, provided they are not operators and do not place those cats on the market.***

(14) A large number of dogs and cats will be covered by detailed welfare rules for the first time, which will allow them to benefit from better living conditions. However, ~~considering the practical difficulties in certain~~***in some*** cases ~~to determine whether dogs and cats are kept as pets or for~~***this could result in significant costs for the operators. The potential risk of welfare problems grows with an increasing number of dogs or cats bred or kept at an establishment. It is therefore appropriate, for the purpose of proportionality, to distinguish between establishments of different sizes. On the one hand, all establishments, irrespective of the number of litters bred or the number of dogs or cats kept, should be subject to the general welfare principles and some specific welfare requirements, while on the other hand, only establishments keeping or*** placing on the market ~~or supply, this Regulation should exempt from~~***a*** certain ~~obligations pet owners who keep a~~ number of dogs ~~and cats and produce a number of litters below a certain threshold. Otherwise, those pet owners would~~***or cats should*** be subject to ***more comprehensive and detailed welfare obligations. This approach takes into account the financial burden resulting from the compliance with the more comprehensive and detailed welfare*** ~~the relevant~~ requirements ~~of this Regulation, which would not be proportionate~~***, such as costly structural investments***.

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4 Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33).

(15) ~~Once the threshold for breeding activities referred to in the previous recital is reached, any premises used for the purpose of breeding animals are subject to the~~***Thresholds for detailed animal welfare*** rules ***should be set by this Regulation*** for breeding establishments ~~laid down in Chapter II of this Regulation,~~***, shelters and foster homes.*** Even if the breeding activities take place in households, as ~~this~~ is often the case for different kinds of commercial breeders~~. Households where dogs and cats are kept for purposes other than reproduction are not considered as breeding~~***, once those thresholds are reached, all rules for animal welfare of this Regulation should apply. Considering the exclusively commercial nature of selling*** establishments~~ and do not have to comply with Chapter II~~***, it is not necessary to set thresholds and the requirements*** of this Regulation ***should apply to all selling establishments, regardless of the number of dogs or cats kept***.

(15a) At present, there are certain types of selling establishments where, due to the material conditions, the keeping of dogs or cats is suboptimal in terms of welfare. This is the case of some pet shops, where the dogs or cats are kept in containers with transparent vitrage and limited space, without an appropriate outdoor access for the dogs. Dogs and cats in such establishments are exhibited to the general public creating a stressful environment for the animal and increasing the risk of impulsive buying by the prospective consumers. This Regulation aims to enhance the protection of dogs and cats kept in selling establishments, by upgrading the welfare standards applicable to this type of establishment, in particular by prohibiting the keeping of dogs and cats in containers, requiring outdoor access for dogs, introducing minimum space allowance requirements as well as obligations of socialisation with other dogs or cats and with humans. This aims to ensure that, from the date of application of the requirements, all selling establishments have adapted structures and practices which ensure the required high level of animal welfare.

(16) Although some of the breeding establishments are run by licensed breeders following ***a*** good standard of animal management, an important ~~part of animals~~***number of the dogs and cats*** placed on the Union market comes from grey market breeders and sub-standard breeders, that do not ensure ***a*** sufficient level of animal welfare for the dogs and cats they breed. This creates unfair competition for pedigree breeders as well as non-pedigree breeders following high standards of animal welfare. It is therefore necessary to establish detailed animal welfare rules for the operators of all breeding establishments.

(17) Moreover, in the Union market***,*** different types of operators ~~carrying~~***carry*** out different types of activities ~~supply~~***with respect to the placing on the market of*** dogs and cats. Aside from commercial breeders***,*** there are ~~pet shops~~***selling establishments*** where dogs and cats~~,~~ that are typically born and bred in other establishments, are kept for sale***, assembly or collection***. The protection of these ~~animals~~***dogs and cats*** may be suboptimal, and there are no common welfare standards that need to be observed in these establishments. Given that ~~pet shops~~***selling establishments*** are commercial operators that place ~~on the market~~ dogs and cats ***on the market***, it is therefore necessary to apply the requirements of this Regulation to these establishments.

(18) ~~Animal~~***Operators of*** shelters are private or public undertakings or ~~non-for-profit~~***non-profit*** organisations that collect and keep ***unwanted or*** stray dogs and cats, or formerly owned ~~animals~~***dogs and cats*** that have been lost, confiscated or abandoned. Sometimes, uncontrolled ~~pet~~ reproduction or overbreeding ~~result~~***results*** in the proliferation of stray dogs and cats that end up in shelters. Depending on their background, ~~shelter animals~~***those dogs and cats*** may be purebred or mixed breeds and may include the litter of ~~animals~~***dogs or cats*** that have reproduced in the shelter. Shelters may keep large numbers of ~~animals~~***dogs and cats*** and sell ~~them~~ or offer them ~~in~~***for*** adoption or for re-homing, sometimes for free or upon payment of the reasonable costs incurred.

(19) Despite the differences in the activities carried out by ~~commercial breeders and pet shops~~***breeding and selling establishments***, on the one hand, and ~~animal~~ shelters, on the other ***hand***, they all ~~supply~~***place*** dogs and cats ~~in~~***on*** the Union market and there is a certain amount of overlap, especially at the level of ~~the~~ demand. When looking for a dog or cat, consumers make choices between buying ~~an animal~~***a dog or a cat*** from a breeder (either directly or through a ~~pet shop or intermediary~~***selling establishment***)~~,~~ or adopting one from a shelter~~. The acquisition of dogs or cats directly from pet owners is marginal~~. One important factor in the choice of a dog or a cat is the possible behavioural or other problems that the ~~animal~~***dog or cat*** may exhibit ~~because of~~***due to*** having been kept in poor welfare conditions and which may reduce their suitability to be kept as a pet animal, irrespective of whether the ~~animal~~***dog or cat*** has been kept in a ~~commercial~~ breeding ***or selling*** establishment~~, in a pet shop~~ or in a shelter. Moreover, given that trade is also conducted by intermediaries and mostly online, ~~consumers may not be aware~~ before they acquire a dog or a cat***, consumers may not be aware*** of whether the animal originates from a shelter, a breeder or a ~~pet shop~~***selling establishment. Providing such information could assist acquirers in making informed and responsible choices***. There is evidence that the number of ~~animals supplied to~~***dogs and cats placed on*** the Union market by shelters is significant, in particular for cats. There is also evidence that ~~animals are supplied~~***dogs and cats*** from shelters in some Member States ***are transferred*** to ~~prospective~~ pet owners in other Member States, in particular for dogs. In order to ensure the achievement of the objective of this Regulation to ensure the smooth functioning of the ~~internal~~ market in dogs and cats, and the rational development of the sector while ensuring a high level of animal welfare, it is necessary to apply ~~some of the~~***certain*** requirements of this Regulation to shelters that keep a certain minimum number of ~~animals~~***dogs or cats***, irrespective of whether they ~~sell animals~~***place dogs or cats on the Union market*** against payment ~~or only supply animals~~***,*** for free or upon reimbursement of reasonable costs. However, for reasons of proportionality and given that the activities of shelters differ from those of other operators and ~~may~~ fulfil a public interest function, ~~only some of the~~***certain*** requirements of this Regulation should ***not*** apply to shelters, concerning, in particular ~~the number and competence of animal caretakers, housing, feeding and watering, behavioural needs and painful practices, and advisory visits by a veterinarian~~***space allowances***.

(19a) Member States have observed the increasing use of foster homes by operators responsible for unwanted, abandoned, stray, lost or confiscated dogs or cats. Given that the number of dogs and cats kept in foster homes may impact the market of dogs and cats, foster homes should be covered by this Regulation. In such cases, the operators placing the dogs or cats in foster homes should be responsible for ensuring that the requirements of this Regulation are met in those foster homes. This could be achieved inter alia through the establishment of a contractual relationship between the operator and the foster family.

(19b) Since by their nature foster homes are households with a limited capacity for accommodating dogs and cats, operators should not place a large number of dogs and cats in a foster home. It is therefore appropriate to set the maximum number of the dogs and cats. This is also the reason why foster homes should only be subject to the general welfare principles and requirements and only to some of the specific welfare requirements.

~~(20) In addition, given the significant numbers of animals supplied in the Union by shelters, and the need to ensure the achievement of the objectives of this Regulation regarding traceability and prevention of illegal trade, shelters should also be subject to the requirements of this Regulation concerning identification and registration of dogs and cats, regardless of whether or not their activity can be considered economic in nature.~~

(21) Since ~~this Regulation set out animal welfare requirements for dogs and cats, it falls within the scope of the~~ Regulation (EU) 2017/625 of the European Parliament and of the Council[5] ***applies to official controls performed for the verification of compliance with rules in the area of welfare requirements for animals, including welfare requirements for dogs and cats, such as those set out in this Regulation, it is appropriate to refer to*** ~~and~~ the corresponding ~~definitions of competent authorities should apply. The~~ definition of competent authorities ~~laid down in that Regulation should apply,~~ in order to ensure consistency with the applicable rules on official controls concerning animal ~~health and~~ welfare.

(21a) As this Regulation is part of the Union legislation in the area of welfare requirements for animals as referred to in point 2(f) of Article 1 of Regulation (EU) 2017/625, Member States must comply with their obligations under that Regulation, including their obligation to submit an annual report of their official controls performed in the previous year, that should cover official controls on the Union dogs and cats' animal welfare and traceability requirements. The standard model form laid down in Commission Implementing Regulation (EU) 2019/723 should be updated to include this Regulation.

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5 Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation), OJ L 95, 7.4.2017, p. 1–142.

(21b) In implementing the welfare requirements under this Regulation, the One Health approach can be an useful guide for the practices of operators. Regulation (EU) 2019/6 on veterinary medicinal products contains a comprehensive set of requirements to ensure the prudent use of antimicrobials in animals, which apply also in case of dogs and cats kept in breeding establishments, selling establishments and shelters, in order to address the risks of antimicrobial resistance while ensuring high standards of animal health and welfare. It is essential to take these elements into account during the advisory welfare visits by the veterinarians.

(22) The concept of the "five domains" (nutrition, physical environment, health, behavioural interactions and mental state) has been developed through scientific evidence to describe the different dimensions of animal welfare. It does not focus only on the absence of negative experiences for the animal but also encompasses positive experiences. This Regulation should therefore be based on the concept of the "five domains".

(22a) There is evidence of activities taking place within the Union's territory, sometimes across borders, that subject dogs and cats to physical and mental suffering and can eventually cause death. A prominent example is dog fighting. Therefore, this Regulation should prohibit to operators any activity involving the suffering of dogs and cats under their responsibility.

(23) In order to ensure proper enforcement of this Regulation, it is essential that competent authorities are able to identify the establishments subject to their official controls. It is therefore necessary that operators keeping dogs ~~and~~***or*** cats in establishments notify their activities to the competent authorities ***and that the competent authorities keep an updated register of these establishments***. ***In order to minimise the administrative burden for operators, competent authorities should for that purpose use information or data collected in the register of dogs and cats establishments under Regulation (EU) 2016/429.***

(24) ~~Well trained~~***Well-trained*** and skilled staff are essential for improving the welfare conditions of animals ***in establishments***. Competencies in animal welfare require knowledge of ~~the~~ basic ~~behavioural~~***behavioral*** patterns and needs of the species concerned. Animal caretakers should have the competencies in animal welfare relevant to their tasks and the ~~animals~~***dogs or cats*** they handle, in order to avoid inflicting pain, distress and suffering on dogs and cats. ***Effective animal handling involves techniques such as operant conditioning, and positive reinforcement promoting a stress-free environment for dogs and cats. Competencies in animal welfare should be acquired via education, training or professional experience. Taking into account that shelters are dependent on voluntary work and that interns follow practical training at establishments, volunteers and interns supervised by a competent animal caretaker should not be required to have formal education, training or professional experience.***

(24a) In addition, at least one caretaker in the establishment should receive training, to ensure proper knowledge of the requirements of this Regulation and, where relevant, of additional national requirements, and have knowledge of updated scientific and technical recommendations to ensure the welfare of dogs and cats. The operator shall ensure that the caretaker having followed the training disseminates the knowledge acquired to other caretakers in the establishment. The Commission should adopt by delegated acts minimum requirements for such training. A European Reference Centre for the welfare of dogs and cats may be established by the Commission under Article 95 of Regulation (EU) 2017/625 for the purpose of providing technical and scientific advice to the competent authorities in the context of their official controls to enforce this Regulation. A European Reference Centre for the welfare of dogs and cats may publish, after coordination with the Commission, recommendations and examples of training materials, in line with the requirements of the delegated acts, taking into account the most updated scientific and technical knowledge.

(24b) The competent authorities responsible to ensure that training courses are available and of sufficient quality, could collaborate with other relevant authorities, veterinary associations, and educational institutions to develop high-quality science-based training programmes.

(25) Given the fact that animal welfare includes the health of animals, veterinarians are in the best position to provide advice to operators with a view to improving the animal welfare situation in establishments. ~~Veterinarians should play an active role in raising awareness on the interrelationship between the health and welfare of those animals.~~ Establishments keeping ***a number of*** dogs and cats ***above a certain threshold*** should therefore receive ~~a regular~~***an*** animal welfare visit from a veterinarian ***within the first year after the date of application of this Regulation or within the first year after having notified a new establishment***.

(25a) For welfare reasons, ending the life of dogs and cats should always be performed in a matter that causes minimum pain and distress to the dog or cat. Veterinarians are educated to assess the animal conditions and to induce euthanasia, if necessary. The operators should seek to consult a veterinarian and the veterinarian should perform euthanasia, in principle, with the operator's prior consent. In case of emergencies or accidents, where veterinary assistance is not accessible, Member States may allow ending the life of the dog or cat to be carried out by a trained competent person provided that the method used induces instant death.

