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THE EUROPEAN PARLIAMENT

THE COUNCIL

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COUNCIL on the welfare of dogs and cats and their traceability

REGULATION (EU) 2026/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

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 Committee¹,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure²,

¹ OJ C, C/2024/3388, 31.5.2024, ELI: <http://data.europa.eu/eli/C/2024/3388/oj>.

² Position of the European Parliament of 28 April 2026 (not yet published in the Official Journal) and decision of the Council of ...

Whereas:

- (1) Live animals, including dogs and cats, are covered by Annex I to the Treaty on the Functioning of the European Union (TFEU) and form part of the common agricultural policy of the Union, and their welfare should be protected. There is a market for dogs and cats in the Union, and substantial cross-border trade in them. The 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, done on 13 November 1987, which includes provisions on the breeding, keeping and trading of pet animals. A wide range of evidence is available of the sub-optimal functioning of the market for dogs and cats in the Union, as well as of illegal trade in those animals within the Union, and of their import into the Union, which undermine their welfare. Therefore, considering that animals are sentient beings that are able to experience emotions and pain and to engage in social interactions, it is necessary to establish minimum requirements for the welfare of dogs and cats bred and kept in establishments, as well as strengthened requirements regarding the traceability of dogs and cats.
- (2) 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 those animals. Animal welfare is a Union value enshrined in Article 13 TFEU, according to which, since animals are sentient beings, the Union and its Member States are to pay full regard to their welfare.

- (3) Dogs and cats are traded and kept in the Union. They have their own unique biological and behavioural needs. The absence of Union welfare provisions on the breeding, keeping and placing on the market of dogs and cats, as well as differences between national rules where they exist, have sometimes led to those animals being born, bred, sold or adopted at no cost in circumstances which could have serious detrimental consequences for their welfare. There is no level playing field for commercial breeders of dogs and cats in different Member States. Rules on animal welfare conditions differ considerably between Member States. Those rules are one of the main elements determining the competitiveness of such operators. As a consequence, competition is distorted. Breeders and keepers with high standards are unable to achieve a fair return on their investments in animal welfare when they trade across borders, since they are confronted with operators that profit from sub-standard animal welfare conditions, exerting competition and driving prices and standards down.
- (4) In addition, consumers are insufficiently protected when acquiring a dog or a cat. They are often confronted with the negative consequences of the poor welfare conditions in the establishments in which the dog or cat has been bred and kept. Such negative consequences include health problems, behavioural problems or genetic defects present in the dog or cat acquired.

- (5) Minimum animal welfare requirements should therefore be laid down for establishments that engage in the breeding, keeping and placing on the market of dogs and cats. Such minimum requirements should ensure the rational development of the sector, providing fair conditions for competition, and adequate consumer protection while ensuring a high level of animal welfare.
- (6) The Pet Animal Network (PAN) under the Administrative Assistance and Cooperation (AAC) Network facilitates cooperation between Member States, helping them to identify illegal establishments, to dismantle associated networks, and to ensure the effective enforcement of applicable rules. In accordance with Title IV of Regulation (EU) 2017/625 of the European Parliament and of the Council³, cases of non-compliance with this Regulation are to be communicated via PAN. This contributes to strengthening cross-border collaboration and information exchange, which is essential in order to address the transnational nature of certain illegal activities and to protect animal welfare and consumer interests across the Union.

³ 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, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

- (7) Over the past decade, demand for dogs and cats as pet animals has increased significantly. As a result, there has been a substantial increase in the breeding of dogs and cats in the Union and in the trade in them on the Union market, including sales and adoptions, and imports from third countries. The lack of Union requirements concerning the welfare of such animals, and the disparities between requirements applicable in different Member States, have given rise to a significant amount of illegal trade, and misleading or deceptive trade practices, whereby dogs and cats are kept in conditions that are highly detrimental to their welfare.
- (8) Traceability is important for ensuring the smooth functioning of the market in dogs and cats in the Union with a high level of animal welfare, since illegal trade distorts competition and allows negative animal welfare conditions to flourish due to the lack of control and the pursuit of profit maximisation. Furthermore, traceability requirements are needed to enable the origin of the dogs and cats to be established, and to determine who is responsible, in particular in case of welfare-related problems identified in relation to a particular animal.

- (9) As a consequence of the increase in consumer demand for dogs and cats, facilitated by online purchasing, unacceptable or illegal trading practices have developed, caused in part by the inability to trace the animals back to the original establishment. In turn, those unacceptable or illegal trading practices are associated with the suffering of dogs and cats as a result of uncontrolled breeding practices. It is not possible to ensure that operators abide by the same standards of animal welfare, and to ensure fair conditions of competition in the internal market in relation to the placing on the market of dogs and cats without reliable means to trace the origin of those animals. It is therefore crucial to ensure the traceability of dogs and cats by a system that identifies and registers dogs and cats and complements the information registered when the ownership or responsibility for a particular animal changes.

- (10) There is evidence that illegal traders often carry on their trade by disguising themselves as pet owners. For example, the EU Coordinated Action on the illegal trade of cats and dogs carried out in 2022 and 2023 shows that movements of dogs and cats for commercial purposes are commonly disguised as non-commercial movements. Investigations into online advertising of dogs and cats for sale in the Union have also shown that illegal traders often pose as pet owners. The Union's Alert and Cooperation Network receives a considerable number of notifications concerning illegal trading in dogs and cats, which are advertised as pets by traders posing as pet owners or moved in the Union by traders posing as pet owners. There is a need to counter a pattern of fraudulent activities that profit from poor welfare conditions, that are misleading for the consumers and that pose risks for public and animal health. Some Member States already require all owners, including pet owners, to identify and register all dogs and cats owned by them, regardless of whether they intend to place any dogs or cats on the market. Differences between the national traceability systems of dogs and cats inevitably leave room for the patterns of illegal trade that this Regulation aims to counter. Therefore, it is necessary to extend the identification and registration obligations to all dog and cat owners in the Union. Such measures would ensure a level playing field for all actors involved in the placing on the market of dogs and cats. A harmonised traceability system would also prevent animal welfare standards from being circumvented and would tackle misleading and deceptive practices in the market, strengthening the fight against the illegal trade in dogs and cats.

- (11) The illegal importation of dogs and cats from outside the Union has been increasing. Current Union rules on the movement of dogs and cats within, and their entry into, the Union, such as Regulation (EU) 2016/429 of the European Parliament and of the Council⁴, do not contain sufficient tools to prevent this illegal trade and the animal welfare problems associated with it. This means that additional rules are required in order to fight fraudulent practices and the illegal trade in dogs and cats.
- (12) The traceability provisions of this Regulation also contribute to the protection of public health through better animal welfare and better animal health, as well as through better controls on the possible transmission of animal diseases, some of which are zoonotic, following a One Health approach.
- (13) A concept of ‘five domains’ (nutrition, physical environment, health, behavioural interactions and mental state) has been developed through scientific evidence to describe the various dimensions of animal welfare. It focuses on the absence of negative experiences for the animal and it also covers positive experiences. This Regulation should therefore be based on the concept of the ‘five domains’.

⁴ 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, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>).

- (14) Regulation (EU) 2016/429 regulates transmissible animal diseases for the purpose of avoiding their spread in the Union. Regulation (EU) 2016/429 is not therefore directly concerned with animal welfare. However, the spread of diseases clearly has an effect on the health of animals, which is one of the five domains. Although this Regulation does not address the diseases listed in Regulation (EU) 2016/429, it is concerned with animal welfare. It addresses the state of health of dogs and cats as influenced by non-communicable diseases, including injuries, such as traumas, and bites on animals or humans caused by attacks, or non-listed diseases, such as those caused by parasites, such as Giardia and Leishmania, bacterial infections with Leptospira, and skin infections like Dermatophytosis and Scabies (Sarcoptic mange). Furthermore, dogs and cats can carry agents such as resistant bacteria that could cause infections in humans. As the traceability requirement serves two purposes, combating fraudulent practices and illegal trading as well as protecting public health, it is appropriate to extend the traceability requirement to all owners of dogs and cats, including operators, persons placing dogs and cats on the market and pet owners.

- (15) Regulation (EU) 2016/429 requires dogs and cats to be identified by means of a transponder, but only if they are being moved between Member States or are entering 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 in this Regulation are therefore intended to complement those in Regulation (EU) 2016/429, and do not duplicate them or overlap with them.
- (16) This Regulation focuses on two elements. It regulates the welfare requirements when breeding or keeping dogs and cats that are to be placed on the market. Those welfare requirements should be addressed to operators of breeding establishments, selling establishments and shelters, as well as to operators that place dogs or cats in foster homes and are responsible for them there. Persons that are not regarded as operators should not be covered by those requirements. In addition, this Regulation lays down requirements on the traceability of dogs and cats. All persons who own a dog or cat, including operators, pet owners and other natural or legal persons, should be required to identify their dogs and cats and register them in interoperable national databases established for this purpose. Operators or other natural or legal persons placing dogs and cats on the market should be required to provide such information on the dog or cat when placing it on the market.

- (17) The development and use of digital tools in the area of animal health and welfare offer numerous benefits, such as improved operational efficiency, more accessible and more reliable data collection, enhanced traceability and better regulatory oversight. This Regulation includes multiple digital solutions designed to enhance the traceability of dogs and cats across the Union. The aim of those measures is to facilitate the aggregation and transmission of relevant data to competent authorities, thereby ensuring the consistent enforcement of this Regulation. The measures will also help authorities to gather new insights and to more effectively coordinate and fight fraud. Furthermore, they will support interested buyers in making informed decisions at the time of acquiring a dog or a cat.
- (18) The 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, the traceability of dogs and cats traded in the Union market should be ensured and the keeping of dogs and cats in breeding establishments, selling establishments, shelters and foster homes should be subject to detailed rules.

- (19) In order to ensure the smooth functioning of the market in dogs and cats and to contribute to the rational development of the pet animal sector as a whole, this Regulation should lay down rules on the breeding, keeping and placing on the Union market of dogs and cats. Those activities are associated with the regular offering of goods and services on the market, whether in return for payment or free of charge. The intention to make a profit and the legal or economic status of the operator are not decisive. What matters is the professional or business-related context in which such activities are carried out. The situation is different in the case of the military and the police or customs services that breed or keep dogs for their own official use, because those activities are not carried out for the purpose of placing them on the market. Pet owners that in an occasional manner at irregular intervals donate a dog or a cat without advertising it online should not be considered to be placing those animals on the market. This should mean, for example, that a donation of up to one litter per 24 months between family members or neighbours is not to be understood as placing on the market for the purposes of this Regulation.
- (20) Keeping of dogs and cats on behalf of owners, for example pet boarding, is a short-term and local activity and does not have a significant impact on the market. Since such activities do not involve placing on the market, there is no need to regulate them in this Regulation. Similarly, pounds do not keep dogs or cats with the purpose of placing them on the market. Unlike shelters, they provide emergency housing when a lost dog or cat has been found and keep it for a short period to enable the owner to retrieve it.

- (21) Directive 2010/63/EU of the European Parliament and of the Council⁵ 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 Council⁶ 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, and 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 purpose, by controlling rodent populations at the farm. Farmers who provide food and refuge to such cats for the purpose of pest control should similarly be excluded from the scope of this Regulation, provided they are not operators and do not place those cats on the market.

⁵ 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, ELI: <http://data.europa.eu/eli/dir/2010/63/oj>).

⁶ Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43, ELI: <http://data.europa.eu/eli/reg/2019/6/oj>).

- (22) As a consequence of the application of this Regulation, 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, in some cases this could result in significant costs for the operators. The potential risk of welfare problems grows as the number of dogs or cats bred or kept at an establishment increases. It is therefore appropriate, in the interests of proportionality, to take account of this fact by distinguishing between establishments of different sizes. Irrespective of the number of litters bred or the number of dogs or cats kept, all establishments should be subject to general welfare principles as well as certain specific welfare requirements. Only establishments keeping or placing on the market a certain number of dogs or cats should be subject to more comprehensive and detailed welfare requirements. This approach takes into account the financial burden resulting from compliance with the more comprehensive and detailed welfare requirements, such as costly structural investments.
- (23) This Regulation should lay down the thresholds for breeding establishments, shelters and foster homes to be subject to detailed animal welfare requirements. Even if the breeding activities take place in households, as is often the case for various commercial breeders, once those thresholds are reached, all the animal welfare requirements under this Regulation should apply. Considering the exclusively commercial nature of selling establishments, it is not necessary to set thresholds, and the requirements of this Regulation should therefore apply to all selling establishments, regardless of the number of dogs or cats kept.

- (24) At present, the material conditions in certain types of selling establishments are not appropriate to ensure the welfare of the dogs and cats that are kept there. This is the case of some pet shops, where the dogs or cats are kept in containers with transparent sides and limited space, and, in the case of dogs, without appropriate outdoor access. Dogs and cats in such establishments are exhibited to the general public, creating a stressful environment for the animals while increasing the risk of impulse buying by certain prospective consumers. This Regulation aims to enhance the protection of dogs and cats kept in selling establishments, by upgrading the welfare standards applicable to them, in particular by prohibiting the keeping of dogs and cats in containers, requiring outdoor access for dogs, and introducing minimum space allowances and obligations to make it possible for dogs and cats to socialise with animals of the same species and with humans. This aims to ensure that, once the requirements apply, all selling establishments have structures and practices in place that ensure the required high level of animal welfare.
- (25) Although some of the breeding establishments are run by licensed breeders with a good standard of animal management, a significant number of the dogs and cats placed on the Union market come 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 those breeders applying high standards of animal welfare. It is therefore necessary to establish detailed animal welfare rules for the operators of all breeding establishments.

- (26) In the Union market, various types of operators carry out different types of activities with respect to the placing on the market of dogs and cats. Apart from commercial breeders, certain selling establishments exist in which typically dogs and cats born and bred in other establishments are brought together and kept for the purpose of sale or collection. In some cases, the protection of these dogs and cats is suboptimal, and currently no common animal welfare standards apply to such establishments. Given that selling establishments are commercial operators that place dogs and cats on the market, it is necessary to apply the requirements of this Regulation to them.
- (27) Operators of shelters are private or public undertakings or non-profit organisations that collect and keep unwanted or stray dogs and cats, or formerly owned dogs and cats that have been lost, confiscated or abandoned. Sometimes, uncontrolled reproduction or overbreeding results in the proliferation of stray dogs and cats that end up in shelters. Depending on their background, those dogs and cats might be purebred or of mixed breeds and might include the litters of dogs or cats that have reproduced in the shelter. Shelters can keep large numbers of dogs and cats and might sell them or offer them for adoption or for re-homing, sometimes for free or upon payment of the reasonable costs incurred.

(28) Despite the differences in the activities carried out by breeding establishments and selling establishments, on the one hand, and shelters and foster homes, on the other hand, they all place dogs and cats on the Union market. There is a certain amount of overlap, especially at the level of demand. When looking for a dog or cat, consumers make choices between buying one from a breeder, whether either directly or through a selling establishment, or adopting one from a shelter or foster home. One important factor in the choice of a dog or a cat is any behavioural or other problems that the dog or cat exhibits due to having been kept in poor welfare conditions and which could reduce its suitability to be kept as a pet animal, irrespective of whether it has been kept in a breeding or selling establishment, or in a shelter or foster home. Moreover, given that trade is also conducted by intermediaries, and mostly online, before they acquire a dog or a cat consumers might not be aware of whether the animal originates from a shelter, from a foster home, from a breeder or from a selling establishment. Providing such information could assist consumers in making informed and responsible choices. There is evidence that the number of dogs and cats placed on the Union market by shelters is significant, which is particularly the case for cats. There is also evidence that in some Member States dogs and cats from shelters are transferred to pet owners in other Member States, which is particularly the case for dogs. In order to ensure the achievement of the objectives of this Regulation, which are to ensure the smooth functioning of the 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 certain requirements of this Regulation to shelters that keep a certain minimum number of dogs or cats, irrespective of whether they place them on the Union market in return for payment, for free or upon reimbursement of reasonable costs. However, for reasons of proportionality and given that the activities of shelters and foster homes differ from those of other operators and fulfil a public interest function, certain requirements of this Regulation, including specific minimum space allowances, should not apply to shelters and foster homes.