(26) Certain breeding strategies may lead to welfare problems for dogs and cats. By selecting certain genetic traits for aesthetic or other marketing reasons, undesirable traits from an animal welfare perspective may also be created and passed on to future generations. Therefore, operators should take measures to ensure that their breeding strategies do not lead to such negative consequences for the welfare of the dogs and cats. ***In particular, breeding strategies motivated by marketing objectives can result in certain types of dogs and cats developing 'excessive conformational traits'. Since such excessive conformational traits can lead to significant health problems for the dogs and cats concerned, breeders should exclude them from breeding programmes.***

(26a) Aesthetic shows, exhibitions and competitions of dogs or cats have an impact on the market opportunities and price for selling dogs and cats. Mutilations and certain breeding strategies that result in dogs or cats with excessive conformational traits can be advantageous for breeders competing aesthetic shows, exhibitions and competitions of dogs or cats. Organising and participating in such shows, exhibitions and competitions can be driven by factors other than animal welfare, such as aesthetic standards, with the aim to advertise certain breeds and physical characteristics. In order to ensure that breeders prioritise the welfare of the dogs and cats they produce and do not develop excessive conformational traits or perform mutilations to attain unhealthy aesthetic standards, it should be provided for that operators of breeding and selling establishments and the organisers of such shows, exhibitions and competitions should not use or include dogs or cats with excessive conformational traits or those which have been mutilated for these shows, exhibitions or competitions.

(27) Scientific evidence demonstrates that inbreeding has significant negative impacts on animal ~~health and~~ welfare. Therefore, inbreeding of dogs and cats ~~including first-degree and second-degree matings~~***between parents and offspring, between siblings, between half siblings or between grandparents and grandchildren*** should be prohibited, as this increases the incidence of inherited disorders and compromises immune system function, both of which adversely impact the ~~health and~~ welfare of dogs and cats. ***Inbreeding should nevertheless be possible, when necessary to preserve local breeds with a limited genetic pool and should be authorised on that basis by the competent authority.***

(27a) Hybridisation should not be encouraged as hybrids are not as domesticated as dogs and cats. Given the significant difficulty in meeting the specific behavioural needs of hybrids and the discomfort or suffering that will result thereof, breeding to produce hybrids should be prohibited.

(28) The European Food Safety Authority ('the Authority') provided technical and scientific assistance on several questions regarding housing, health and painful procedures relevant to dogs and cats kept in breeding establishments[6]. This Regulation takes into account the recommendations of the Authority on the type of housing and exercise, on housing temperature and light, on health and painful surgical interventions.

(29) Scientific evidence highlights the importance of feeding, watering, housing, health, behavioural needs and the prevention of painful practices for the welfare of dogs and cats. It is therefore essential that those areas of keeping dogs and cats are regulated in detail.

(30) Scientific evidence is clear about the necessity for dogs and cats of having enough space to express their natural behaviour and having normal social interactions. This is not possible where animals are kept in confinement and in ~~cages~~***containers***. The keeping of dogs and cats in ~~cages~~***containers*** should therefore be prohibited***, except if needed for the transport and temporary, short term isolation of individual dogs and or cats and during the participation in shows, exhibitions and competitions, for puppies or kittens with reduced thermoregulation capacity or puppies or kittens together with their mothers provided that stress is minimised and suffering due to extreme temperatures is avoided and the dogs and cats are able to stand and lie down in a natural position***.

(30a) Dogs or cats should be provided with a designated resting place with the possibility to retract, find rest and feel safe. The resting place should be clean and dry, for example covered with soft materials, such as a mat, blanket or other suitable materials to provide comfort and good body support. The area should be sufficiently large, so that they can stand up, turn around and lie down in a natural position, making sure that all dogs or cats can rest at the same time.

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6 EFSA (European Food Safety Authority), Candiani, D., Drewe, J., Forkman, B.,Herskin, M. S., Van Soom, A., Aboagye, G., Ashe, S., Mountricha, M., Van der Stede Y., Fabris, C. 2023.Scientific and technical assistance on welfare aspects related to housing and health of cats and dogs in commercial breeding establishments.EFSA Journal,21(9), 1–105.https://doi.org/10.2903/j.efsa.2023.8213

(30b) Mating, where the male and female interact naturally, is influenced by several factors, including hormonal cycle, behaviour and timing. Therefore physically restraining the movement of the dogs or cats during mating is contrary to the natural behaviour of the dog or cat and thus against their welfare. Operators should not physically restrain dogs and cats during mating, but rather find other means to influence a successful mating, such as optimizing the timing for mating.

(30c) The operator, based on veterinary advice and the particular situation of a dog or cat, can choose that reproduction is controlled by surgical or non-surgical means. In order to avoid pain, any surgical sterilisation should be performed by a veterinarian, or where the Member State allows, by a licensed veterinary nurse in case of male cats, using anaesthesia and prolonged analgesia.

(31) Tethering for long periods should be prohibited, as it can raise significant animal welfare concerns. It can be associated with an increased prevalence of locomotor disorders, inability to lie or rest comfortably, and to perform normal behaviours.

(32) Providing enough space for dogs and cats to express innate behaviours is of great importance. For the same reason, the use of containers should be limited to exceptional circumstances, such as ***short-term*** isolation of aggressive ~~animals~~***dogs or cats*** or transport to a veterinarian. Accommodation for dogs and cats should also provide ~~unrestricted~~ access to natural light, complemented where needed by artificial lighting, in order to facilitate the appropriate circadian rhythm of ~~the~~***these*** animals. ~~Safe daily~~***To better support puppies' development, puppies from 5 weeks of age can be introduced to a secure outdoor area for certain time periods, taking into account their individual needs and weather conditions. In case of dogs older than 8 weeks an outdoor*** access ~~to outdoors should be provided to dogs~~***is necessary*** in order to address their need to exercise, socialise and express other innate behaviours***, therefore it should be provided that these animals have a minimum of 1 hour safe daily access to outdoors or be walked***.

(33) To prevent pregnancy complications and compromising their welfare, bitches and queens should ~~only~~***not*** be bred ~~after~~***before*** reaching ~~skeletal as well as sexual~~***appropriate*** maturity. To allow them to physically recuperate from pregnancy and lactation, bitches and queens should only be readmitted to reproduction after a sufficient period of time. However, to prevent certain pathological reproductive conditions in bitches and queens, such as pyometra, up to three ~~consecutive~~ pregnancies ***within a period of 2 years*** should be allowed, followed by an adequate recuperation period***, which should not be less of 1 year for bitches and queens that have delivered 3 litters, including stillborns, within a period of 2 years***. Reproduction should ~~gradually~~ cease in bitches and queens coming into older age ***and in bitches and queens that have had two cesarean sections, as it cannot be excluded that an additional pregnancy will have a negative effect on their welfare***.

(34) The change of practices regarding the cycle of reproduction required by this Regulation may in some instances, impact the level of revenues of breeders of dogs and cats due to the decreasing number of litters produced per year. It is therefore necessary to provide breeders with additional time to adapt their business model.

(35) Dogs and cats ~~kept as pets~~ should not pose any threat to human safety. To reduce the risk of aggression towards humans, dogs and cats born ***or kept*** in ~~breeding~~ establishments should be appropriately socialised with conspecifics ***and humans, and where*** ~~, if~~ possible, with other animals~~, and with humans~~. They should be kept in a stimulating and non-threatening environment equipped with enrichment providing them opportunities to play and express other innate behaviours. Separation of dogs and cats from their mothers ~~earlier than natural weaning~~***should not happen at too young an age as it*** can cause serious separation stress ***and behavioural problems*** in these animals and should therefore be prohibited***, except for medical reasons***.

(36) Procedures with the purpose of altering the appearance of or preventing certain behaviours of ~~cats and dogs~~***dogs and cats***, such as ear cropping, tail docking, removal of claws and resection of vocal cords, have a serious negative impact on the welfare of ~~cats and dogs~~***dogs and cats***. These procedures cause pain and prevent ~~cats and dogs~~***dogs and cats*** from expressing innate behaviours. For this reason, they should only be allowed if performed by a veterinarian and only when necessary for medical reasons. ***Prophylactic interventions may be performed where the veterinarian identifies a medical indication justifying such intervention.***

(36a) Dogs used in military, police, and customs services play a central role in national security. To accommodate the specific needs of the military, policy and customs services and of operators breeding and training dogs for these authorities, Member States should be allowed to grant derogations regarding painful handling practices and tethering, as this may be necessary during the training of these dogs. Despite these derogations, it is important that staff training dogs for military, police, and customs services in establishments receive regular training to obtain appropriate skills in order to minimize pain and apply appropriate handling and training methods.

(36b) Livestock guardian dogs are bred to guard livestock and protect them from predators in agricultural or pastoral settings. These dogs may spend prolonged periods in nature without the presence of a human being. Therefore, their regular feeding and inspection as well as compliance with certain requirements of this Regulation concerning housing and socialisation is sometimes challenging, due to their particular living pattern arising from their use. Dogs that are used for steering the movement of a herd are herding dogs and accompany the responsible person. In this case, exemptions for certain requirements of this Regulation concerning housing and socialisation are necessary during seasonal transhumance.

(37) ***Prior inspection by official veterinarians or other professionals, in case the official control task has been delegated, and consequent approval of establishments is an effective way to ensure that establishments comply with the requirements of this Regulation. However, given that inspections should be focused on establishments representing a higher risk from the point of view of compliance with animal welfare rules and, given the limited availability of official veterinarians in Member States, it is not proportionate to require prior on-site inspection and approval for all establishments.*** The conditions in breeding establishments are particularly critical to ensure that dogs and cats are properly ***bred,*** kept and treated before being placed on the market***, in particular due to the repercussions that poor animal welfare conditions at an early age can have on dogs and cats***. It is therefore important that ~~those~~***such*** establishments ***that have a significant production capacity of dogs and cats,*** are approved by the competent authorities and are subject to onsite pre-inspection before their approval. It is also important that a list of those approved establishments is publicly available to allow potential ~~buyers~~***acquirers*** to verify the status of ~~their suppliers. Since all~~***the breeding*** establishments ~~have an extended time for application of~~***and thus to strengthen public control and citizens' awareness. Since the breeding establishments need time to implement the*** requirements on housing***, and since competent authorities need time to carry out on-site inspections of existing breeding establishments*** ~~and health~~, it is necessary that the obligation of breeding establishments to obtain an approval should start to apply on the same date as the requirements for housing ~~and health~~.

(38) Some operators placing ***dogs or cats*** on the market ~~dogs and cats, or shelters supplying dogs and cats,~~ encourage potential customers to buy at any cost using emotional arguments, without mentioning to the potential owner the consequences of owning a ~~pet animal~~***dog or a cat***. Other operators ~~or shelters~~ insist on the responsibility attached to pet ownership and this has the effect of limiting their ability to ~~sell animals~~***place dogs or cats on the Union market***. This discrepancy of attitudes of operators ~~tends~~***stend*** to advantage less responsible operators, leading to distortions of competition despite the importance for animal welfare and public order of informing customers about their responsibility when ~~buying~~***acquiring*** a dog or a cat. It is therefore justified to require that all ~~suppliers of dogs and cats in~~***operators placing dogs or cats on*** the Union market ~~for use as pets~~ inform future owners ~~on~~***of*** their responsibility. In addition, where the ~~supply~~***placing on the market*** of a dog or ***a cat by an operator*** ~~cat~~ is facilitated by ***an*** online ~~means~~***advertisement***, an appropriate warning should accompany ~~the online advertisement~~***it*** to efficiently convey the message ~~of~~***on*** responsible ownership. ***It is important to promote responsible pet ownership for the good functioning of the market and the protection of consumers, and to avoid that dogs and cats are abandoned because prospective pet owners are unaware of the responsibilities that pet ownership entails. Therefore, the obligation to display a warning on responsible ownership in online advertisement concerning the sale, donation or any other form of transfer of ownership should also apply to natural or legal persons other than operators. The obligation to display the warning on responsible ownership is directly addressed to the persons placing dogs and cats on the market for the purpose of this Regulation and it is not intended to interfere with the freedom of the press and freedom of expression neither with existing national rules on editorial responsibility that are not harmonised at Union level.***

(39) Illegal trafficking and fraudulent practices in relation to the ~~sale or transfer~~***placing on the Union market*** of dogs and cats ~~for adoption~~ is facilitated by the absence of traceability given the ~~lack of~~***incomplete*** identification ***requirements and lack of*** ~~and~~ registration requirements for those animals. Furthermore, fraudulent practices may appear when the systems for the identification and registration of dogs and cats are not harmonised or cannot be easily operated because technical systems are not interoperable. ***Both the EU coordinated control plan on online sales of dogs and cats carried out in 2018[7][x] and the EU enforcement action on the illegal trade of cats and dogs carried out in 2022-2023[8][x] have revealed widespread fraudulent practices in the placing on the market of dogs and cats in the Union, and associated animal welfare problems.*** It is therefore essential to ~~harmonize~~***harmonise*** the standards for the means of identification and registration***. A broad obligation to identify and register*** ~~and to ensure that the identification and registration of~~ dogs and cats ~~is completed before the animal is supplied in~~***avoids loopholes in the traceability system which would otherwise risk being exploited by fraudsters. Natural or legal persons placing dogs or cats on*** the Union ~~for the first time. Suppliers of dogs and cats~~***market*** should provide evidence of identification and registration in one of the databases established by Member States for this purpose~~, before the first placing on the market of the animal in the Union~~. Subsequently, at every change of ownership or responsibility for the ~~animal, the supplier must provide proof of identification and registration of the animal~~***dog or cat, the change should be registered accordingly*** in one of the databases. ***Having in mind the central role of dogs used in military, police, and customs services*** for ~~the sake of proportionality, natural persons supplying dogs and cats occasionally by other means than online platforms~~***national security, the Member States*** should ~~not be subject to this obligation~~***be allowed to grant derogations concerning the registration of these dogs, in order to avoid traceability to the security quarters***.

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7 ***[x] Commission Recommendation on a coordinated control plan for the official controls on online sales of dogs and cats, C(2018)5488 final, https://food.ec.europa.eu/animals/animal-welfare/other-aspects-animal-welfare/online-sales-dogs-and-cats_en***

8 ***[x] European Commission, Directorate-General for Health and Food Safety, Illegal trade of cats & dogs EU enforcement action, Publications Office of the European Union, 2023, https://data.europa.eu/doi/10.2875/236344***

(40) ~~Suppliers of dogs and cats~~***Natural or legal persons placing the dog or cat on the Union market*** should not only provide evidence of identification, showing a document referring to the code of the transponder implanted in the ~~animal~~***dog or cat*** but also evidence of the registration of that ~~animal~~***dog or cat*** into an official database. This allows key information about the ~~animal~~***dog or cat*** to be passed on to the new owner and ensures traceability.