- (29) 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 might have an impact on the market of dogs and cats, foster homes should be covered by this Regulation. Operators placing dogs or cats in foster homes should be responsible for ensuring that those homes comply with the requirements of this Regulation. This could be achieved inter alia through the establishment of a contractual relationship between the operator and the foster family.
- (30) 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 any one foster home. It is therefore appropriate to set the maximum number of dogs and cats that can be fostered in one home. That is also the reason why foster homes should be subject only to the general welfare principles and requirements and to only some of the specific welfare requirements.
- (31) Since Regulation (EU) 2017/625 applies to official controls performed for the verification of compliance with rules in the area of welfare requirements for animals which includes welfare requirements for dogs and cats, such as those laid down in this Regulation, it is appropriate to use the definition of competent authorities from Regulation (EU) 2017/625 in this Regulation in order to ensure consistency with the application of rules on official controls concerning animal welfare.

- (32) As this Regulation is an example of Union legislation in the area of welfare requirements for animals referred to in Article 1(2), point(f), of Regulation (EU) 2017/625, the requirements of Regulation (EU) 2017/625 apply in addition to those laid down in this Regulation. In particular, Member States have obligations under Regulation (EU) 2017/625, including an obligation to submit an annual report of the official controls that they performed in the previous year. That obligation should cover official controls performed for the verification of compliance with rules on animal welfare and traceability in respect of dogs and cats. The standard model form to be used by Member States for such reporting laid down in Commission Implementing Regulation (EU) 2019/723⁷ should be updated to take account of this Regulation.
- (33) The One Health approach could be a useful guide for operators when implementing the welfare requirements under this Regulation. Regulation (EU) 2019/6 contains a comprehensive set of requirements to ensure the prudent use of antimicrobials in animals. In order to address the risks of antimicrobial resistance while ensuring high standards of animal health and welfare, those requirements also apply to dogs and cats kept in breeding establishments, selling establishments and shelters. It is essential for veterinarians to take those elements into account during their advisory welfare visits.

⁷ Commission Implementing Regulation (EU) 2019/723 of 2 May 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States (OJ L 124, 13.5.2019, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2019/723/oj).

- (34) There is evidence that activities are taking place on the territory of the Union, sometimes with a cross-border element, that result in dogs and cats being subjected to physical and mental suffering which, in some cases, can cause death. Dog fighting is a notable example. This Regulation should prohibit operators from engaging in any activity that involves the suffering of dogs and cats under their care.
- (35) In order to ensure the proper enforcement of this Regulation, it is essential that competent authorities be able to identify which establishments are subject to their official controls. It is therefore necessary for operators keeping dogs or cats in establishments to notify their activities to the competent authorities and for those competent authorities to keep an updated register of such establishments. In order to minimise the administrative burden on operators, competent authorities should use, for that purpose, the information or data in the relevant register of establishments under Regulation (EU) 2016/429.

- (36) Well-trained and skilled staff are essential to the improvement of the welfare conditions of animals in establishments. Such staff need to have knowledge of the basic behavioural patterns and needs of the species concerned. In order to avoid inflicting physical and mental suffering on dogs and cats, animal carers should have the knowledge and skills in the field of animal welfare relevant to their tasks and to the dogs or cats that they handle. For dogs and cats, effective animal handling involves techniques such as operant conditioning, and positive reinforcement promoting a stress-free environment. Competences in the field of animal welfare should be acquired through education, training or professional experience. Since shelters are often dependent on work by volunteers, and since interns often receive their practical training at those establishments, volunteers and interns in shelters should not be required to have formal education, training or professional experience, provided that they are supervised by a competent animal carer.

- (37) In addition, to ensure the welfare of dogs and cats in an establishment, at least one of its carers should receive training in the requirements of this Regulation and, where relevant, of additional national requirements, and have knowledge of updated scientific and technical recommendations. The operator should ensure that the carer that followed the training disseminates the knowledge acquired to the other carers in the establishment. The Commission should adopt implementing acts to lay down the minimum requirements for such training. The Commission has the possibility to establish a European Union Reference Centre for the welfare of dogs and cats 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. Such European Union Reference Centre for the welfare of dogs and cats could publish, after coordination with the Commission, recommendations and examples of training materials, in line with the minimum requirements laid down in the implementing acts and taking into account the most updated scientific and technical knowledge.
- (38) The competent authorities responsible for ensuring 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.

- (39) 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. Establishments keeping a number of dogs and cats above a certain threshold should therefore receive an animal welfare visit from a veterinarian within the first year of application of this Regulation or within the first year after notifying a new establishment.
- (40) For welfare reasons, ending the life of dogs and cats should always be performed in a manner that causes minimum pain and distress to the dog or cat concerned. Veterinarians are educated to assess the animal's condition and to perform euthanasia, if necessary. Operators should seek to consult a veterinarian, and the veterinarian should perform euthanasia on the dog or cat, in principle, with the operator's prior consent. In case of emergencies or accidents, where veterinary assistance is not accessible, Member States should have the option to allow the life of the dog or cat to be ended by a trained competent person, provided that the method used is instantaneous.

- (41) Certain breeding strategies lead to welfare problems for dogs and cats. By selecting certain genetic traits for aesthetic or other marketing reasons, traits that are undesirable from an animal welfare perspective can 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 excessive conformational traits can lead to significant health problems for the dogs and cats concerned, breeders should exclude dogs and cats that exhibit such traits from breeding programmes.
- (42) Aesthetic shows, exhibitions and competitions have an impact on the market opportunities and prices of dogs and cats. Mutilations and certain breeding strategies that result in dogs or cats with excessive conformational traits can be advantageous for breeders competing in aesthetic shows, exhibitions and competitions. Organising and participating in such shows, exhibitions and competitions can be driven by factors other than animal welfare, such as aesthetic standards, and can have the aim of advertising certain breeds and physical characteristics. In order to ensure that breeders prioritise the welfare of the dogs and cats that they produce and do not develop excessive conformational traits in, or perform mutilations on, them to attain unhealthy aesthetic standards, operators of breeding establishments and selling establishments and the organisers of such shows, exhibitions and competitions should not use or include in such shows, exhibitions or competitions dogs or cats with excessive conformational traits or those which have been mutilated.

- (43) Scientific evidence demonstrates that inbreeding has a significant negative impact on animal welfare. The inbreeding of dogs and cats between parents and offspring, between siblings, between half-siblings or between grandparents and grandchildren should be prohibited, since this increases the incidence of inherited disorders and compromises the proper functioning of the immune system, both of which adversely impact the welfare of dogs and cats. Inbreeding could, however, be necessary to preserve local breeds with a limited genetic pool. It should therefore be possible for the competent authority to authorise it in such cases.
- (44) Hybridisation with wild species 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 such hybrids and the discomfort or suffering occasioned to them, breeding to produce such hybrids should be prohibited.
- (45) The European Food Safety Authority (EFSA) has provided technical and scientific assistance on several questions regarding housing, health and painful procedures relevant to dogs and cats kept in breeding establishments. This Regulation takes into account the recommendations by EFSA on the type of housing and exercise, on housing temperature and light, and on health and painful surgical interventions.

- (46) Scientific evidence highlights the importance of feeding, watering, housing, healthcare, tending to behavioural needs, and the prevention of painful practices for the welfare of dogs and cats. It is therefore essential that those aspects of keeping dogs and cats be regulated in detail.
- (47) There is clear scientific evidence that dogs and cats need to have enough space in which to express their natural behaviour and to have normal social interactions. This is not possible where animals are kept in confinement, and in particular when they are kept in containers. The keeping of dogs and cats in containers should therefore be prohibited, except if it is necessary for transportation of the animals or for the temporary, short term isolation of individual dogs and cats, for the duration of the participation in shows, exhibitions and competitions, for puppies or kittens with reduced thermoregulation capacity and for puppies or kittens together with their mothers, provided that stress is minimised, suffering due to extreme temperatures is avoided and the animal is able to stand up, turn around and lie down in a natural position.
- (48) Dogs and cats should be provided with a designated resting place with the possibility to withdraw, rest and feel safe. The resting place should be clean and dry and should, for example, be covered with soft materials, such as a mat, blanket or other suitable materials to provide comfort and good body support. The resting place should be sufficiently large for them to be able to stand up, turn around and lie down in a natural position. All dogs or cats sharing the same space should be able to rest at the same time.

- (49) Mating, where the male and female interact naturally, is influenced by several factors, including hormonal cycles, behaviour and timing. Therefore, physically restraining the movement of dogs or cats during mating is contrary to their natural behaviour and thus adversely impacts their welfare. Operators should not physically restrain dogs or cats during mating. Instead, operators should try to find other means to influence a successful mating, such as optimising the timing for mating.
- (50) The operator, acting on the basis of veterinary advice and taking into account the particular situation of a dog or cat, can choose that reproduction be controlled by surgical or non-surgical means. In order to avoid pain, any surgical sterilisation should be performed by a veterinarian, or, in the case of male cats, where the Member State so allows, by a licensed veterinary nurse, using anaesthesia and prolonged analgesia.
- (51) 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 and an inability to lie or rest comfortably, and to behave normally.

- (52) Providing enough space for dogs and cats to express innate behaviours is of great importance. For the same reason, containers should be used only in exceptional circumstances, such as the need to place an aggressive dog or cat in short-term isolation or the transportation of dogs and cats to a veterinarian. In order to facilitate the natural circadian rhythms of dogs and cats, their accommodation should also provide access to natural light, although it can be complemented where necessary by artificial lighting. To better support their development, puppies from the age of five weeks can be introduced to a secure outdoor area for certain periods, taking into account their individual needs and the weather conditions. In order to address their need to exercise, socialise and express other innate behaviours, dogs more than eight weeks old should be provided with access to the outdoors. Such dogs should, for a minimum combined period of one hour, have safe daily access to the outdoors or be walked.

- (53) To prevent their welfare being compromised, and in particular to prevent pregnancy complications, bitches and queens should not be bred from before they reach maturity. To allow them to physically recuperate from pregnancy and lactation, bitches and queens should be allowed to reproduce again only after a sufficient period has elapsed. However, to prevent certain pathological reproductive conditions in bitches and queens, such as pyometra, up to three pregnancies within a two-year period should be allowed, followed by an adequate recuperation period, which should be at least one year for bitches and queens that have delivered three litters, including litters of stillborn puppies or kittens, within a two-year period. Reproduction should cease in bitches and queens coming into older age and in bitches and queens that have had two caesarean sections, as it cannot be excluded that an additional pregnancy will have a negative effect on their welfare.
- (54) The change of practices regarding the cycle of reproduction required by this Regulation could, in some instances, have a negative impact on the revenue of breeders of dogs and cats due to decreasing the number of litters produced per year. It is therefore necessary to provide breeders with additional time to adapt their business models.

- (55) It is essential that dogs and cats pose no threat to human safety. To reduce the risk of aggression towards humans, dogs and cats born or kept in establishments should be appropriately socialised with members of the same species, with humans and, where possible, with other animals. They should be kept in a stimulating and non-threatening environment equipped with enrichments, for example toys, providing them opportunities to play and express other innate behaviours. The separation of dogs and cats from their mothers should not happen at too young an age since this can cause those animals serious separation stress, and associated behavioural problems. It should therefore be prohibited, except where there are medical reasons for the separation.
- (56) Procedures with the purpose of altering the appearance, or preventing certain behaviours of, dogs and cats, such as ear cropping, tail docking, claw removal and the resection of vocal cords or folds, have a serious negative impact on their welfare. Those procedures cause pain, and prevent dogs and cats from exhibiting innate behaviours. For this reason, such procedures should be allowed only if performed by a veterinarian and only when necessary for medical reasons. Prophylactic interventions should not be allowed to be performed unless the veterinarian identifies a medical indication justifying such an intervention.

- (57) Dogs used in military, police and customs services play a central role in national security. To accommodate the specific needs of the military, of police and customs services and of operators breeding and training dogs for those authorities, Member States should be allowed to grant exemptions regarding painful handling practices and tethering, since such practices and tethering might be necessary during the training of such dogs. Despite those exemptions, it is important that staff training dogs for the military or for police and customs services in establishments receive regular training in appropriate skills so that they apply appropriate handling and training methods and minimise pain for the dogs in their care.
- (58) Livestock guardian dogs are bred to guard livestock and protect them from predators in agricultural or pastoral settings. Such dogs often spend prolonged periods in the outdoors without the presence of a human being. Due to the way in which they are used, and its determining effect on their living conditions, regularly feeding and inspecting such animals is sometimes challenging. It is often difficult to comply with those requirements of this Regulation that aim to ensure that the housing and socialisation needs of such animals are met. Moreover, dogs that are used for steering the movement of a herd are herding dogs and accompany the person responsible. Exemptions for certain requirements of this Regulation concerning housing and socialisation are necessary for such dogs during the period in which the seasonal transhumance of such herds takes place.

(59) The conditions in breeding establishments are particularly critical to ensuring 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 can have on dogs and cats at an early age. It is therefore important that breeding establishments that have a significant production capacity, be approved by the competent authorities and be subject to on-site pre-inspection before their approval. Such pre-inspection by official veterinarians, or, where the official control task has been delegated, by other professionals, and the consequent approval of those establishments are an effective way of ensuring that establishments comply with the requirements of this Regulation. However, given that the focus of such inspections should be 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 would not be proportionate to require prior on-site inspection and approval for all establishments. It is also important that a list of those approved establishments be publicly available to allow potential acquirers to verify the status of the breeding establishments, thereby supporting public control of such establishments and raising citizens' awareness. Since the breeding establishments need time to implement housing requirements, and competent authorities need time to carry out on-site inspections of existing breeding establishments, the obligation on the part of breeding establishments to obtain approval should start to apply on the same date as the requirements for housing.

(60) Some operators placing dogs or cats on the market encourage potential customers to buy at any cost, using emotional arguments, without mentioning to the potential owner the consequences of owning a dog or a cat. Other operators insist on the responsibilities that go with pet ownership and this, naturally, has the potential effect of limiting their ability to place dogs or cats on the Union market. The difference between these two attitudes tends to give an advantage to the less responsible operators, leading to distortions of competition despite the importance for animal welfare and public order of informing customers about their responsibilities when acquiring a dog or cat. It is therefore justified to require that all operators placing dogs or cats on the Union market inform future owners of their responsibilities. In addition, where the placing on the market of a dog or a cat by an operator is facilitated by an online advertisement, an appropriate warning should accompany it to convey the message on responsible ownership in an effective manner. It is important to promote responsible pet ownership for the good functioning of the market and the protection of consumers, and to avoid dogs and cats being abandoned because pet owners were unaware before acquiring the animal of the responsibilities that pet ownership entails. Therefore, the obligation to display a warning on responsible ownership in online advertisements 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 applies to the persons placing dogs and cats on the market for the purpose of this Regulation. It is not intended to interfere with the freedom of the press and freedom of expression or with existing national rules on editorial responsibility that are not harmonised at Union level.

(61) Illegal trafficking and fraudulent practices related to the placing on the Union market of dogs and cats are made easier by the inability to trace those animals. That lack of traceability is the result of incomplete identification requirements and the lack of registration requirements for such animals. Furthermore, fraudulent practices are facilitated when systems for the identification and registration of dogs and cats are not harmonised or cannot easily be operated because the technical infrastructure is not interoperable. Both the EU coordinated control plan on online sales of dogs and cats of 2018 and the EU enforcement action on the illegal trade of cats and dogs carried out in 2022-2023 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 harmonise the standards for the means of identification and registration of dogs and cats. Laying down a broad obligation to identify and register dogs and cats 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 market should provide evidence of identification and registration in one of the databases established by Member States for this purpose. Every subsequent change of ownership or responsibility for a particular dog or cat should be registered in one of the databases. Bearing in mind the central role of dogs used in military, police and customs services for national security, the Member States should be allowed to grant exemptions concerning the registration of such dogs in order to prevent them being traced back to those services.

- (62) Natural or legal persons placing dogs or cats on the Union market should provide evidence of identification by showing a document referring to the code of the transponder implanted in the dog or cat as well as evidence of the registration of that animal in an official database. In this way, key information about the animal will be passed on to the new owner and its traceability will be ensured.

(63) As most dogs and cats are currently offered for sale or donation by means of online advertisements, the Commission should ensure the development of a system that is publicly available and free of charge that enables acquirers to verify the authenticity of the identification, registration and ownership of the dog or 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 to their origin of dogs and cats placed on the Union market, allowing better controls by competent authorities, and ultimately improving the welfare of those animals. Providers of online platforms should act diligently when acting as intermediaries in the placing of dogs and cats on the Union market. Therefore, without prejudice to Regulation (EU) 2022/2065 of the European Parliament and of the Council⁸, online platforms allowing advertising of dogs and cats for the purpose of placing them on the market 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 relevant token and to inform acquirers about the verification system. This should neither amount to an obligation for online platforms to generally monitor the advertisements 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.