(41) As most dogs and cats are currently offered for sale or donation by means of ~~listings placed on~~ online ~~platforms, providers of online platforms should act diligently when intermediating access to dogs and cats. Therefore, without prejudice to Regulation (EU) 2022/2065, online platforms should be required to adapt the modalities of their listings for dogs and cats so that suppliers provide proofs of the identification and registration of the dogs and cats intended for sale or donation. In addition~~***advertisements***, the Commission should ensure the development of a system publicly available ***and*** free of charge***,*** allowing ***acquirers*** to verify the authenticity of the identification ~~and~~***,*** registration ***and ownership of the*** ~~of a~~ dog or a cat ***advertised. For this purpose, the natural or legal person advertising the dog or cat online should be required to use the verification system, and to display the token generated by that system in the advertisement***. This measure aims to better combat fraud by improving the traceability of dogs and cats ~~supplied in~~***placed on*** the Union ***market*** to their origin, allowing better controls by competent authorities and ultimately improving the welfare of these ~~animals~~***dogs and cats. Providers of online platforms should act diligently when intermediating the placing on the Union market of dogs and cats. Therefore, without prejudice to Regulation (EU) 2022/2065, online platforms allowing advertising of the placing on the market of dogs and cats should be required to design and organise their online interface in a way that enables natural or legal persons advertising dogs and cats to display the token and to inform acquirers about the verification system***. This should not amount to an obligation for online platforms to generally monitor the listings offered through their platform, nor to a general fact-finding obligation aimed at assessing the accuracy of the identification and registration prior to the publication of the offer.

(42) Since the level of awareness on animal welfare of animal caretakers has a direct impact on the welfare of dogs and cats under their care, Member States should ensure that sufficient training is available both in terms of quantity and quality to enable animal caretakers to meet the training requirements ~~and~~ set out in this Regulation.

(43) To ensure traceability of dogs and cats, ~~animals~~***they*** should not only be ~~marked~~***individually identified*** with a unique identifier in the form of ***a*** transponder, but their identification should also be registered in a database. Therefore, Member States ~~that do not yet have national~~***should be responsible for establishing and maintaining*** databases ~~for~~***of*** dogs and cats ~~should establish such databases so that identification can be reliable and verified. In addition, ~~***in their territory*** to ensure ***the*** traceability ~~within~~***of these animals. It is also necessary to ensure the interoperability of these databases. This will facilitate finding information on dogs and cats across*** the Union, ~~these national databases should be interoperable, allowing~~***as well as enable*** competent authorities ~~and relevant stakeholders to verify the authenticity of the identification~~***to carry out official controls to ensure compliance with animal welfare rules. In order to facilitate the interoperability between national databases, the Commission should establish an index database***.

(44) To evaluate the progress of the animal welfare conditions in which dogs and cats are kept in establishments and of their traceability, it is necessary that Member States collect, report and analyse key policy indicators, which should be harmonised under this Regulation to ensure their comparability at Union level, and enable a Union monitoring of the progress in achieving the policy objectives of this Regulation.

(44a) Regulation (EU) 2018/1725 of the European Parliament and of the Council lays down rules on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. Regulation (EU) 2016/679 of the European Parliament and of the Council applies to the processing of personal data carried out by Member States in the course of the relevant procedures. The roles of the Commission and of the Member States in relation to the processing of personal data in cases under this Regulation need to be clearly defined in order to ensure a high level of data protection.

(44b) For the purpose of this Regulation, the names of natural persons and related contact details could appear in the documents processed by the Commission and the Member States in the course of the implementation of this Regulation, namely notification and approval of establishments, registration of dogs and cats, verification of the registration of dogs and cats and imports of dogs and cats. Such processing of personal data is justified by the public interest of guaranteeing the respect for the welfare conditions and requirements for dogs and cats, including the performance of official control and traceability, and avoid circumvention of the welfare conditions and requirements and combat illegal trade both between Member States and in case of imports.

(44c) The retention period of personal data in the register of establishments and the list of approved breeding establishments should be 10 years from the date of cessation of activity of the establishment, since competent authorities need to have access to the history of activities of an operator in relation to breeding, keeping and placing on the Union market dogs or cats and be aware of past non-compliance with animal welfare rules when receiving a new notification of activity or request for approval.

(44d) The retention period of personal data of the present and past owners for dogs or cats in national databases and in the index database, should be 5 years after the recording of the death of the dog or cat in those databases or 25 years from the date of the first registration of the dog or cat in those databases, in order to cover the life expectancy of dogs and cats, to maintain a robust traceability systems for all dogs and cats traded in the Union, and to allow for official controls on welfare problems such as abnormal death rates requiring data analysis, including after the death of the dog or cat.

(44e) The retention period of data concerning owners and authorised persons entering the Union with dogs or cats under non-commercial movements pre-notified in the Union pet travellers' database should be 5 years from the pre-notification by the owner in order to allow for the Member States' competent authorities to perform data analysis, identify suspicious movements, and elaborate their risk-based official controls targeting potential fraudsters.

(44f) The retention period for the data in the Union verification system concerning natural or legal person advertising a dog or cat for placing on the market and using the verification system to generate the required token should be 18 months after the generation of the token, in order to allow for the system to confirm the authenticity of the identification, registration and ownership of the dog or cat advertised to an acquirer using that system during the expected maximum time of publication of the online advertisement.

(45) Dogs and cats imported into the Union may have been bred or kept in third countries in conditions that are detrimental to their welfare. ~~In addition, taking into account the particular~~***This raises public moral, safety and health*** concerns ~~of~~***in the Union.*** Union citizens~~' for the~~ ***consider that a high level of*** welfare of dogs and cats ***is a matter of moral responsibility, as illustrated by the results of the 2023 Eurobarometer on animal welfare***, as well as ***by the numerous correspondence, petitions and parliamentary questions received on this matter, the European Parliament resolution of 2020 on the illegal trade in companion animals, and the Union ban on the placing on the market and import of dog and cat fur and products containing such fur. Furthermore, problems to animal life or health are part of the welfare problems. For example, exhaustion, cachexia, and susceptibility to infectious diseases can arise from too intensive use of female dogs or cats for breeding, not respecting their welfare needs. Lastly, poor welfare conditions can lead to public health risks, including zoonotic agents such as dermatophytosis or internal parasites, as well as an indirect enhanced risk of antimicrobial resistance development due to a need for high volumes of use of antimicrobials in the establishment of origin. Dogs and cats bred under poor welfare conditions can also represent a risk for public safety as they may develop aggressive behaviour. Given these public moral concerns, safety,*** animal health and public health risks***, and in order to achieve the objectives of this Regulation*** ~~associated to poor welfare conditions in the establishment of origin specialised in dogs and cats breeding~~, it is important that dogs and cats imported from third countries comply with rules as regards their welfare that are ***identical or*** equivalent to those laid down in this Regulation, and offer the same guarantees as regards their traceability. Given that this will require changes from third country operators involved in exports to the Union of dogs and cats, it is necessary to provide for a transitional period of the same duration as that applicable to Union operators.

(46) ~~The provisions mentioned in the previous recital~~***Enforcement of import rules*** should be ~~enforced~~***ensured*** through a listing of third countries approved to ~~supply of~~***place*** dogs and cats ~~to~~***on*** the Union ***market*** based on a Commission assessment of the reliability of their official controls to enforce the animal welfare rules required under this Regulation, or ***recognised by the Union as*** equivalent rules, in establishments on their territory which ~~supply~~***export*** or intend to ~~supply~~***export*** dogs and cats to the Union ***market***. In addition, a list of establishments breeding and keeping dogs and cats in those third countries, and which are allowed to export those animals to the Union, should be established to ensure traceability and controls at Union Border Control Posts. The Commission should, following a risk-based approach, carry out audits of the reliability of official control system of third countries approved under this Regulation as well as those requesting to be approved under this Regulation. ***Lastly, compliance with the relevant rules of this Regulation or with rules recognised by the Union as equivalent rules should be certified in the relevant health certificate used for such exports. For that purpose, the Commission should endeavour to amend the relevant model of official certificate, in order to include the related animal welfare attestation.***

~~(47) Under Regulation (EU) 2016/429, a list of third countries authorised for the purpose of entry into the Union of dogs and cats is established for the purpose of managing the risk of introducing transmissible animal diseases into the Union. The list of third countries mentioned in the previous recital should therefore be limited to third countries authorised under Regulation (EU) 2016/429 and which provide appropriate guarantees of the capacity of their competent authority to control and ensure compliance of the establishments breeding and keeping dogs and cats for export to the Union with the animal welfare requirements set out in this Regulation.~~

(47a) To enhance consumer protection and ensure proper traceability for imports of dogs and cats into the Union, it is appropriate to provide for in this Regulation that they should be identified before their entry and that the importers should ensure their registration in one of the Member States' databases. This will provide for greater control on the movements of those animals. Furthermore, the EU Coordinated Action on the illegal trade of cats and dogs carried out in 2022 and 2023 demonstrated that one of the common fraudulent practices with the trade in dogs and cats consists in importing into the Union dogs and cats intended for trade claiming that those movements are non-commercial movements as defined by Union animal health rules, namely movements of dogs and cats accompanying their owners or a person authorised by the owner without intention of transfer of ownership. In order to provide tools for Member States to perform risk-based controls targeting this fraudulent practice, it is essential that the entry of dogs and cats as non-commercial, independently from the number of the animals, is pre-notified through a dedicated Union pet travellers' database. This database should collect notifications for all such entries into the Union regardless of the point of entry, for Member States to have the necessary overview and detect suspicious movements. For that reason, it is appropriate that the Commission establishes and maintains that database so that Member States have access to all available information for control activities. Member States should use the information collected in the database and where appropriate carry out targeted controls, including where necessary on-the-spot controls, on suspicious movements.

(47b) In order to promote the achievement of the objectives of this regulation, Member States are encouraged to carry out campaigns to raise awareness of the obligations it lays down, including campaigns aimed at natural or legal persons who own dogs or cats and potential acquirers of dogs or cats. The campaigns could cover the obligation to identify and register cats and dogs in accordance with the provisions of this Regulation, the requirements regarding the content of advertisements for the sale or transfer of ownership or responsibility for dogs or cats, including the warning on responsible ownership, and the reasons for, technical features and use of the system to verify authenticity of online advertisements. The campaigns could cover the reasons for the warning, explanations of the concept of responsible ownership, including the importance of not abandoning dogs or cats. The Commission should facilitate the exchange of best practices on such awareness raising campaigns activities. Several Member States have in place neutering programmes for dogs and cats in order to limit uncontrolled reproduction of stray dogs and cats and carry out awareness campaigns on such programmes. If neutering programmes or their enforcement are insufficient, subsequent abandonment and inadequate management of stray animal populations can contribute to the placing of dogs and cats on the EU market. National campaigns on neutering programmes could be integrated within the awareness raising campaign on the obligations laid down in this Regulation in view of encouraging responsible ownership and reducing the pressure on the market of dogs and cats.

(48) In order to take into account technical progress and scientific developments***, especially the opinions of the European Food Safety Authority (EFSA)***, and their social, economic and environmental impacts, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission for the purpose of ~~amending Article 6 to~~***supplementing*** this Regulation ***by laying down animal based indicators concerning behavior and physical appearance by defining the characteristics of genotypes, and excessive conformational traits that should be excluded from reproduction,*** so that breeding strategies do not result in genotypes that have detrimental effects on the health or welfare of the dogs and cats. ***In the context of aesthetic shows, exhibitions, and competitions, after considering both EFSA's scientific opinion and the specific social and economic circumstances of the sector, the delegated acts should reflect a progressive and balanced approach, in order to ensure proportionate and practically achievable implementation."***

(49) In order to lay down minimum criteria to be assessed during animal welfare visits, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission for the purpose of supplementing Article 10 of this Regulation.

(50) In order to take account of technical progress and scientific developments, and their social, economic and environmental impacts, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission for the purpose of amending the Annexes to this Regulation as regards requirements for the breeding, keeping and identification of dogs and cats as well as indicators to monitor the policy objectives of this Regulation.

(51) It is of particular importance that the Commission ~~carries~~***carry*** out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.[9] In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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9 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

(52) Implementing powers should be conferred on the Commission in order to ensure uniform conditions for the implementation of the following provisions of this Regulation:

- ~~Article 9(3) to harmonise~~***harmonisation of*** the content of the education, training or professional experience for ***competent*** animal caretakers;

- ~~Article 17(7) to specify~~***the information to be provided by operators and natural persons placing and advertising dogs or cats on the market as proof of identification and registration of dogs and cats, and*** certain aspects of the verification system performing automated checks of the authenticity of the identification and registration of dogs and cats;

- ~~Article 19(3) to establish~~ minimum requirements for the content of the databases for registration of dogs and cats ~~referred to in paragraph 1~~ and the requirements concerning the interoperability of the databases;

- ~~Article 20(3) to establish a~~ harmonised methodology for measuring the data collected in Annex III and the template for the Member States' report to the Commission on those data;

- ~~Article 21(5) to establish a procedure for the recognition by the Union of equivalence of the conditions under which dogs and cats are bred and kept in establishments in a third country which intends to export animals to the Union, with the provisions of this Regulation regarding establishments~~.

- ***the information to be pre-notified by owners in the Union pet traveller database, and the procedure for pre-notifications on movements that represent a risk factor for fraud***

Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[10].

[10] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers; OJ L 55, 28.2.2011, p. 13–18.

(53) There are varying citizens attitudes regarding the welfare of dogs and cats ~~and~~***across Member States.*** Some Member States have already adopted ***a*** comprehensive set of rules in this regard. ***Bearing in mind that this Regulation lays down minimum requirements,*** it is therefore ~~necessary~~***appropriate*** that Member States are allowed to maintain ***or adopt*** stricter national rules aimed at a more extensive protection of the ~~animals~~***dogs and cats*** than those laid down in this Regulation~~. Member States should also continue to have the possibility to adopt stricter national rules in certain areas~~***,*** provided that those ***national*** rules do not affect the proper functioning of the internal market.

(54) Member States should notify the Commission of any such national rules. The Commission should bring them to the attention of other Member States. Where national rules fall within the scope of Directive (EU) 2015/1535 of the European Parliament and of the Council, they should be notified to the Commission in accordance with that Directive.

(55) It is essential that Union legislation is subject to regular monitoring and evaluation so it can be adjusted in order to achieve the expected impacts. Therefore, this Regulation should contain an obligation for the Commission to perform monitoring on the welfare of dogs and cats in the Union and to carry out an evaluation to be presented to other Union institutions.