⁸ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

- (64) Since the level of awareness on animal welfare of animal carers 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 carers to meet the training requirements set out in this Regulation.
- (65) To ensure the traceability of dogs and cats, they should be individually identified with a unique identifier in the form of a transponder, and their identification details should also be registered in a database. Therefore, Member States should be responsible for establishing and maintaining databases of dogs and cats in their territories to ensure the traceability of those animals. It is also necessary to ensure the interoperability of those databases. That will make it easier to find information on dogs and cats across the Union and enable competent authorities to carry out official controls to ensure compliance with animal welfare rules. In order to facilitate the interoperability of those national databases, the Commission should establish an index database.
- (66) To evaluate the progress of the animal welfare conditions in which dogs and cats are kept in establishments and of the traceability of the animals, it is necessary that Member States collect, report and analyse key policy indicators. Those key policy indicators should be harmonised under this Regulation to ensure their comparability at Union level, and to enable monitoring at Union level of the progress in achieving the policy objectives of this Regulation.

(67) Regulation (EU) 2018/1725 of the European Parliament and of the Council⁹ 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 Council¹⁰ 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 should be clearly defined in order to ensure a high level of data protection.

⁹ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

¹⁰ 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, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

- (68) For the purpose of this Regulation, the names of natural persons and related contact details should appear in the documents processed by the Commission and the Member States in the course of the implementation of this Regulation, namely the notification and approval of establishments, the registration of dogs and cats, the verification of the registration of dogs and cats, and imports of dogs and cats. The processing of that personal data is justified by the public interest in ensuring respect for the welfare requirements for dogs and cats, including the performance of official controls, and ensuring traceability, and in preventing those welfare requirements being circumvented, and in combating the illegal trade in dogs and cats both between Member States, and, in the case of imports, from third countries.
- (69) The retention period for 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 the breeding, keeping and placing on the Union market of dogs and cats, and to be aware of past non-compliance with animal welfare rules when receiving a new notification of activity or a request for approval.

- (70) The retention period for personal data of the present and past owners of dogs or cats in national databases and in the index database should be five years from 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. That retention period is designed to cover the life expectancy of dogs and cats, to ensure that a robust traceability system exists for all dogs and cats traded in the Union, and to provide data, including after the death of a particular dog or cat, for official controls on welfare problems such as abnormally high death rates, which require data analysis.
- (71) The retention period for data concerning owners and authorised persons entering the Union with dogs or cats under non-commercial movements pre-notified in a Union pet traveller database should be five years from the pre-notification by the owner in order to enable the competent authorities to perform data analysis, identify suspicious movements, and establish risk-based official controls for the purpose of targeting potential fraudsters.
- (72) The retention period for the data in the Union verification system concerning natural or legal persons advertising a dog or cat for the purpose of placing it on the market and using the verification system to generate the required token should be 18 months from the generation of the token, in order to enable 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.

(73) It is possible that dogs and cats imported into the Union were bred or kept in third countries in conditions that were detrimental to their welfare. This raises public morality concerns, as well as presenting safety and animal health and public health risks in the Union. Union citizens consider that a high level of welfare of dogs and cats is a question of moral responsibility, as illustrated by the results of the 2023 Eurobarometer on animal welfare, as well as by the voluminous correspondence and the numerous petitions received by the European Parliament on this matter, the many parliamentary questions raised and the European Parliament resolution of 12 February 2020 on protecting the EU's internal market and consumer rights against the negative implications of the illegal trade in companion animals, as well as the Union ban on the placing on the market and import of dog and cat fur and products containing such fur. Furthermore, problems for animal life or health are part of animal welfare problems. For example, exhaustion, cachexia and susceptibility to infectious diseases can arise from overly intensive use of female dogs or cats for breeding that fails to respect the welfare needs of those animals. Lastly, poor welfare conditions can lead to public health risks, including an increase in the incidence of 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 since it is possible that they will react by developing aggressive behaviour. Given these public morality concerns, and safety, animal health and public health risks, and in order to achieve the objectives of this Regulation, it is important that operators involved in importing dogs and cats from third countries comply with rules as regards the animals' welfare that are identical or equivalent to those laid down in this Regulation, and offer the same guarantees as regards the animals' traceability. Given that this will require changes from third-country operators involved in exporting dogs and cats to the Union, it is necessary to provide for a transitional period of the same duration as that applicable to Union operators.

(74) In order to ensure that the import rules are properly enforced, the Commission should draw up a list of third countries approved to place dogs and cats on the Union market based on its assessment of the reliability of the official controls in those third countries to enforce the animal welfare rules under this Regulation, or recognised by the Union as equivalent rules, as applied to establishments on their territory which export or intend to 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 to facilitate controls at Union Border Control Posts. The Commission should carry out, using a risk-based approach, audits of the reliability of the official control systems of third countries approved under this Regulation, as well as of those third countries requesting to be approved under this Regulation. 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. To that end, the Commission should endeavour to amend the relevant model of official certificate, in order to include the related animal welfare attestation.

(75) To enhance consumer protection and ensure proper traceability of dogs and cats imported into the Union, it is appropriate in this Regulation to require that the animals be identified before their entry into the Union and that their importers ensure the animals' registration in one of the Member State databases. This will result in greater oversight of 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 of importing into the Union dogs and cats intended for trade, while 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 the intention of a transfer of ownership. In order to provide tools for Member States to perform risk-based controls targeting that fraudulent practice, it is essential that the entry into the Union of dogs and cats as non-commercial, independently from the number of the animals, be pre-notified through a dedicated Union pet traveller database. That database should collect notifications for the entry into the Union of all such animals regardless of the point of entry, in order for Member States to have the necessary overview and to help detect suspicious movements. For that reason, it is appropriate that the Commission establish and maintain 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 of suspicious movements including, where necessary, on-the-spot checks.

(76) In order to implement this Regulation effectively, Member States are encouraged to carry out campaigns to raise awareness of the obligations laid down in this Regulation, including campaigns aimed at natural or legal persons who own dogs or cats, and potential acquirers of dogs or cats. Those campaigns could cover the obligation to identify and register dogs and cats in accordance with this Regulation, the requirements regarding the content of advertisements for the sale or transfer of ownership or responsibility for dogs or cats, as well as the reasons for the system for verifying the authenticity of online advertisements, its technical features and how to use it. The campaigns could cover the reasons for the responsible ownership warning, and explain the concept of responsible ownership, including the importance of not abandoning dogs or cats. The Commission should facilitate the exchange of best practices concerning such awareness-raising activities. Several Member States have neutering programmes in place for dogs and cats in order to limit uncontrolled reproduction of stray dogs and cats. They carry out awareness-raising campaigns on such programmes. Ineffective neutering programmes can lead to an increase in abandonment. If, in addition, stray animal populations are inadequately managed, it can result in more dogs and cats being placed on the market in the Union. National campaigns on neutering programmes could be integrated within the awareness-raising campaign on the obligations laid down in this Regulation with the aim of encouraging responsible ownership and reducing the pressure on the market of dogs and cats.

(77) In order to take into account technical progress and scientific developments, especially the opinions of EFSA, and the social, economic and environmental impact of that progress and those developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission for the purpose of supplementing this Regulation by laying down indicators concerning the behaviour and physical appearance of dogs and cats by specifying the characteristics of genotypes, and the excessive conformational traits that should lead to a dog or a cat being excluded from reproduction, so that breeding strategies do not result in detrimental effects on the health or welfare of 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, those delegated acts should reflect a progressive and balanced approach, in order to ensure proportionate and practically achievable implementation.

(78) In order to lay down minimum criteria to be assessed during animal welfare visits, as well as to take account of technical progress and scientific developments, and their social, economic and environmental impact, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing Article 10 of this Regulation and 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. It is of particular importance that the Commission 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-Making¹¹. 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.

¹¹ 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).

- (79) Implementing powers should be conferred on the Commission in order to ensure uniform conditions for the implementation of the following:
- the harmonisation of the content of the education, training or professional experience for competent animal carers;
 - 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;
 - the minimum requirements for the content of the databases for registration of dogs and cats and the requirements concerning the interoperability of the databases;
 - the harmonised methodology for measuring the data to be collected, set out in Annex III of this Regulation, and the template for the Member States' report to the Commission on those data;
 - the information to be pre-notified by owners in the Union pet traveller database, and the procedure for pre-notifications on movements that present a risk of fraud.

Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹².

¹² 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, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>).