(56) To ensure the full application of this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation ***covering all obligations of the requirements applicable to operators, including the prohibition to abandon dogs and cats,*** and ensure that they are ~~implemented~~***enforced***. Those penalties must be effective, proportionate and dissuasive. ***In particular, in cases of serious or repeated infringements, the Member States should lay down penalties that are financially dissuasive, taking account of the operator's turnover, and that include the possibility to prohibit an operator from exercising its activity.***

(56a) Considering the costs of operating a shelter and the public benefits of this activity, when compliant with this Regulation, for the welfare of unwanted, abandoned or stray cats and dogs, Member State are encouraged to consider taking measures to ensure that shelters and organisations responsible for the welfare of stray dog and cat populations are appropriately financed in accordance with national law.

(57) Since the objectives of this Regulation, namely to establish minimum ~~harmonised rules~~***requirements*** that ensure the proper functioning of the internal market while ensuring a high level of welfare of dogs and cats and their traceability cannot be sufficiently achieved by the Member States, but can rather, by reason of its effects, be better achieved ~~by the~~***at*** Union ***level***, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

HAVE ADOPTED THIS REGULATION:

CHAPTER I
SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1
Subject matter

This Regulation lays down minimum requirements for:

(a) the welfare of dogs and cats bred or kept in establishments or placed on the Union market;

(b) the traceability of dogs and cats ~~placed on the Union market or supplied in the Union~~.

Article 2
Material scope

1. This Regulation shall apply to the breeding, keeping***, traceability,*** ~~and~~ placing on the market ***and entry into the Union*** of dogs and cats~~, as well as their supplying in the Union~~.

2. This Regulation shall not apply to the breeding, keeping~~,~~ ***or*** placing on the market or ~~supplying~~***entry into the Union*** of dogs or cats intended ***or used*** for scientific purposes ***or for clinical trials required for the marketing authorisation of veterinary medicinal products***.

Article 2a

Personal scope

1. Chapter II of this Regulation shall apply to all operators.

2. Chapter III of this Regulation shall apply to all natural and legal persons owning dogs or cat in the Union.

3. Chapter IV shall apply to all natural and legal persons who enter dogs or cats into the Union.

4. This Regulation shall not apply to farmers offering refuge on their holdings to free-roaming stray cats that are useful for pest control, and who are not operators and do not place them on the market.

Article 3

Definitions

For the purposes of this Regulation the following definitions apply:

1. ‘dog’ means an animal of the Canis lupus familiaris species;

2. ‘cat’ means an animal of the Felis silvestris catus species;

3. ‘welfare of dogs and cats’ means the physical and mental state of a dog or a cat ~~in relation to the conditions in~~**,** which ~~it is born, lives and dies~~***reflects appropriate nutrition, an appropriate environment, a good health, appropriate behaviour and an overall positive mental experience***;

3a. ‘hybrid’ means any offspring in the first to the fourth generation after crossbreeding between a wild species and a domestic dog or cat, or between such hybrids and wild species, domestic dogs or cats, or other hybrids;

3b. "breeding" means the activity of keeping dogs or cats in breeding establishments for the purpose of reproduction

4. ‘keeping’ means any activity during which ~~an animal is detained~~***dogs or cats are held, housed*** or handled in an establishment ***or under the responsibility of an operator***;

5. ‘placing on the market’ means the ~~keeping of dogs and cats for the purpose of~~ sale, offering for sale, distribution or any other form of transfer of ownership or responsibility ***of dogs and cats, whether in return for payment or free of charge, as well as***~~for the animal, that is against consideration or at least reimbursement of the costs incurred, including~~ the advertising of ~~animals for the above~~***dogs and cats for those*** purposes~~;~~***, excluding occasional and irregular donations by natural persons other than operators without online advertising.***

5a. "advertising" means any form of communication which has the direct or indirect effect of promoting a dog or cat in order to attract interest, engagement or sales, including the promotion of a breed or a physical characteristic;

6. ~~‘supplying’ means the transferring of ownership or responsibility for dogs or cats through any means or form, whether for a consideration or not, excluding occasional supplies by natural persons of dogs or cats by other means than via the intermediation of an online platform;~~

7. ‘online platforms’ means an online platform, as defined in ~~Article 3,~~ point (i)~~,~~ ***of Article 3*** of Regulation (EU) 2022/2065, intermediating the placing on the market ~~or the sypplying~~ of dogs ~~and~~***or*** cats;

8. ~~‘listing’ means the publication, on an online platform, of an advertisement for the supply of a dog or a cat;~~

9. ‘bitch’ means a female dog from the time she is first mated or inseminated until the weaning of the last litter she produces during her lifetime;

10. ‘queen’ means a female cat from the time she is first mated or inseminated until the weaning of the last litter she produces during her lifetime;

10a. 'livestock guardian dog' means a dog primarily kept or trained to protect livestock from predators in agricultural or pastoral settings;

10b. ‘herding dog’ means a dog primarily, kept or trained to steer, move, or control livestock in agricultural or pastoral settings, including farms, grazing areas, or during transhumance.

11. ‘~~establishments~~***establishment***’ means breeding ~~establishments, animal shelters and pet shops~~***establishment, selling establishment, shelter and foster home***;

12. ‘breeding ~~establishments~~***establishment***’ means any premises or structure, ***including households,*** where dogs ~~and~~***or*** cats are kept for reproduction purposes with a view to placing their offspring on the market~~, including households;~~***;***

12a. ‘farmer’ means farmers as defined in Article 3(1) of Regulation (EU) 2021/2115.

13. ‘~~pet shops~~***selling establishment***’ means any premises or structure where dogs ~~and~~***or*** cats are kept for sale ~~as pet animals,~~ without having been born there***, including pet shops or households, as well as any premises or structures of assembly operation where dogs or cats are assembled from more than one establishment***;

14. ‘~~animal shelters’~~***shelter'*** means any premises or structure, ~~excluding~~***including*** households~~,~~ ~~operated by a natural or legal person~~, where unwanted, abandoned, ~~formal~~***former*** stray, lost or confiscated dogs ~~and~~***or*** cats are kept for the purpose of ~~supply, whether for consideration or at no cost~~***placing on the market***;

14a. ‘foster home’ means a household that keeps dogs or cats on behalf of an operator responsible for unwanted, abandoned, former stray, lost or confiscated dogs or cats;

15. ‘operator’ means any natural or legal person~~, excluding those~~ ***that places dogs or cats on the market and that is*** responsible for ~~shelters, who breeds, keeps, trades or~~ ***a breeding establishment, a selling establishment or a shelter and for dogs or cats kept therein, or*** places ~~on the market~~***and is responsible for*** dogs and cats ~~under his/her control, including for a limited period of time;~~***in foster homes.***

16. ~~‘supplier’ means any natural or legal person supplying a dog or a cat, including natural or legal persons responsible for shelters;~~

17. ‘competent authorities’ means competent authorities as defined in ***point (3) of*** Article ~~3(3)~~***3*** of Regulation (EU) 2017/625;

18. ‘breeding strategy’ means a set of systematic actions, including recording, selection, breeding~~,~~ and exchange of breeding dogs ~~and~~***or*** cats and their germinal products, designed and implemented to preserve or enhance desired phenotypic ~~and/or~~***or*** genotypic characteristics in the target breeding population;

18a. ‘euthanasia’ means the act of inducing death using a method that causes a rapid and irreversible loss of consciousness with a minimum pain and distress, ending the life of the dog or cat.

19. ‘mutilation’ means an intervention, including a surgical intervention, carried out for reasons other than therapeutic or diagnostic purposes, ***and other than neutering or implantation of a transponder,*** which results in damage to or the loss of a sensitive part of the body or the alteration of bone structure ***of a dog or a cat***;

19a. ‘Neutering’ means the process whereby dogs or cats are surgically and irreversibly prevented from reproducing;

20. ‘suffering’ means an unpleasant, undesired physical or mental state of being, which is the result of ~~an animal~~***a dog or cat*** being exposed to noxious stimuli or the ***continuous*** absence of important positive stimuli;

21. ‘housing’ means buildings or delimited outdoor space in establishments where dogs ~~and~~***or*** cats are kept ***whether temporarily or permanently***;

22. ‘kennel’ means a physical structure containing one or more ~~individual~~ enclosures for housing dogs;

23. ‘cattery’ means a physical structure containing one or more ~~individual~~ enclosures for housing cats;

24. ‘animal caretaker’ means a person taking care of the dogs ~~and~~***or*** cats bred or kept in an establishment~~,~~***, including volunteers, interns and part-time workers, under the responsibility of an operator***

25. ‘enrichment’ means a material or structure in ~~the animal~~***a dog’s or cat***’s environment, with an occupational or nutritional property which is capable of provoking and fulfilling curiosity and appetitive behaviour, or physical motivation;

26. ‘tethering’ means the tying of ~~an animal~~***a dog or cat*** to an anchor point ***or object*** to keep it in a desired area ***or to restrict its movement***;

27. ‘container’ means any crate, box, ***cage,*** receptacle or ~~other rigid~~***movable*** structure used to confine dogs ~~and~~***or*** cats;

28. ~~‘pet animal’ means a dog or cat intended to be kept in a household for private enjoyment and companionship;~~

29. ‘responsible ownership’ means the commitment of a dog or cat owner or future dog or cat owner, to perform various duties focused on the satisfaction of the ***health,*** behavioural, environmental and physical needs of the dog or cat, and to ~~prevent~~***minimize*** risks that the dog or cat may pose to the community, other animals or the environment.

29a. ‘pet owner’ means a natural or legal person that owns a dog or cat as a pet.

29b. ‘pet’ means or a dog or cat owned for the purpose of private enjoyment or of companionship of humans.

29c. ‘iRASFF’ means the electronic system implementing the RASFF and AAC procedures described in Article 50 of Regulation (EC) No 178/2002 and Articles 102 to 108 of Regulation (EU) 2017/625 respectively;

29d. ‘AAC Network’ means the network composed of the Commission and the liaison bodies designated by the Member States in accordance with Article 103(1) of Regulation (EU) 2017/625 for the purpose of facilitating communication between competent authorities;

29e. ‘non-commercial movement’ means the movement of a dog or a cat, as defined in point 14 of Article 4 of Regulation (EU) 2016/429.

CHAPTER II

OBLIGATIONS FOR OPERATORS OF ESTABLISHMENTS

Article 4

Exemptions from the obligations set out in this Chapter

1. ~~This chapter~~***A breeding establishment where at most two litters per calendar year is produced for placing on the market*** shall ~~not apply to:~~***only be subject to the obligations laid down in Article 5, Article 6(1) (1b), (1c) and (1d). Article 6a, Article 7, Article 8, Article 11(2), (3) and (3a), Article 12(3), (4) and (7), Article 13(2)(b), (c) and (d), Article 14(2), (3), (4) and (5a), Article 15, Article 15a(1) and point 3 and 4.3 of Annex I.***

2. ***A shelter, where up to a total of 15 dogs or cats are kept at any given time, or any foster home shall only be subject to the obligations laid down in Article 5, Article 6(1), (1a), (1b), (1c), and 1(d), Article 7, Article 8, Article 11(2), (3) and (3a), Article 12(3), (4) and (7), Article 13(2)(a), (b), (c) and (d), Article 14(2), (3), (4) and (5a), Article 15 and point 4.3 of Annex I.***

- ~~pet shops keeping at any given time three dogs or less or six cats or less;~~

- ~~shelters keeping at any given time ten dogs or less or twenty cats or less.~~

Article 5

General ***welfare*** principles ~~of welfare~~

Operators ~~and natural or legal persons responsible for shelters~~ shall apply the following ***general welfare*** principles with respect to dogs ~~and~~***or*** cats bred or kept in their establishment:

(a) dogs and cats are provided with water and feed of a quality and of a quantity that enables them to have ~~good~~***appropriate*** nutrition and hydration~~.~~***;***

(b) dogs and cats are kept in ~~a good~~***an appropriate and regularly cleaned*** physical environment which is ***secure and*** comfortable, especially in terms of space, ***air quality,*** temperature, ***light, protection against adverse climatic conditions*** and ease of movement***, preventing overcrowding***.

(c) dogs and cats are kept safe, clean and in good health by preventing diseases, ~~functional impairments,~~ injuries, and pain, due in particular to management, handling practices~~, or mutilations~~ ***and breeding practices***.

(d) dogs and cats are kept in an environment that enables them to ~~express~~***exhibit species-specific and*** social non-harmful behaviour, ~~species-specific behaviour, as well as~~***and to establish a*** positive relationship with human beings~~.~~***;***

(e) dogs and cats are kept in such a way as to optimise their mental state by preventing or reducing ~~their~~ negative ~~experiences in time~~***stimuli in duration*** and intensity, as well as by ~~maximizing~~***maximising*** opportunities for positive ~~experiences in time~~***stimuli in duration*** and intensity***, preventing the development of abnormal repetitive and other behaviours indicative of negative animal welfare, and taking into consideration the individual dog's or cat's needs*** in the different domains referred to in ~~paragraphs~~***points*** (a) to (d).

Article 6

General welfare ~~requirements for dogs and cats~~***obligations***

1. Operators ~~and natural or legal persons responsible for shelters~~ shall be responsible for the welfare of dogs ~~and~~***or*** cats kept ***in the establishments under their responsibility and*** under their control and ~~for minimising~~***to minimise*** any risks to their welfare.

1a. In the case of foster homes, the responsibility shall lie with the operator on whose behalf dogs or cats are kept. Such operators shall not place more than a total of five dogs or cats or one litter with or without mother in a foster home at any given time and shall provide the foster family with adequate information on the animal welfare obligations as well as the individual needs of the dogs or cats, and shall ensure that the relevant obligations set out by this Regulation are complied with in foster homes.

Member States where the foster home is located may provide for a greater number of dogs, cats or litters to be placed in the foster home, provided that the premises of the foster home provide sufficient space, including outdoor space, and that the number of animal caretakers in the foster home is sufficient, to ensure the welfare of the dogs or cats.

1b. ***Operators shall not subject any dog or cat to cruelty, abuse or mistreatment, including through participation in activities likely to result in cruelty, abuse of mistreatment, to the dogs or cats bred or kept by the operator.***

1c. ***Operators shall not abandon dogs or cats.***

1d. ***Operators who are due to cease the activities of their establishment shall ensure the rehoming of the dogs or cats kept therein either by taking up the pet ownership or by transferring the responsibility or ownership of dogs and cats to other operators or acquirers.***

2. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that dogs ~~and~~***or*** cats are handled by a suitable number of animal caretakers ***and in order to meet the welfare needs of dogs or cats kept in their establishments and*** who have the ~~skills and~~ competences required under Article 9.

2a. ***Operators shall ensure the welfare of the dogs or cats under their responsibility by monitoring animal-based indicators concerning behaviour and physical appearance, and by taking actions based on the results of such monitoring.***

2b. ***The Commission is empowered to adopt delegated acts in accordance with Article 23 supplementing this Regulation by laying down animal-based indicators concerning behaviour and physical appearance and the methods of their measurement.***

~~3. Operators of breeding establishments shall ensure that breeding strategies do not result in genotypes and phenotypes that have detrimental effects on the welfare of the dogs and cats, or of their descendants.~~

~~In the management of the reproduction of dogs and cats by operators, the mating between parents and offspring, or between grandparents and grandchildren, shall be prohibited.~~

~~This paragraph shall not preclude the selection and breeding of brachycephalic dogs and cats provided that the selection or breeding programmes minimise the negative welfare consequences of brachycephalic traits.~~

~~4. The Commission is empowered to adopt delegated acts in accordance with Article 23 amending this article as regards the specific criteria that operators shall fulfil when designing breeding strategies to meet the requirements of paragraph 3, taking into account scientific opinions of the European Food Safety Authority as well as social, economic and environmental impacts.~~

Article 6a

Breeding strategies obligations

1. Operators of breeding establishments shall ensure that their breeding strategies minimise the risk of producing dogs or cats with genotypes associated with detrimental effects on their health and welfare.

2. Operators of breeding establishments shall not use for reproduction dogs or cats that have excessive conformational traits leading to a high risk of detrimental effects on the welfare of these dogs or cats, or of their offspring. Before selection for breeding of a dog or cat that may be concerned by an excessive conformational trait the operator shall consult a veterinarian or an independent qualified person under the responsibility of a veterinarian. The veterinarian or independent qualified person shall assess whether the dog or cat has an excessive conformational trait.

3. The Commission is empowered to adopt, taking into account scientific opinions of the European Food Safety Authority as well as the social and economic impacts, delegated acts in accordance with Article 23 supplementing this Regulation by:

(a) defining characteristics of the genotypes referred to in paragraph 1, which shall be excluded from reproduction, and the methods for their assessment and the record keeping requirements;

(b) defining excessive conformational traits referred to in paragraph 2 of this Article, which shall be excluded from reproduction, the methods for their assessment and the record keeping requirements.

The delegated acts concerning the excessive conformational traits shall be adopted by 1 July 2030. The delegated acts concerning the genotypes shall be adopted by 1 July 2036.

4. The following shall be prohibited in the management of the reproduction of dogs and cats:

(a) the breeding between parents and offspring, between siblings, between half-siblings or between grandparents and grandchildren, unless approved by the competent authority based on a specific need to preserve local breeds with a limited genetic pool;

(b) the breeding to produce hybrids.

Article 7

~~Obligation to notify the breeding or keeping of dogs and cats in~~***Notification and registration of*** establishments

1. Operators ~~and natural or legal persons responsible for shelters~~ shall notify ~~to~~ the competent authorities of their activity, providing ***at least*** the following information:

(a) ~~the identity, name and~~***name,*** address ***and contact details*** of the operator;

(b) the location***(s)*** of the establishment***(s)***;

(c) the type***(s)*** of establishment: breeding establishment, ~~pet shop or~~***selling establishment,*** shelter ***or foster home***;

(d) the species and ~~breed, where relevant~~***, for breeding establishments***, ***the breeds*** of the ~~animals~~***dogs or cats*** kept in the establishment***(s)***;

(e) ***the capacity of the establishment expressed as*** the maximum number of ~~animals~~***dogs and cats*** which can be kept in the establishment***(s)***;

(ea) for breeding establishments, the estimated number of litters to be placed on the market per year.

2. Operators shall notify the competent authority of:

a) any changes concerning the information referred to in paragraph 1;

b) where applicable, the planned date of a cessation of their activities, at the latest five working days before that date.

3. Member States shall use the information provided for in accordance with Article 84 of Regulation (EU) 2016/429. Operators shall not be required to notify again the information already submitted in accordance with Article 84 of Regulation (EU) 2016/429.

4. The competent authority shall maintain a register of establishments and may use for this purpose the register provided for in point (a) of paragraph 1 of Article 101 of Regulation (EU) 2016/429.

Article 7a

Approval of breeding establishments

1. Operators of breeding establishments that either produce or intend to produce more than five litters per calendar year or that keep more than five bitches or queens at any given time shall only place dogs or cats on the market after the approval of their establishment by the competent authority.

2. The competent authority shall perform on-site inspections to verify that the establishment meets the requirements of this Regulation. Member States may allow such inspections to be carried out remotely provided that the means of distance Communication used provide sufficient evidence for the competent authority to perform reliable inspections. The competent authority shall only grant a certificate of approval to a breeding establishment that meets the requirements of this Regulation.

3. The competent authority shall maintain a publicly available list including the following information for each approved establishment:

(a) the name, contact details and, where available, the URL of the website of the establishment;

(b) the address of the establishment;

(c) the name of the operator;

(d) the species and if relevant the breeds related to the establishment activities approved;

(e) the unique approval number assigned by the competent authority and the date of the approval and cessation of activities.

Article 8

Obligation of informing on responsible ownership

1. ~~When~~ Operators ~~and natural or legal persons responsible for shelters place on the market or supply dogs or cats for purposes of keeping them as pet animals, they~~ shall provide to the acquirer of ~~pet the~~***a dog or cat written*** information necessary to enable him or her to ensure the welfare of the ~~animal,~~***dog or cat*** including information on responsible ownership ***and on the specific needs of the dog or cat in terms of feeding, caring, health, housing and behavioural needs, as well as information on its health***.

1a. The written information on the dog or cat's health referred to in the first paragraph shall include at least:

(a) the dog or cat's vaccination status;

(b) any medical conditions or predispositions to diseases, including allergies, that are known by the operator, and any diagnostic test results for the dog or cat that are available to the operator.

In case the information on the dog's or cat's health is documented in a document required under Regulation (EU) 2016/429, the operator shall transmit over that document to the acquirer.

~~2. When the supplying of dogs and cats is advertised via online means, the listing shall display, in clearly visible and bold characters, the following warning:~~

~~"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.~~"

Article 9

Animal welfare competences of animal caretakers

1. Animal caretakers***, other than volunteers in shelters and interns who are under the responsibility of a competent animal caretaker,*** shall have the following competences as regards the dogs and cats they are handling:

   (a) understanding of their biological behaviour and their physiological and ethological needs;

   (b) ability to recognise their expressions including any sign of suffering and to identify ***and take*** the appropriate mitigating measures ~~to be taken~~ in such cases;

   (c) ability to apply good animal management practices, ***including operant conditioning and positive reinforcement,*** to use and maintain the equipment used for the ~~species~~***dogs or cats*** under their care and to ~~minimize~~***minimise*** any risks to the welfare of the ~~animals~~***dogs or cats, preventing suffering***;

   (d) knowledge of their obligations under this Regulation.

2. The competences referred to in paragraph 1 may be acquired through education, training or professional experience. Education, training or professional experience shall be documented.

2a. Operators shall ensure that at least one animal caretaker, other than a volunteer or intern, at the establishment has completed the training courses referred to in Article 18 and that the caretaker transfers the knowledge to the other animal caretakers of the establishment.

3. The Commission ~~may~~***shall***, by means of implementing acts, lay down minimum requirements concerning the ~~content of the~~***formal*** education, training or professional experience ***in order to acquire the competences*** referred to in paragraph 2 ***and for the training courses referred to in paragraph 2a***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24. ***The implementing act concerning the training courses referred to in paragraph 2a shall be adopted by [3 years from the date of entry into force of the Regulation].***

Article 10

~~Animal~~***Advisory*** welfare visits

1. Operators ~~and natural or legal persons responsible for shelters~~ shall:

   (a) ensure that the establishments under their responsibility receive~~, at least once a year,~~ a visit by a veterinarian ***within the first year after the date of application of this Regulation or within the first year after having notified a new establishment***, for the purpose of ***identifying and assessing any risk factor for the welfare of the dogs or cats and*** advising the operator ~~or the natural or legal person responsible for the shelter~~ on measures to address ~~any risk factor for animal~~***those risks; thereafter the visits from a veterinarian shall take place when appropriate, based on a risk analysis by the competent authorities; Member States may provide for that the advisory*** welfare ***visits are annual***;

   (b) ~~record~~ ***keep the records of*** the findings of the visit of the veterinarian referred to in point (a) and ***of*** their follow up actions ~~and keep those records~~ for at least ~~*64*~~ years, ~~making~~***from the day of the visit, and shall make*** them available to the competent authorities upon request~~.~~ ***and to the veterinarian that performs subsequent advisory visit***

2. ***By 24 months from the date of entry into force of this Regulation,*** the Commission ~~is empowered to~~ ***shall*** adopt delegated acts in accordance with Article 23 supplementing this Article ***in order*** to lay down minimum criteria to be assessed during ~~animal~~ ***the advisory*** welfare ~~visits~~***visit***.

Article 11

Feeding and watering

1. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that dogs ~~and~~***or*** cats are fed in accordance with the requirements laid down in point 1 of Annex I ~~and may, based on the written advice of a veterinarian or an animal nutrition expert, adjust the feeding frequencies provided for in point 1 of Annex I~~.

2. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that dogs ~~and~~***or*** cats are adequately fed and hydrated by supplying:

(a) ~~potable~~***clean and fresh*** water, ad libitum;

(b) feed in sufficient quantity and quality to meet the physiological, nutritional and metabolic needs ~~and satiety~~ of the dogs and cats, as part of a diet adapted to the age, breed, category, activity level, ~~and~~ health ***and reproductive*** status of the dogs ~~and cats~~***or cats, with the overall objective of achieving and maintaining good health***;

(c) feed free of substances which may cause suffering;

(d) feed in such a way as to avoid abrupt changes and ensure a well-functioning gastro-intestinal system, in particular during the weaning phase.

3. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that feeding and ~~drinking~~***watering*** facilities ***are kept clean and*** are constructed and installed in such a way as to:

(a) provide equal access to ***adequate amounts of feed and water for*** all dogs ~~and cats, thus minimizing~~***or cats and minimise*** competition between them~~, avoiding agonistic behaviour, in particular where dogs and cats do not have ad libitum access to feed;~~***;***

(b) ~~minimize~~***minimise*** spillage and prevent the contamination of feed and water with harmful ~~substances~~***physical, chemical or biological contaminants***;

(c) prevent injury, drowning or other harm to the dogs ~~and~~***or*** cats;

(d) be easily cleaned and disinfected to prevent ***the spread of*** diseases.

3a. Where advised in writing by a veterinarian to do so, the operators may adjust the feeding and watering frequencies for an individual dog or cat. The operators shall keep a record of the advice for its entire duration as advised by the veterinarian.

Article 12

Housing

1. Operators ***of breeding and selling establishments*** shall ensure that dogs ~~and~~***or*** cats are provided with housing in accordance with point 2 of ***the*** annex I. ***Operators of shelters shall ensure that dogs or cats are provided with housing in accordance with point 2.2 of the annex I.***

2. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that:

(a) the establishments where ~~animals~~***dogs or cats*** are kept and the equipment used therein are suitable for the types and the number of dogs ~~and cats kept in these establishments~~***or cats***, and allow the necessary access ***to*** and a thorough inspection of all dogs ~~and~~***or*** cats;

(b) all building components of the establishment, including the flooring, roof~~,~~ and space divisions, as well as the equipment used for dogs ~~and~~***or*** cats, are constructed and maintained properly, ~~and easily cleaned and disinfected~~ to ensure that they do not pose any risks to the welfare of the ~~animals;~~***dogs or cats.***

(ba) all building components of the establishment, including the flooring, and space divisions, as well as the equipment used for dogs or cats, are kept cleaned to ensure that they do not pose any risks to the welfare of the dogs or cats;

(c) ~~where animals are kept~~ in breeding ***and selling*** establishments ***where dogs or cats are kept indoors, dust*** ~~or pet shops, air circulation, dust levels~~, temperature, relative air humidity and gas concentrations are ~~kept within limits which are~~ not harmful to dogs ~~and~~***or*** cats and that ventilation is sufficient to avoid overheating ~~and, where necessary, in combination with heating systems, to remove excessive moisture~~;

(d) dogs and cats have enough space to be able to move around freely and to express species-specific behaviour according to their needs~~, with sufficient space for enrichment material and structures~~, ***with*** a possibility ~~for animals to socialise and~~***to*** withdraw~~, and clean resting places~~ ***and rest***;

(da) dogs or cats have clean, comfortable and dry resting places, sufficiently large and numerous to ensure that all of them can lie down and rest at the same time in a natural position;

(e) ***appropriate structures and measures are in place for dogs or*** ~~dogs and~~ cats kept outdoors ~~are protected from negative~~***to protect them from adverse*** climatic conditions, including ***to prevent*** thermal stress, sunburn and frostbite.

3. ~~Keeping~~***Operators shall not keep*** dogs or cats in containers ~~shall be prohibited.~~

By way of derogation, containers may only be used for the transport ~~and temporary~~***, short term*** isolation of individual dogs ~~and cats~~***or cats and during the participation in shows, exhibitions and competitions, for puppies or kittens with reduced thermoregulation capacity or puppies or kittens together with their mothers,*** provided that stress ~~due to extreme temperatures~~***is minimised and suffering*** is avoided ***and the dogs and cats are able to stand and lie down in a natural position***.

4. ~~Keeping dogs~~***Operators shall not keep dogs older than 8 weeks*** exclusively indoors ~~shall be prohibited. Dogs kept indoors~~***. Such dogs*** shall have daily access to an outdoor area ~~that allows exercise and socialisation. In addition, when dogs are kept in kennels~~***, or be walked daily***, ~~operators shall design and construct individual enclosures~~ to allow ~~dogs to have free~~***exercise, exploration and socialization. The duration of the daily*** access to ~~a confined~~***an*** outdoor ~~space and an indoor space or an individual hut~~***area or walk shall be minimum one hour in total***. ***The operator may only derogate from these requirements based on written advice of a veterinarian.***

5. When cats are kept in catteries, operators shall design and construct individual enclosures to allow cats to move around freely and to express their natural behaviour.

6. Operators ***of breeding and selling establishments*** shall ensure that ~~a thermoneutral zone appropriate for cats or dogs is maintained~~ in indoor areas where ~~they~~***dogs and cats*** are kept***, an appropriate thermoneutral zone is maintained taking into account their coat type, age, size, breed, and health***.