- (80) The attitude of citizens varies across Member States regarding the welfare of dogs and cats. Some Member States have thus already adopted a comprehensive set of rules on the welfare of such animals. Since this Regulation lays down minimum requirements, it is therefore appropriate that Member States be allowed to maintain or adopt stricter national rules aimed at a more extensive protection of dogs and cats than those laid down in this Regulation, provided that those national rules do not affect the proper functioning of the internal market.
- (81) Member States should notify the Commission of any national rules that are stricter than those under this Regulation. The Commission should bring such rules 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 Council¹³, they should be notified to the Commission in accordance with that Directive.
- (82) It is essential that Union law be subject to regular monitoring and evaluation so that, where necessary, it can be updated in order for it to continue to achieve its objectives. 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.

¹³ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1, ELI: <http://data.europa.eu/eli/dir/2015/1535/oj>).

- (83) 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 applicable to operators, including the prohibition on abandoning dogs and cats, and ensure that they are enforced. Those penalties should 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.
- (84) Considering the costs of operating a shelter and the public benefits of that activity, when shelters comply with the requirements laid down in this Regulation for the welfare of unwanted, abandoned or stray dogs and cats, Member States are encouraged to consider taking measures to ensure that shelters and organisations responsible for those animals are appropriately financed in accordance with national law.
- (85) Since the objectives of this Regulation, namely to establish minimum requirements that ensure the proper functioning of the internal market while ensuring a high level of welfare of dogs and cats and the traceability of those animals cannot be sufficiently achieved by the Member States, but can rather, by reason of its effects, be better achieved 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.

(86) The European Data Protection Supervisor was consulted in accordance with Article 57(1)(g) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹⁴ and delivered an opinion on 18 November 2024,

HAVE ADOPTED THIS REGULATION:

¹⁴ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

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.

Article 2

Material scope

1. This Regulation applies to the breeding, keeping, tracing, placing on the market and entry into the Union of dogs and cats.
2. This Regulation does not apply to the breeding, keeping, placing on the market or 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 3
Personal scope

1. Chapter II applies to all operators.
2. Chapter III applies to all natural and legal persons owning dogs or cats in the Union.
3. Chapter V applies to all natural and legal persons who bring dogs or cats into the Union.
4. This Regulation does not apply to farmers offering refuge on their holding to free-roaming stray cats that are useful for pest control, where those farmers are not operators and do not place those cats on the market.

Article 4
Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) ‘dog’ means an animal of the species *Canis lupus familiaris*;
- (2) ‘cat’ means an animal of the species *Felis silvestris catus*;
- (3) ‘welfare of dogs and cats’ means the physical and mental state of a dog or cat which receives appropriate nutrition, is kept in an appropriate environment, is kept in good health, exhibits appropriate behaviour, and has an overall positive mental experience of life;

- (4) 'hybrid' means any offspring in the first to the fourth generations 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;
- (5) 'breeding' means the keeping of dogs or cats in breeding establishments for the purpose of reproduction;
- (6) 'keeping' means any activity during which dogs or cats are held, housed or handled either in an establishment or under the responsibility of an operator, or both;
- (7) 'placing on the market' means the sale, offering for sale, distribution or any other form of transfer of ownership of, or responsibility for, dogs and cats, whether in return for payment or free of charge, as well as the advertising of dogs and cats for those purposes, excluding donations in an occasional manner at irregular intervals by natural persons other than operators without online advertising;
- (8) 'advertising' means any form of communication with the public or a section thereof which has the effect, direct or indirect, of promoting a dog or cat, one or more of its physical characteristics, or a breed, in order to arouse interest, provoke engagement or attract sales;

- (9) ‘online platform’ means an online platform, as defined in Article 3, point (i), of Regulation (EU) 2022/2065 of the European Parliament and of the Council¹⁵, acting as an intermediary for the placing on the market of dogs or cats;
- (10) ‘bitch’ means a female dog from the time she is first mated or inseminated until the weaning of her final litter;
- (11) ‘queen’ means a female cat from the time she is first mated or inseminated until the weaning of her final litter;
- (12) ‘livestock guardian dog’ means a dog primarily kept or trained to protect livestock from predators in agricultural or pastoral settings;
- (13) ‘herding dog’ means a dog primarily kept or trained to steer, move or otherwise control livestock in agricultural or pastoral settings, including farms, grazing areas, or during transhumance;
- (14) ‘establishment’ means a breeding establishment, a selling establishment, a shelter or a foster home;

¹⁵ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

- (15) ‘breeding establishment’ means any premises or structure, including households, where dogs or cats are kept for reproduction purposes with a view to placing their offspring on the market;
- (16) ‘farmer’ means farmer as defined in Article 3, point (1), of Regulation (EU) 2021/2115 of the European Parliament and of the Council¹⁶;
- (17) ‘selling establishment’ means any premises or structure where dogs or cats are kept for sale without having been born there, including pet shops or households, as well as any premises or structure of assembly operations, where dogs or cats are brought together from more than one establishment;
- (18) ‘shelter’ means any premises or structure, including households, where unwanted, abandoned, lost, confiscated or formerly stray dogs or cats are kept for the purpose of placing on the market;
- (19) ‘foster home’ means a household that keeps dogs or cats on behalf of an operator responsible for unwanted, abandoned, lost, confiscated or formerly stray dogs or cats;

¹⁶ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/2115/oj>).

- (20) ‘operator’ means any natural or legal person that places dogs or cats on the market and that is responsible for a breeding establishment, selling establishment or shelter and for the dogs or cats kept there, or that places dogs or cats in a foster home and that is responsible for the dogs or cats kept there;
- (21) ‘competent authorities’ means competent authorities as defined in Article 3, point (3), of Regulation (EU) 2017/625 of the European Parliament and of the Council¹⁷;
- (22) ‘breeding strategy’ means a set of systematic actions, including recording, selection, breeding and exchange of breeding dogs or cats and their germinal products, designed and implemented to preserve or enhance desired phenotypic or genotypic characteristics in the target breeding population;
- (23) ‘euthanasia’ means the act of inducing death using a method that causes a rapid and irreversible loss of consciousness with a minimum of pain and distress, ending the life of the dog or cat;

¹⁷ 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, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

- (24) ‘mutilation’ means an intervention, including a surgical intervention, carried out for reasons other than therapeutic or diagnostic purposes, except for neutering or the implanting of a transponder, that results in damage to or the loss of a sensitive part of the body, or the alteration of the bone structure, of a dog or a cat;
- (25) ‘neutering’ means the process whereby dogs or cats are surgically and irreversibly prevented from reproducing;
- (26) ‘suffering’ means an unpleasant, undesired physical or mental state of being which is the result of a dog or cat being exposed to noxious stimuli or the continuous absence of important positive stimuli;
- (27) ‘housing’ means buildings or delimited outdoor space in establishments where dogs or cats are kept whether temporarily or permanently;
- (28) ‘kennel’ means a physical structure containing one or more enclosures for housing dogs;
- (29) ‘cattery’ means a physical structure containing one or more enclosures for housing cats;
- (30) ‘animal carer’ means a person taking care of the dogs or cats bred or kept in an establishment, including volunteers, interns and part-time workers, under the responsibility of an operator;

- (31) ‘enrichments’ means materials or structures, which are present in a dog’s or cat’s environment, with an occupational or nutritional property and which are capable of arousing and satisfying a dog’s or cat’s curiosity or appetitive behaviour, or of motivating it physically;
- (32) ‘tethering’ means the tying of a dog or cat to an anchor point or object to keep it in a desired area or to restrict its movement;
- (33) ‘container’ means any crate, box, cage, receptacle or movable structure used to confine dogs or cats;
- (34) ‘responsible ownership’ means a set of behaviours by a dog or cat owner or future dog or cat owner consistent with a commitment to perform various duties focused on satisfying the health, behavioural, environmental and physical needs of the dog or cat, and to minimise the risks that the dog or cat could pose to the community, other animals or the environment;
- (35) ‘pet owner’ means a natural or legal person that owns a dog or cat as a pet;
- (36) ‘pet’ means a dog or cat owned for private enjoyment or for the purpose of providing companionship to humans;

- (37) 'Rapid Alert System' (iRASFF) means the electronic system implementing the Rapid Alert System described in Article 50 of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹⁸ and the procedures for administrative assistance and cooperation between Member States described in Articles 102 to 108 of Regulation (EU) 2017/625 respectively;
- (38) 'AAC Network' means the network consisting 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;
- (39) 'non-commercial movement' means non-commercial movement, as defined in Article 4, point 14, of Regulation (EU) 2016/429 of the European Parliament and of the Council¹⁹, where the pet concerned is a dog or a cat.