6a. Operators of breeding and selling establishments shall use, where necessary, heating or cooling systems to maintain good air quality, an appropriate temperature in indoor enclosures at their establishments, and remove excessive moisture.

7. Operators shall ensure that dogs ~~and cats have access to~~***or cats are exposed to light, and are able to stay in the dark for sufficient and uninterrupted periods in order to maintain a normal circadian rhythm.***

For the purposes of the first subparagraph, 'light' means natural light ~~at all times.~~***, complemented,*** where needed, due to the climatic conditions and geographic position of a Member State, ~~operators shall provide~~***by*** artificial ~~lighting~~***light***.

7a. Paragraphs 2(a), (b), (ba) (da) (e), 6, 6a and 7 shall not apply to livestock guardian dogs, nor to herding dogs, during the periods where such dogs are used for guarding or herding in the context of on foot seasonal transhumance. Paragraph 2(da) shall not apply to livestock guardian dogs during the periods when such dogs are used for training purposes.

8. ~~This Article applies from [5 years from the date of entry into force of this Regulation].~~

Article 13

Health

1. ~~Operators shall ensure that measures are taken to safeguard the health of dogs and cats in accordance with point 3 of Annex 1.~~

2. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that:

(a) dogs ~~and~~***or*** cats under their responsibility are inspected by animal caretakers at least once a day ***and vulnerable dogs and cats, such as newborns, ill or injured dogs and cats, and peri-partum bitches and queens, are inspected more frequently***;

(b) dogs or cats with ~~signs of disease, sickness, injury or otherwise~~ compromised welfare are***, where necessary,*** transferred~~, where required,~~ without undue delay to a separate area~~, are treated by a veterinarian~~ ***and***, where ***needed, receive*** appropriate~~, and kept there until they are fully recovered, or alternatively euthanised without undue delay~~ ***treatment***;

(c) ***where the recovery***~~the euthanasia~~ of a dog or a cat ***with compromised welfare is not achievable and the dog or cat experiences severe pain or suffering,***~~is only performed by~~ a veterinarian ***is consulted without undue delay, to decide whether the dog or cat shall be euthanised to end its suffering, and, if that is the case, to perform the euthanasia using anesthesia and analgesia***.

(d) measures ~~including veterinary medication are in place~~ to prevent and control external and internal parasites, ~~including preventive veterinary treatments~~***and vaccinations*** to prevent common diseases to which dogs or cats are likely to be exposed ~~with due regard to the epidemiological situation;~~***are implemented.***

(e) enrichment ~~materials~~ do not present ~~any~~***a significant*** risk of injury or biological or chemical contamination or any other health risk.

Point (a) shall not apply to livestock guardian dogs kept in breeding establishments during the periods when such dogs are used for guarding or training purposes.

Member states may grant derogations from point (c) in cases of emergencies, where no veterinarian can be reached without undue delay, provided that national rules are put in place to ensure that:

(i) an immediate action ending the life of the dog or cat with minimum pain and suffering using a method inducing instant death is undertaken by a trained competent person;

(ii) the operator keeps a record of the use of the derogation for purposes of the official control.

3. Operators ***of breeding establishments*** shall ensure that:

(-a) measures are taken to safeguard the health of dogs or cats in accordance with point 3 of Annex I;

(a) bitches ~~and~~***or*** queens are only bred if they have ***reached*** a minimum age ***and skeletal maturity*** in accordance with ***point 3 of*** Annex I ~~points 3.1 and 3.2, their skeletal growth is completed~~, and they ~~are free from~~***have no diagnosed*** disease***, clinical sign of diseases*** or physical conditions which could negatively impact their pregnancy and welfare;

(b) litter-giving pregnancies of bitches ~~and~~***or*** queens follows a maximum frequency ***in accordance with point 3 of Annex I***;

(c) lactating queens are not mated or inseminated;

(d) ~~any bitch aged 8 years or more and any queen aged 6 years or more shall, before being used for breeding, undergo a physical examination by a veterinarian, to confirm in writing that her pregnancy will not pose any risk to her welfare, including her health.~~

(e) ~~adult female~~ dogs and cats which are no longer used for reproduction, including as a result of the provisions of this Regulation, are ***either kept or sold, donated or rehomed,*** not killed or abandoned. ~~Operators shall continue to ensure the welfare of those animals in accordance with Regulation.~~

~~The operator shall keep the written confirmation referred to in point (d) for a period of at least 3 years after the death of the bitch or the queen.~~

~~4. This Article shall apply from [5 years from the date of entry into force of this Regulation].~~

Article 14

Behavioural needs

1. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that measures are taken to meet the behavioural needs of ~~cats and~~ dogs ***or cats*** in accordance with point 4 of Annex I.

2. ~~Keeping dogs and~~***Operators shall not keep dogs or*** cats in areas restraining their natural movements ~~shall be prohibited~~, except ***in case of Article 12(3), second sub-paragraph, or*** for performing the following procedures or treatments:

   (a) physical examinations~~, including identification of the animals~~;

   (b) ~~marking animals for~~***individual*** identification ~~purposes~~***of dogs or cats and reading the identification information***;

   (c) collection of samples and vaccinations;

   (d) procedures for ***grooming,*** hygienic, health or reproductive purposes ***other than mating***;

   (e) medical treatment***, including surgical treatment or prescribed rehabilitation***.

3. Tethering ~~within the premises of the establishment~~ for more than 1 hour shall be prohibited, except for the duration of a medical treatment ***or participation in shows, exhibitions and competitions of dogs and cats***.

3a. Member States may grant derogations from paragraph 3 for dogs intended for use in military, police and customs services that are kept in breeding or selling establishments.

4. Operators ~~and natural or legal persons responsible for shelters~~ shall ensure that conditions are in place to allow ~~animals~~***dogs or cats*** to express social non-harmful behaviours, species-specific behaviours and the possibility to experience positive emotions.

5. ***Operators shall ensure that dogs or cats can socialise in accordance with point 4 of Annex I.*** Operators of breeding establishments shall ~~ensure that an appropriate~~***document their*** strategy ~~is in place to socialise animals with humans, and where possible, with other animals~~***for such socialisation***.

The first subparagraph shall not apply to livestock guardian dogs kept in breeding establishments during the periods when such dogs are used for guarding or training purposes nor to herding dogs during seasonal transhumance.

5a. ***Operators shall ensure that enrichment is provided and accessible to all dogs or cats, creating a stimulating environment, enabling species-specific behaviour and reducing their frustration.***

Article 15

Painful practices

1. ***Operators shall ensure that*** mutilations, including ear cropping, tail docking, ***claw removal or other*** partial or complete digit amputation, and resection of vocal cords or folds, ~~shall be prohibited unless they~~ are ***not*** performed ~~due to a~~***unless upon*** medical indication***, which may include prophylactic,*** with the sole purpose of ***preserving,*** improving the health of dogs ~~and cats~~***or cats or preventing injury***. In such case, the procedure shall only be performed ~~by a veterinarian~~ under anaesthesia and prolonged analgesia ***and by a veterinarian***.

1a. ***The medical indication for the mutilation and the details of procedure carried out shall be documented by a veterinarian. This document shall be retained by the operator until the dog or cat, together with this document, is transferred to another establishment or owner. The operator of the establishment where the mutilation was performed shall retain a copy of the document for three years after the transfer of the dog or cat.***

1b. ***By way of derogation from paragraph 1, Member States may allow ear cropping by notching or tipping cat ears in the context of marking stray cats when neutered under a trap-neuter-return programme.***

2. ~~Male and female~~***Operators shall ensure that*** neutering ~~shall be permitted only if~~***is only*** performed ~~by a veterinarian~~ under anaesthesia and prolonged analgesia ***and by a veterinarian***. ***By way of derogation, Member States may allow that the neutering of male cats is performed by a licensed veterinary nurse.***

3. ~~The following~~***Operators shall ensure that*** handling practices ~~shall be prohibited~~***that cause pain or suffering are not performed, including***:

(a) tying up body parts ~~continuously~~***unless for medical reasons in which case the duration shall be limited to the minimum period necessary***;

(b) kicking, hitting, dragging, throwing, squeezing ~~animals~~***dogs or cats***;

(c) ~~exposing dogs and cats to an~~ ***applying*** electric current ***to dogs or cats unless performed for medical reasons***;

(d) ~~prolonged use~~***using*** of muzzles, unless required for ~~health or welfare~~***medical reasons, animal or human safety*** reasons, in which case the duration shall be limited to the minimum period necessary ***and the dog or cat shall be supervised***.

(da) using prong collars;

(db) using choke collars without safety stop;

(e) lifting dogs or cats by the limbs, ~~the~~ head, ~~the tail and the hair~~***ears, tail or hair, or lifting adult dogs or cats by the skin***.

Member States may grant derogations from paragraph 3 for dogs intended for use in military, police or customs services.

Article 15a

Aesthetic shows, exhibitions and competitions

1. Operators of breeding and selling establishments shall not use in aesthetic shows, exhibitions and competitions of dogs and cats, dogs or cats with excessive conformational traits or dogs or cats which have been mutilated in such a way that results in an alteration of physical characteristics.

2. Organisers of aesthetic shows, exhibitions and competitions of dogs and cats shall exclude from such shows, exhibitions and competitions dogs and cats which have excessive conformational traits or dogs or cats which have been mutilated in such a way that results in an alteration of physical characteristics.

~~Article 16~~

~~Approval of breeding establishments~~

~~1. From [5 years from the date of entry into force of this Regulation], operators shall obtain approval of their breeding establishment from the competent authority before selling dogs and cats born in their establishment.~~

~~2. The competent authority shall grant a certificate of approval for a breeding establishment, provided that, prior on-site inspection has confirmed that the establishment meets the requirements of this Regulation.~~

~~3. The competent authorities shall maintain a list of the approved breeding establishments and make it publicly available.~~

CHAPTER III

IDENTIFICATION AND REGISTRATION OF DOGS AND CATS

Article 17

Identification and registration of dogs and cats

1. ~~From [3 years from the date of entry into force],~~ All dogs and cats kept in establishments ~~for supply in the Union, including adult dogs and cats kept in breeding establishments, dogs and cats kept in shelters, and dogs and cats supplied by~~***placed on the market or owned by pet owners or by any other*** natural ***or legal*** persons, shall be ~~marked for identification~~***individually identified*** by means of a ~~subcutaneous~~***single injectable*** transponder containing a ***readable*** microchip~~, in accordance~~ ***compliant*** with Annex II. ~~Operators of establishments shall ensure that dogs and cats born in their establishments are marked for identification by the date of their supply in the Union or at the latest within 3 months after the birth of the animal. The implantation of the transponder shall be performed by a veterinarian or under the responsibility of a veterinarian.~~

1a. Operators shall ensure that dogs and cats born in their establishments are individually identified within 3 months after their birth and in any event before the date of their placing on the market.

Operators of selling establishments, shelters and those placing and being responsible for dogs and cats in foster homes shall ensure that dogs and cats that enter their establishments or come under their responsibility are individually identified within 30 days after their arrival at the establishment and in any event before the date of their placing on the market.

Pet owners and any other natural or legal persons, other than operators, who own dogs or cats, shall ensure that the dogs or cats are individually identified at the latest when the dog or cat reaches 3 months of age or, in case the dog or cat is placed on the market, before the date of their placing on the market.

The implantation of the transponder shall be performed by a veterinarian. Member States may allow the implantation of transponders by other persons than veterinarians provided that they have laid down rules on the minimum qualifications that such persons are required to have.

Dogs and cats which have been individually identified by means of an injectable transponder containing a microchip, in accordance with Union or national law before [the date of application of this Regulation], shall be considered compliant with the requirements in this paragraph, provided that the microchip is readable.

2. ~~From [3 years from the date of entry into force],~~***Within two working days after their identification, the*** dogs and cats~~ identified in accordance with paragraph 1~~ shall be registered by ~~the~~***a*** veterinarian~~, or an assistant under the responsibility of the veterinarian,~~ in a national database referred to in Article 19. ***Member States may allow the registration by other persons than veterinarians, provided that they have measures in place to ensure the accuracy of information inserted in the database.***

For dogs and cats kept in ~~breeding~~ establishments, the registration shall be made in the name of the ~~owner~~***operator*** of the ~~breeding~~ establishment responsible for the dog or the cat. For dogs and cats ~~kept in shelters , the registration shall be made in the name of the person responsible of the shelter. For~~***owned by any other*** natural ***and legal*** persons ~~intending to supply a dog or a cat in the Union~~, the registration shall be made in the name of that person. ~~Any subsequent owner of, or responsible for, the dog or the cat, shall ensure that the change of ownership or responsibility is recorded in the database referred to in Article 19.~~

Member States may grant derogations from the first subparagraph of this paragraph to military, police and customs dogs.

In case of placing on the market or occasional and irregular donation by a natural person without online advertising, the natural or legal person transferring the ownership or responsibility of the dog or cat shall ensure that the change of ownership or responsibility for the dog or cat is recorded in the database referred to in Article 19, within two weeks from the date of change of ownership or responsibility, in accordance with the conditions laid down by the Member State responsible for that database.

In the case of a death of a dog or a cat, the operator, pet owner or natural or legal person owning the dog or cat shall ensure that the death is recorded in the database referred to in Article 19, in accordance with the conditions laid down by the Member State responsible for that database.

3. In case of unreadable transponder, the operator or the natural or legal person responsible for the dog or cat shall ensure that a new transponder is injected and that the registration in the database is updated with the identification number of the new transponder.

Article 17a

Requirements on online advertising and placing on the market

1. When operators advertise online a dog or a cat with a view to its placing on the Union market, they shall ensure the display of the following warning in the advertisement in clearly visible and bold characters:

"An animal is not a toy. Getting one is a life-changing decision. It is your duty to ensure its health and welfare and not to abandon it."

2. When natural or legal persons other than operators advertise online a dog or a cat with a view to its placing on the Union market, they shall ensure the display of a warning on responsible ownership either using the wording referred to in the first sub-paragraph or a different wording with an equivalent meaning to it.

3. ~~From [3 years from the date of entry into force], before supplying~~***When placing*** a dog or a cat ***on the market*** in the Union, the ~~supplier~~***natural or legal person placing the dog or cat on the market*** shall ~~provide to the acquirer of the animal~~:

(a) ***provide to the acquirer*** proof of ~~the~~ the identification and registration of ~~the animal~~***dog or cat*** in compliance with ~~paragraphs 1 and 2~~ ***Article 17***;

(b) ***provide to the acquirer*** the following information on the dog or cat:

(i) its species~~,~~***;***

(ii) its sex~~,~~***;***

(iii) its date and country of birth~~,~~***;*** and

(iv) where relevant, its breed.

(c) in case of online advertising, use the system referred to in paragraph 6 to generate a unique verification token and make the token and the weblink to the system referred to in paragraph 6 available in the advertisement.

Acquirers shall be able to verify the authenticity of the identification ~~and~~***,*** registration ***and ownership of dogs or cats advertised online*** ~~of animals supplied~~ through the system referred to in paragraph ~~7~~***6***.

4. ~~From [5 years from the date of entry into force],~~ Providers of online platforms shall ensure that their online interface is designed and organised in such a way that ~~allows the suppliers of dogs and cats~~***facilitates the operators or other natural or legal persons placing dogs or cats on the market*** to comply with their obligations under ~~paragraph 3~~***paragraphs 1, 2 and 3 of this Article***, in line with Article 31 of Regulation (EU) 2022/2065, and shall inform acquirers, in a visible manner, of the possibility to verify the identification and registration of the ~~animal~~***dog or cat*** through a weblink to the system referred to in paragraph 6.

The ~~supplier of dogs and cats~~***natural or legal person placing dogs or cats on the market*** shall be ~~the sole~~***solely*** responsible for the accuracy of the information provided through the interface of the online platform. Nothing in this paragraph shall be construed as imposing a general monitoring obligation on the provider of the online platform within the meaning of Article 8 of Regulation (EU) 2022/2065.

~~5. The Commission shall adopt implementing acts specifying the information to be provided by suppliers as proof of identification and registration of the animal in accordance with paragraph 3(a), both in cases where the dogs and cats are offered through online platforms and by other means. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.~~

6. ~~From [3 years from the date of entry into force],~~ The Commission shall ensure that ~~a~~***an online verification*** system performing automated checks of the authenticity of the identification ~~and~~**,** registration ***and ownership*** of dogs or cats ~~supplied~~***advertised online***, using the database referred to in Article 19, is publicly available free of charge ***and generates the unique verification token referred to in point 3(c)***. The Commission may entrust the development, maintenance and operation of this system to an independent entity ~~.~~ ***following a public selection process, pursuant to the relevant provisions of Title VII of Regulation (EU, Euratom) 2024/2509.***

The system shall meet the following criteria:

~~-~***(a)*** reliable verification of the authenticity of the~~-~~ identification ~~and~~**,** registration ***and ownership*** of the dog or cat using the national databases referred to in Article 19;

~~-~***(b)*** compliance with data protection in accordance with Regulation (EU) 2018/1725[11] and Regulation (EU) 2016/679[12].

[11] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, OJ L 295, 21.11.2018, p. 39.

[12] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation); OJ L 119, 4.5.2016, p. 1.

7. ~~By the [3 years from the date of entry into force],~~ The Commission shall adopt implementing acts ~~specifying the following aspects of the system referred to in paragraph 6~~***laying down***:

(a) the exact information to be provided by natural and legal persons placing dogs or cats on the market, as proof of identification, and registration of the dogs and cats in accordance with point (a) of paragraph 3;

(aa) the information to be provided by natural and legal persons advertising dogs or cats to the verification system referred to in paragraph 6 for the purpose of demonstrating the authenticity of the identification, registration and ownership of the dog or cat advertised.

- ~~the key functionalities of the system;~~

-(b) the following aspects of the system referred to in paragraph 6:

- ***the key functionalities of the system;***

- the technical, electronic and cryptographic requirements for the system***;***

- ***the procedural steps and information from the natural or legal person placing the dog or cat on the market and from the acquirer, needed to use the online/verification system***.

The implementing acts referred to in point (a) shall be adopted by [the date of application of this Regulation] and the implementing act referred to in points (aa) and (b) shall be adopted [by 3 years from date of entry into force of this Regulation].

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.

CHAPTER IV

COMPETENT AUTHORITIES

Article 18

Training

1. For the purposes of Article 9 ~~Member States shall designate~~ the competent ~~authority~~***authorities shall be*** responsible for:

(a) ensuring that training courses are available for animal caretakers;

(b) approving the content of the ***training*** courses referred to in point (a)~~.~~***, taking into account the minimum requirements laid down by the implementing acts referred to in Article 9(3);***

(ba) certifying the animal caretakers who successfully completed the training courses referred to in point (a).

The competent authorities may delegate the task referred to in point (ba).

2. ***A European Union Reference Centre for Animal Welfare designated in accordance with Article 95 of Regulation (EU) 2017/625 may develop models of training materials and recommendations for the providers of training courses referred to in paragraph 1.***

Article 19

Databases of dogs and cats

1. ~~From [3 years from the date of entry into force of this Regulation], competent authorities~~***Member States*** shall ~~establish and maintain a database~~***be responsible for establishing and maintaining databases*** for the registration of ~~microchipped~~***identified*** dogs and cats***, in accordance with Article 17(1) and (2) and Article 21(4) and the second subparagraph of Article 21(4a)***.

1a. ***For that purpose, the Member States may use databases maintained by another Member State, based on appropriate arrangements between those Member States.***

2. ~~From [5 years from date of entry into force of this Regulation],~~ Member States shall ensure that their databases as referred to in paragraph 1 ~~are interoperable~~***comply*** with the ~~same databases of other Member States~~***requirements laid down by the implementing act referred to in point (b) of paragraph 3 to ensure their interoperability*** so that the identification of a dog or a cat can be authenticated and traced across the Union.

2a. The Commission shall establish and maintain an index database containing the minimum set of fields defined under article 19(3)(b). The Commission may entrust the development, maintenance and operation of this index database to an independent entity, following a public selection process, pursuant to the relevant provisions of Title VII of the Regulation (EU, Euratom) 2024/2509.

3. ~~By [the date of application],~~ The Commission shall, by means of implementing acts, lay down ~~requirements on the databases as referred to in paragraph 1~~***provisions*** concerning~~:~~**.**

(a) ~~their~~***the minimum*** content ***of the databases referred to in paragraph 1***;

(b) ~~their~~***the*** interoperability between Member States ***databases and the index database, including the minimum set of fields transmitted to the Index database and the intervals of the transmission***;

(c) ~~their~~***the*** functionality for providing proof of the identification and registration of a dog or a cat, as referred to in article ~~17~~***17a*** (3) point (a).

(d) ~~the~~***a*** registry where Member States will declare their databases, and the necessary parameters for connecting those databases with one another ~~according to~~***in accordance with*** the provisions established ~~under~~***pursuant to*** point (b);

~~(e) the access to be given to the system referred to in Article 17(6) for the purpose of confirming the authenticity of the identification and registration of the dogs and cats;~~

~~(f) provisions on data protection pursuant to the requirements of Regulation (EU) 2018/1725 and Regulation (EU) 2016/679.~~

(fa) The interconnection between the Member States databases referred to in paragraph 1, the pet travellers' database referred to in Article 21 paragraph 4a, and the Information Management System for Official Controls (IMSOC), where relevant.

The Commission shall adopt the implementing acts referred to in point (a) and (c) by [the date of application of this Regulation] and shall adopt the implementing acts referred to in points (b), (d) and (fa) by 3 years form the date of entry into force of this Regulation.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.

Article 20

Collection of data on animal welfare and reporting

1. The competent authorities shall collect, analyse and publish the data set out in Annex III:

2. The competent authorities shall draw up and transmit to the Commission a report~~, on machine readable~~ ***in electronic*** form, on the data ~~referred to in paragraph 1~~***set out in Annex III***, by 31 August every 3 years ***starting*** from [~~6 years from the date of entry into force~~***6 years from the date of entry into force of this Regulation***], summarising the data gathered ***for*** the previous ~~year~~***3 years***.

3. The Commission may, by means of implementing acts, establish a harmonised methodology for collecting the data ~~referred to in paragraph 1~~***set out in Annex III*** and establish ~~the~~***a*** template for the report referred to in paragraph 2 ***of this Article***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.

Article 20a

Data protection

1. The competent authorities of the Member States shall be controllers within the meaning of Regulation (EU) 2016/679 in relation to the processing of personal data collected under Article 7, Article 7a of this Regulation as well as under Article 19(1) of this Regulation when used for the purposes of official control.

The Commission shall be a controller within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data collected under Article 17a (6), Article 19 (2a) and the third subparagraph of Article 21(4a) of this Regulation, as well as under Article 19(1) of this Regulation when used for the purposes of compliance with Article 108 of Regulation (EU) 2017/625 and of reporting obligations under this Regulation.

It shall be prohibited for any person having access to the personal data referred to in the first and second sub-paragraphs to divulge any personal data, the knowledge of which was acquired in the exercise of their duties or otherwise incidentally to such exercise. Member States and the Commission shall take all appropriate measures to address infringements of that prohibition.

The personal data collected under the first and second sub-paragraphs shall not be used for other purposes than:

(a) official controls by Member States competent authorities of the compliance with the welfare and traceability requirements under this regulation and compliance with Regulation (EU) 2016/429, including and detection of fraudulent practices, and

(b) compliance by the Commission of its obligations under Article 108 of Regulation (EU) 2017/625 and with the Commission's reporting obligations under this Regulation.

2. The personal data referred to in paragraph 1 of this Article shall be retained for the following periods:

(a) in the case of Article 7 and Article 7a, 10 years after the date of cessation of the activity of the establishment;

(b) in the case of Article 17a(6), 18 months after the generation of the token referred to in Article 17a(3)(c).

(c) in case of Article 19(1),and Article 19(2a), 25 years after the first registration of the dog or cat in the database referred to in that Article or 5 years after the recording of the death of the dog or cat in that database;

(d) in case of the third subparagraph of Article 21(4a), 5 years after the date of pre-notification.

CHAPTER V

ENTRY OF DOGS AND CATS INTO THE UNION

Article 21

Entry of dogs and cats into the Union

1. ~~From [5 years from the date of entry into force of this Regulation],~~ Dogs and cats may only be entered into the Union for placing on the Union market ~~if they have been kept in compliance with any of~~***provided that*** the following ***conditions are met***:

(a) ~~Chapters II of this Regulation;~~***they have been breed and kept in compliance with any of the following:***

(i) Chapter II of this Regulation;

(ii) conditions recognised by the Union in accordance with Article 129 of Regulation (EU) 2017/625 to be equivalent to those set out by Chapter II of this Regulation; or

(iii) where applicable, requirements contained in a specific agreement between the Union and the exporting country.

~~(b) conditions recognised by the Union to be equivalent to those set out by this Regulation; or~~

~~(c) where applicable, requirements contained in a specific agreement between the Union and the exporting country.~~

~~2.~~***(b)*** ~~From [5 years from date of entry into force of this Regulation], dogs and cats may only be entered into the Union for placing on the market or supply provided that~~ they come from a third country or territory and an establishment listed in accordance with Articles 126 and 127 of Regulation (EU) 2017/625.

3. ~~From [date of entry into force of this Regulation + 5 years],~~ The official certificate ***referred to in Article 126(2)(c) of Regulation (EU) 2017/625*** accompanying dogs and cats entering into the Union from third countries and territories ***to be placed on the Union market,*** shall contain an attestation certifying compliance with ~~paragraphs 1 and confirming that the dogs and cats originate from an establishment listed in accordance with~~ paragraph ~~2~~***1 of this Article***.

4. ~~Without prejudice to Article 10(1)(a) of Regulation (EU) No 576/2013 and Article 74(1) of Regulation (EU) 2020/692[13],~~ Dogs and cats entering into the Union ***to be placed on the Union market*** shall be identified ~~with a~~***before their entry by a veterinarian by means of an injectable transponder containing a readable*** microchip ~~as~~***compliant with Annex II.***

The operator responsible for the import of dogs or cats entering into the Union shall ensure the registration of the dogs or cats by a veterinarian into a national database referred to in Article ~~17(1) and allowing for traceability~~***19(1), within 5 working days after their entry into the Union***. ***Member States may allow the registration by other persons than veterinarians, provided that they have measures in place to ensure the accuracy of information inserted in the database.***

4a. The non-commercial movement of a dog or cat from a third country or territory into the Union shall be pre-notified by its owner into an online Union pet travellers' database at least 5 working days before the crossing of the Union border, except in the following cases:

(a) dogs or cats entering into the Union directly from third countries or territories fulfilling the conditions set out in Article 17(1)(a) of Commission Delegated Regulation [C(2026) 20], and

(b) dogs or cats registered in a Member State database referred to in Article 19(1).

~~13~~ ~~Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin, OJ L 174, 3.6.2020, p. 379.~~

Where the dog or cat stays more than six months in the Union, the owner shall ensure its registration by a veterinarian in the database of the Member State of residence referred to in Article 19(1), within 5 working days after the expiry of the sixth month. Member States may allow the registration by other persons than veterinarians, provided that they have measures in place to ensure the accuracy of information inserted in the database.

The Commission shall establish and maintain the Union pet travellers' database referred to in the first subparagraph, and may entrust the development, maintenance and operation of this database to an independent entity, following a public selection process, pursuant to the relevant provisions of Title VII of the Regulation (EU, Euratom) 2024/2509. Access to this database shall be restricted to Member States' competent authorities and to the Commission.

The Commission shall ensure that the database triggers iRASFF notifications for pre-notified movements that represent a risk factor for fraud. The Member State receiving the notification shall follow-up on it in accordance with Article 105(2) of Regulation (EU) 2017/625.

The Commission shall [by 8 years after the date of entry into force of this Regulation], by means of implementing acts, lay down provisions on:

(i) the information to be pre-notified by owners in accordance with subparagraph (4a) of this article in the Union pet travellers' database, taking into account the personal data protection requirements of Regulation 2018/1725 and Regulation 2016/679;

(ii) the procedure to follow in order to establish the risk factors for fraud, taking into account the activities carried out by the AAC network.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.