¹⁸ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1, ELI: <http://data.europa.eu/eli/reg/2002/178/oj>).

¹⁹ 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, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>).

Chapter II

Obligations for operators of establishments

Article 5

Exemptions from the obligations set out in this Chapter

1. A breeding establishment where no more than two litters per calendar year are produced for placing on the market shall be subject to only the obligations laid down in Article 6, Article 7(1), (3), (4) and (5), Articles 8, 9 and 11, Article 14(2), (3) and (4), Article 15(3), (4) and (8), Article 16(1), points (b), (c) and (d), Article 17(2), (3), (5) and (7), Article 18, Article 19(1) and points 3 and 4.3 of Annex I.

2. A shelter in which not more than a combined total of 15 dogs or cats are kept at any given time, or any foster home, shall be subject to only the obligations laid down in Article 6, Article 7(1), (2), (3), (4), and (5), Article 9, Article 11, Article 14(2), (3) and (4), Article 15(3), (4) and (8), Article 16(1), points (a), (b), (c) and (d), Article 17(2), (3), (5) and (7), Article 18 and point 4.3 of Annex I.

Article 6
General welfare principles

Operators shall apply the following general welfare principles with respect to dogs or cats bred or kept in their establishment:

- (a) dogs and cats are provided with water and feed of a quality and quantity that affords them appropriate nutrition and hydration;
- (b) dogs and cats are kept in a physical environment that is appropriate and regularly cleaned, that is secure and comfortable, especially in terms of space, air quality, temperature, light and protection against adverse climatic conditions, and that is big enough to prevent overcrowding and to afford them ease of movement;
- (c) dogs and cats are kept safe, clean and in good health, and diseases, injuries and pain due, in particular, to management, handling practices and breeding practices, are prevented;
- (d) dogs and cats are kept in an environment that enables them to exhibit species-specific and social non-harmful behaviour, 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 negative stimuli in duration and intensity, as well as by maximising opportunities for positive stimuli in duration and intensity, preventing the development of abnormal repetitive or other behaviours indicative of negative animal welfare, and taking into consideration the individual animal's needs in the domains referred to in points (a) to (d).

Article 7

General welfare obligations

1. Operators shall be responsible for the welfare of dogs and cats kept in establishments under their responsibility and control, and shall be responsible for minimising any risks to the welfare of those animals.
2. 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 combined total of five dogs or cats, or one litter with or without a mother, in a foster home at any given time, 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 laid down in this Regulation are complied with in the foster home.

The Member State in which the foster home is located may allow a greater number of dogs, cats or litters to be placed in the foster home, provided that the premises of the foster home have sufficient space, including outdoor space, and that the number of animal carers in the foster home is sufficient, to ensure the welfare of the dogs or cats.

3. Operators shall not subject any dog or cat to cruelty, abuse or mistreatment, including by making them participate in activities likely to result in cruelty to or abuse or mistreatment of the dogs or cats bred or kept by the operator.
4. Operators shall not abandon the dogs or cats bred or kept by them.

5. Before operators cease activities at an establishment, they shall ensure that the dogs or cats kept there are rehomed, either by themselves becoming the pet owner of the dog or cat or by transferring the responsibility for, or the ownership of, the dogs and cats to other operators or acquirers.
6. Operators shall ensure that dogs and cats are handled by a number of animal carers sufficient to meet the welfare needs of dogs or cats kept in their establishments, and that those carers have the competences required under Article 12.
7. Operators shall ensure the welfare of the dogs or cats for which they are responsible by monitoring animal-based indicators concerning behaviour and physical appearance, and by taking actions based on the results of such monitoring.
8. The Commission is empowered to adopt delegated acts in accordance with Article 28 supplementing this Regulation by laying down the animal-based indicators concerning behaviour and physical appearance that operators are to use for monitoring, in accordance with paragraph 7 of this Article, and the methods by which operators are to measure them.

Article 8

Breeding strategy 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 the health and welfare of those animals.
2. Operators of breeding establishments shall not use dogs or cats for reproduction that have excessive conformational traits leading to a high risk of detrimental effects on the welfare of such dogs or cats, or of their offspring. Before selecting a dog or cat that might have an excessive conformational trait for breeding, the operator shall consult a veterinarian or an independent qualified person acting under the responsibility of a veterinarian. That veterinarian or independent qualified person shall assess whether the dog or cat has an excessive conformational trait.
3. The Commission is empowered to adopt delegated acts in accordance with Article 28 supplementing this Regulation by:
 - (a) defining characteristics of the genotypes referred to in paragraph 1 of this Article that are to be excluded from reproduction, the methods for their assessment and the record keeping requirements;

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

When adopting those delegated acts, the Commission shall take into account the scientific opinion of the European Food Safety Authority (EFSA), as well as any social and economic impacts of those delegated acts.

The delegated acts concerning the excessive conformational traits shall be adopted by 30 June 2030. The delegated acts concerning the genotypes shall be adopted by 30 June 2036.

- 4. The following shall be prohibited when managing the reproduction of dogs and cats:
 - (a) 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) breeding for the purpose of producing hybrids.

Article 9

Notification and registration of establishments

1. Operators shall notify the competent authorities of their activity, providing at least the following information for each of their establishments:
 - (a) the name, address and contact details of the operator;
 - (b) the location of the establishment;
 - (c) the type of establishment: breeding establishment, selling establishment, shelter or foster home;
 - (d) the species and, for breeding establishments, the breeds of the dogs or cats kept in the establishment;
 - (e) the capacity of the establishment, expressed as the maximum number of dogs and cats which can be kept in the establishment;
 - (f) 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 the information already submitted in accordance with that Article again.
4. The competent authority shall keep a register of establishments. The competent authority may, for that purpose, use the register established pursuant to Article 101(1), point (a), of Regulation (EU) 2016/429.

Article 10

Obligation to obtain approval for certain 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 a combined total of five bitches or queens at any given time shall place dogs or cats on the market only after their breeding establishment has been approved by the competent authority.

2. The competent authority shall perform on-site inspections to verify that the breeding 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 provides sufficient evidence for the competent authority to perform reliable inspections. The competent authority shall grant certificates of approval only to breeding establishments that meet the requirements of this Regulation.
3. The competent authority shall maintain a publicly available list including the following information for each approved breeding 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 to the establishment by the competent authority and the date of the approval and cessation of activities.

Article 11

Obligation of informing on responsible ownership

1. Operators shall provide to the acquirer of a dog or cat written information necessary to enable the acquirer to ensure the animal's welfare, including information on responsible ownership and on the specific needs of the animal in terms of feeding, care, health and housing, as well as information on its behavioural needs and health history.
2. The written information on the dog or cat's health history referred to in paragraph 1 shall include at least:
 - (a) the animal's vaccination status;
 - (b) any medical conditions or predispositions to diseases, including allergies, that are known to the operator, and any diagnostic test results for the dog or cat that are available to the operator.

Where the information on the dog's or cat's health history is set out in a document required under Regulation (EU) 2016/429, the operator shall transmit that document to the acquirer.

Article 12

Animal welfare competences of animal carers

1. Animal carers, other than volunteers in shelters and interns who act under the responsibility of a competent animal carer, shall have the following competences as regards the dogs and cats they are handling:
 - (a) an understanding of the animals' biological behaviour and their physiological and ethological needs;
 - (b) the ability to recognise the animals' expressions, including any sign of suffering, and to identify and to take the appropriate mitigating measures in such cases;
 - (c) the ability to apply good animal management practices, including operant conditioning and positive reinforcement, to use and maintain the equipment used for the dogs or cats under their care and to minimise any risks to the welfare of those dogs or cats, preventing them from suffering;
 - (d) knowledge of the carers' obligations under this Regulation.
2. The competences referred to in paragraph 1 may be acquired through education, training or professional experience. Only documented education, training or professional experience shall be taken into account when determining whether an animal carer has those competences.

3. Operators shall ensure that at least one animal carer, other than a volunteer or intern, of the establishment has completed the training courses referred to in Article 22. Operators shall ensure that that animal carer transfers his or her knowledge to the other animal carers of the establishment.
4. The Commission shall adopt implementing acts laying down minimum requirements concerning the formal education, training or professional experience referred to in paragraph 2 necessary to determine whether an animal carer has the competences referred to in paragraph 1 and concerning the training courses referred to in paragraph 3.