~~5. The Commission is empowered, by means of implementing acts, to establish a procedure for the recognition by the Union of equivalent conditions under point paragraph 1 point (b). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24.~~

CHAPTER VI

PROCEDURAL PROVISIONS

Article 22

Amendment to the Annexes

The Commission is empowered to adopt delegated acts in accordance with Article 23 amending the Annexes to this Regulation to take into account of scientific and technical progress, including, when relevant, scientific opinions of ~~EFSA, and of social, economic and environmental impacts~~***the European Food Safety Authority***, as regards:

(-a) a suitable number of animal caretakers in breeding and selling establishments;

(a) ***watering and*** feeding ~~frequencies~~***requirements*** and weaning process;

(b) temperature ranges;

(c) lighting ~~parameters~~***requirements***;

(ca) ammonia and carbon monoxide levels;

(d) kennel and cattery design;

(da) group housing;

~~(e) feeding and watering equipment design;~~

(f) space allowances for different categories of dogs and cats;

(g) frequency of pregnancies;

(h) minimum ***and maximum*** age of bitches and queens for ~~onset of~~ breeding;

(i) socialisation, enrichment and other measures for meeting behavioural needs of dogs and cats;

(j) requirements for transponders used to ~~mark~~***individually identify*** dogs and cats;

(k) data to be collected for policy monitoring and evaluation.

Any additions of requirements in the Annexes shall be based on updated scientific or technical evidence, in particular regarding the specific conditions needed to ensure the welfare of the dogs and cats covered by the scope of this Regulation. Where relevant, those delegated acts shall ***take into account social, economic and environmental impacts and*** provide for sufficient transition periods to allow for operators ~~impacted~~***concerned*** to adapt to the new requirements.

Article 23

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article ~~6(4)~~***6(2b), Article 6a(3)***, Article 10(2) and Article 22 shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].

3. The delegation of power referred to in Article ~~6(4)~~***6(2b), Article 6a(3)***, Article 10(2) and Article 22 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article ~~6(4)~~***6(2b), Article 6a(3)***, Article 10(2) and Article 22 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 24

Committee procedure

1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph, of Regulation (EU) No 182/2011 shall apply.

CHAPTER ~~VI~~*VII*

STRICTER NATIONAL MEASURES AND FINAL PROVISIONS

Article 25

Stricter national measures

1. This Regulation shall not prevent Member States from maintaining ***or adopting*** any stricter national rules aimed at a more extensive protection of the welfare of dogs and cats ~~and in force at the time of entry into force of this Regulation~~***kept in establishments and the traceability of dogs and cats***, provided that those rules are not inconsistent with this Regulation and do not interfere with the proper functioning of the internal market. ~~Before [the date of application of this Regulation], Member States shall inform the Commission about such national rules. The Commission shall bring them to the attention of the other Member States.~~

1a. Member States shall inform the Commission about such existing national rules by [the date of application of this Regulation] and shall inform the Commission about such new national rules before their adoption, unless Member States have notified the draft national rules in accordance with Directive (EU) 2015/1535. The Commission shall bring them to the attention of the other Member States.

~~2. 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 on the following animal welfare issues:~~

~~(a) housing conditions;~~

~~(b) mutilations;~~

~~(c) enrichment;~~

~~(d) selection and breeding programmes, including minimum and maximum age for breeding.~~

~~Member States shall inform the Commission about such national rules before their adoption. The Commission shall bring them to the attention of the other Member States.~~

~~3. The measures referred to in paragraph 2 shall only be allowed provided that they are not inconsistent with this Regulation and do not interfere with the proper functioning of the internal market.~~

4. ***A*** Member ~~States~~***State that has stricter national rules referred to in paragraph 1*** shall not prohibit or impede the placing on the market within ~~their~~***its*** territory of dogs and cats kept in another Member State on the grounds that the dogs and cats concerned have not been kept in accordance with its stricter national rules ~~on animal welfare~~.

Article 26

Reporting and evaluation

1. On the basis of the reports received in accordance with Article 20 and ***any*** additional relevant information, the Commission shall publish, by [~~7 years after the date of entry into force of this Regulation~~***7 years from the date of entry into force of this Regulation***] and thereafter every ~~5~~***3*** years, a monitoring report on the welfare of dogs and cats placed on the market in the Union.

2. By ~~[15~~***14*** years from the date of entry into force of this Regulation~~]~~, the Commission shall carry out an evaluation of this Regulation~~, including an assessment of a possible maximum age for breeding of dogs and cats,~~ and present a report on the main findings to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. ***In particular, the Commission shall assess:***

(a) the extent to which this Regulation has contributed to ensuring a high level of welfare for dogs and cats, improving traceability, reducing illegal trade;

(b) the impact of this Regulation on operators of breeding and selling establishments and of shelters, and operators placing dogs and cats in foster homes, including the administrative burden and compliance costs.

3. For the purposes of the reporting referred to in ~~paragraphs 1 and~~***paragraph*** 2, Member States shall provide the Commission with the information necessary for the preparation of ~~those reports~~***the report***.

Article 27

Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation***, including those resulting from the abandonment by operators of dogs and cats,*** and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

Member States shall notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

Article 28

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from [~~2 years from the date of entry into force of this Regulation~~***2 years from the date of entry into force of this Regulation***], ~~unless otherwise provided for in this Regulation.~~***except:***

(i) Article 13 that shall apply from [3 years from the date of entry into force of this Regulation];

(ii) Article 6a(2) that shall apply from 1 July 2030;

(iii) Article 12, Article 17a(3)(c), (4) and (6), Article 18(a),(b) and (ba), Article 19(2) and (2a), and Article 21(1) to (4) that shall apply from [5 years from the date of entry into force of this Regulation];

(iv) Article 9(2) and (2a) that shall apply from [7 years from the date of entry into force of this Regulation];

(v) Article 7a that shall apply from [8 years from the date of entry into force of this Regulation];

(vi) Article 21(4a) that shall apply from [10 years from the entry into force of the Regulation] and;

(vii) second subparagraph of Article 17(1) and (2), Article 17a(3) and Article 19(1) that shall apply from [4 years from entry into force of this Regulation], except for pet owners and other natural or legal persons, other than operators, who do not place dogs or cats on the market, for whom Article 17(1) and (2) shall apply from [10 years from entry into force of this Regulation] in the case of identification and registration of dogs and [15 years from the entry into force of this Regulation] in the case of identification and registration of cats.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

ANNEX I

Requirements applicable to establishments

(pursuant to Articles 11 to ~~15~~*14*)

1. Feeding ***and watering***

1.1. ~~The operator~~***Dogs and cats*** shall ~~implement the following feeding frequencies:~~***be fed at least twice per day. Puppies and kittens shall be fed more frequently.***

These requirements shall not apply to livestock guardian dogs kept in breeding establishments during the periods when such dogs are used for guarding or training purposes.

(a) ~~adult cats and dogs shall be fed twice a day;~~

~~(b)~~ ~~pregnant bitches and queens shall have ad libitum access to feed;~~

(c) ~~puppies under 8 weeks of age shall be fed at least 5 times a day;~~

(d) ~~kittens under 12 weeks of age shall be fed at least 4 times a day.~~

1.2. ~~Every new-born~~***Each*** puppy or kitten shall be fed with colostrum ~~from their bitch or queen in~~***during at least*** the first two days of ~~their lives~~***its life and thereafter with milk from its mother or a lactating bitch or queen***. ***If this is not possible, because she is ill or is otherwise unable to feed her offspring or not sufficient, the puppy or kitten shall be fed with a milk replacer designed for puppies and kittens with such feeding frequency as instructed by the producer of the replacer or by a veterinarian.***

1.3. ~~If the bitch or the queen is ill or is otherwise unable to feed her offspring, the operator shall provide milk from other bitches and queens at the same holding and supplementary milk formulas designed for puppies and kittens with the feeding frequency as instructed by the formula producer or a veterinarian, until weaning is completed.~~

1.4. ~~The operator shall ensure that~~ All unweaned puppies and kittens ~~are getting~~***shall be fed*** enough milk***, milk replacer or a combination thereof*** to steadily gain bodyweight.

1.5. Weaning shall be performed with gradual introduction of firm feed, in a process not shorter than 7 days and shall not be completed before 6 weeks of age for puppies and kittens alike.

2. Housing

2.1. Temperature:

~~Operators shall ensure that~~***In breeding establishments the*** temperature ~~is~~***shall be*** maintained within a range of:

(a) ~~10 to 26°C in the indoor areas where adult dogs are kept;~~

(b) ~~15 to 26°C in the indoor areas where adult cats are kept;~~

(c) 22 to 28°C in whelping areas for the first 10 days of puppies' lives;

(d) 18 to 27°C in kittening areas for the first 21 days of kittens' lives.

~~Temperature ranges shall be adapted accordingly for animals of brachycephalic breed/type and for animals with extreme coat types (hairless or heavy-coated breeds).~~

2.2. Lighting

2.2.1. ~~Where applicable, artificial lighting~~***Dogs and cats*** shall be ~~provided for a period~~***exposed to light for*** at least ~~equivalent to the period of natural light normally available between 9 a.m~~***7 hours per day***~~. and 5 p.m.~~

2.2.2. Artificial light shall be broad spectrum or full spectrum ***with a frequency of at least 80 Hertz***.

2.2.3. ~~The illuminance shall be at least 50 lux at the height of an animal's head.~~

2.2.4. ~~Animals~~***Dogs and cats*** shall have the possibility to ~~stay in the dark~~***be without artificial lights*** for at least 8 hours per day.

2.3. Space allowances

2.3.1 ~~Minimum space allowances for dogs and cats (total accessible area, including indoor and confined outdoor space referred to in Article 11(5) where relevant):~~

2.3.2. ~~The~~ Whelping ~~pen must be provided for and~~***and kittening areas, shall be*** designed to permit the ~~bitch~~***mother*** to move away from her ~~puppies~~***offspring***.

2.3.3. ~~If enclosures are occupied by more than one dog or cat, operators must ensure by taking specific measures (e.g., separation panels) that these animals do not pose threat to each other due to aggressive behaviour.~~

2.3.3a. In case of breeding and selling establishments, the following minimum space allowances for dogs and cats shall apply, which shall be calculated based on the total permanently accessible area for the dogs or cats:

Space allowance for dogs with or without litters						
	Minimum surface area*					***Minimum height (m)***
Wither height (cm)	***<30***	***30-39***	***40-59***	***60-70***	***> 70***	***2***
Area for one dog (m^2)	***4***	***4***	***5***	***8***	***10***	
Area for each additional dog (m^2)	***3***	***3.5***	***4***	***5***	***6***	
Space allowance for cats with or without litters						
	Minimum ground surface area					***Minimum height (m)***
Area for one cat (m^2)	***3***					***2***
Area for each additional cat (m^2)	***2***					
****In case of purebred dogs, wither heights can be calculated on the basis of the standard wither height of the breed. When dogs of different wither heights are kept in one enclosure, only the column for the minimum surface area for the dog with the highest wither shall be used for the space allowance calculation for all dogs.***						
*****The surface of the enrichment for cats is not included in the minimum ground surface area.***						

3. Health

3.1. Queens shall only be bred if their age is at least ~~12~~***10*** months;

3.2. Bitches shall only be bred ~~if~~***as of*** their ~~age is at least 18 months;~~***second oestrus.***

3.3. ~~Operators shall allow for up to 3 litters per~~***A*** bitch or queen ***shall not deliver more than 3 litters*** within a period of 2 years.

3.4. ~~After 3 consecutive litter-giving pregnancies of a bitch or a queen~~***For bitches and queens that have delivered 3 litters, including stillborns*** within a period of 2 years, ~~operators~~***there*** shall ~~ensure~~***be*** a recuperation ~~period by preventing pregnancies of the bitch or queen for a~~ period of at least 1 year.

3.4a. Any bitch or queen that underwent two cesarean sections shall not be used for breeding.

3.4b. Before any bitch aged 8 years or more and any queen aged 6 years or more, is used for breeding, it must have been physically examined by a veterinarian who confirms in writing that, at the time of the examination, there are no counter-indications to pregnancy.

The operator shall keep the written confirmation referred to in point 3.4.b for a period of at least 3 years.

4. Behavioural needs

4.1. ~~Operators shall ensure that:~~***Socialisation***

4.1.1. From three weeks of age, dogs and cats shall be gradually provided with daily opportunities for social contact with their conspecifics and humans, and, where possible, with other animal species.

4.1.2. Dogs and cats that pose a threat to each other due to aggressive behaviour or cause each other undue stress or discomfort shall be kept separate.

(a) ~~in the first 15 weeks of age, puppies and kittens have regular opportunities for social contact with their conspecifics and humans, and, if possible, with other animals;~~

(b) ~~where adult cats and dogs are placed in catteries or kennels, socialization with humans is provided, notably by regular visits and contact with the animals;~~

(c) ~~areas where cats and dogs are kept are equipped with enrichment structures and items accessible to all animals, providing a stimulating environment, and reducing frustration of animals;~~

(d) ~~puppies are not permanently separated from their mothers before the age of 8 weeks;~~

(e) ~~kittens are not permanently separated from their mothers before the age of 12 weeks.~~

4.2. Enrichment

Where cats are kept, there shall be a sufficient number of scratching posts, hiding places and shelves to ensure that each cat can climb, rest, observe and withdraw.

4.3. Separation

Puppies kept in establishments shall not be permanently separated from their mothers before the age of 8 weeks.

Kittens kept in shelters and foster homes shall not be permanently separated from their mothers before the age of 8 weeks. Kittens kept in breeding establishments shall not be permanently separated from their mothers before the age of 12 weeks.

By way of derogation, earlier separation shall be possible due to medical reasons based on written advice of a veterinarian. The operator shall keep a record of the advice until the last puppy or kitten of the litter concerned is placed on the market.

ANNEX II

Identification and registration of dogs and cats

(pursuant to Article 17 ***and Article 21***)

Transponders used to ~~mark cats and dogs~~***individually identify dogs and cat*** as required in Article ~~16~~***17 and Article 21*** shall meet the following requirements:

(a) the microchip shall contain an individual, non-repeatable and non-reprogrammable identification number;

(b) the identification number shall ~~identify~~***start with*** the country of ~~origin~~***identification*** of the ~~animal~~***dog or cat identified in accordance with ISO standard 3166***;

(c) code structure and technical concept of radio frequency identification shall be in compliance with ISO standards 11784 and 11785;

(d) compliance with ISO standards 11784 and 11785 shall be evaluated according to ISO standard 24631***-1***.

ANNEX III

Collection of data

(pursuant to Article 20)

1. Number of dogs and cats ~~microchipped~~***registered*** per year as referred to in Article 17~~;~~ ***and Article 21(4).***

1a. Number of breeding establishments, selling establishments, shelters and foster homes registered per year in accordance with Article 7.

2. Number of breeding ~~establishment~~***establishments*** approved per year as referred to in Article ~~16~~***7a***.

2a. Number of breeding establishments whose approval has been suspended or withdrawn per year.