The implementing act concerning the training courses referred to in paragraph 3 shall be adopted by ... [three years from 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 29.

Article 13
Advisory welfare visits

1. Operators shall:
 - (a) ensure that the establishments for which they are responsible receive a visit by a veterinarian for the purpose of identifying and assessing any risk factor for the welfare of the dogs or cats and advising the operator on measures to address those risks initially by ... [date three years after the date of entry into force of this Regulation] or one year following the notification of a new establishment, and thereafter when appropriate, based on a risk analysis by the competent authorities, or on an annual basis if Member States so provide in their national law;
 - (b) keep the records of the findings of the veterinarian's visit referred to in point (a) and of their follow up actions for at least four years, from the day of the visit, and shall make those records available to the competent authorities upon request as well as to the veterinarians that perform subsequent advisory visits.

2. By ... [date 24 months from the date of entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 28 supplementing this Article by laying down the minimum criteria to be assessed by the veterinarian during the advisory welfare visit.

Article 14
Feeding and watering

1. Operators shall ensure that dogs and cats are fed in accordance with the requirements laid down in point 1 of Annex I.
2. In addition, operators shall ensure that dogs and cats are adequately fed and hydrated by supplying:
 - (a) clean and fresh water, *ad libitum*;
 - (b) feed of sufficient quantity and quality to meet the physiological, nutritional and metabolic needs of the dogs and cats, as part of a diet adapted to the age, breed, category, activity level, health and reproductive status of the dogs or cats, with the overall objective of achieving and maintaining their good health;
 - (c) feed free of substances which could cause suffering;
 - (d) feed in such a way as to avoid abrupt changes and ensure a well-functioning gastrointestinal system, in particular during the weaning phase.
3. Operators shall ensure that feeding and 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 or cats and minimise competition between them;

- (b) minimise spillage and prevent the contamination of feed and water with harmful physical, chemical or biological contaminants;
 - (c) prevent injury, drowning or other harm to the dogs or cats;
 - (d) be easily cleaned and disinfected to prevent the spread of diseases.
4. 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 that written advice for the entire duration of those arrangements.

Article 15

Housing

1. The operators of breeding establishments and selling establishments shall ensure that dogs and cats are housed in accordance with point 2 of Annex I. The operators of shelters shall ensure that dogs and cats are housed in accordance with point 2.2 of Annex I.
2. Operators shall ensure that:
 - (a) the establishments where dogs or cats are kept and the equipment used therein are suitable for the types and the number of dogs or cats, and make possible the necessary access to, and the thorough inspection of, all dogs or cats;

- (b) all building components of the establishment, including the flooring and roof, and space divisions, as well as the equipment used for dogs or cats, are constructed and maintained properly, to ensure that they do not pose any risks to the welfare of the dogs or cats;
- (c) all building components of the establishment, including the flooring, and space divisions, as well as the equipment used for dogs or cats, are kept clean to ensure that they do not pose any risks to the welfare of the dogs or cats;
- (d) in breeding establishments and selling establishments where dogs or cats are kept indoors, the dust levels, the temperature, and the relative air humidity and gas concentrations are not harmful to dogs or cats and that ventilation is sufficient to avoid overheating ;
- (e) dogs or cats have enough space to be able to move around freely and to express species-specific behaviour according to their needs with the possibility to withdraw and rest;
- (f) dogs or cats have clean, comfortable and dry resting places that are sufficiently large and numerous to ensure that all of them can lie down and rest in a natural position at the same time;

(g) appropriate structures and measures are in place for dogs or cats that are kept outdoors in order to protect them from adverse weather conditions, including to prevent thermal stress, sunburn and frostbite.

3. Operators shall not keep dogs or cats in containers.

However, containers may be used for transportation, for the short term isolation of individual dogs or cats, for the duration of the participation in shows, exhibitions and competitions, for puppies or kittens with reduced thermoregulation capacity and for puppies or kittens together with their mothers, provided that, for the dogs or cats concerned, stress is minimised and suffering is avoided, and they are able to stand up, turn around and lie down in a natural position.

4. Operators shall not keep dogs older than eight weeks exclusively indoors. Such dogs shall have daily access to an outdoor area, or be walked daily, to allow exercise, exploration and socialisation. The minimum combined duration of such daily access or walk shall be one hour in total. The operator may only deviate from these requirements based on the 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 exhibit their natural behaviour.

6. Operators of breeding establishments and selling establishments shall ensure that in indoor areas where dogs and cats are kept, an appropriate thermoneutral zone is maintained that takes into account their coat type, age, size, breed and health.
7. Operators of breeding establishments and selling establishments shall, where necessary, use heating or cooling systems in the indoor enclosures at their establishments to maintain good air quality and an appropriate temperature, and to remove excessive moisture.
8. Operators shall ensure that dogs 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, complemented, where necessary due to the climatic conditions and geographic position of a Member State, by artificial light.

9. Paragraph 2, points (a), (b), (c) (f) and (g), and paragraphs 6, 7 and 8 shall apply neither to livestock guardian dogs, nor to herding dogs, during the periods where such dogs are used for guarding or herding in the context of seasonal transhumance on foot. Paragraph 2, point (f), shall not apply to livestock guardian dogs during the periods when such dogs are used for training purposes.

Article 16

Health

1. Operators shall ensure that:
 - (a) dogs or cats for which they are responsible are inspected by animal carers at least once a day and that 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 compromised welfare are, where necessary, transferred without undue delay to a separate area and, where necessary, receive appropriate treatment;
 - (c) where the recovery of a dog or a cat whose welfare is compromised is not achievable and the dog or cat experiences severe pain or suffering, a veterinarian is consulted without undue delay to decide whether the dog or cat is to be euthanised to end its suffering, and, if that is the case, to perform the euthanasia using anaesthesia and analgesia;
 - (d) measures are taken to prevent and control external and internal parasites, and vaccinations are carried out to prevent common diseases to which dogs or cats are likely to be exposed;
 - (e) enrichments that are used do not present a significant risk to dogs and cats of injury or biological or chemical contamination or any other health risk.

Point (a) of 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.

Member States may grant exemptions from point (c) of the first subparagraph in cases of emergency, where no veterinarian can be reached without undue delay, provided that national rules are put in place to ensure that:

- (i) any 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) for the purposes of the official control under Regulation (EU) 2017/625, the operator keeps a record of the use of the exemption.

2. 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;
- (b) bitches or queens are bred only if they have reached a minimum age and skeletal maturity in accordance with point 3 of Annex I, and only if they have no diagnosed disease, clinical sign of diseases or physical conditions which could negatively impact their pregnancy and welfare;

- (c) the litter-giving pregnancies of bitches or queens follow a maximum frequency in accordance with point 3 of Annex I;
- (d) lactating queens are not mated or inseminated;
- (e) 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, and not killed or abandoned.

Article 17

Behavioural needs

1. Operators shall ensure that measures are taken to meet the behavioural needs of dogs and cats in accordance with point 4 of Annex I.
2. In addition, operators shall not keep dogs or cats in areas which limit their natural movements, except in cases where Article 15(3), second subparagraph, applies or where the following procedures or treatments are performed:
 - (a) physical examinations;
 - (b) the individual identification of dogs or cats, or reading such identification information;
 - (c) the collection of samples and vaccinations;

- (d) procedures for grooming, hygienic, health or reproductive purposes other than mating;
 - (e) medical treatments, including surgical treatments or prescribed rehabilitation.
3. Tethering for more than one hour shall be prohibited, except for the duration of a medical treatment or for participation in shows, exhibitions and competitions of dogs or cats.
 4. Member States may grant exemptions from paragraph 3 for dogs intended for use in military, police and customs services that are kept in breeding or selling establishments.
 5. Operators shall ensure that dogs or cats are kept in conditions that allow them to exhibit non-harmful social behaviours and species-specific behaviours and to experience positive emotions.
 6. Operators shall ensure that dogs or cats can socialise in accordance with point 4 of Annex I. Operators of breeding establishments shall have a documented strategy for such socialisation.

By way of derogation from the first subparagraph, socialisation 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, or to herding dogs during seasonal transhumance.

7. Operators shall ensure that enrichments are provided and accessible to all dogs or cats, creating a stimulating environment for them, enabling them to develop and exhibit species-specific behaviour and reducing their frustration.

Article 18

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, are not performed unless justified by medical indications. Such medical indications may be prophylactic, with the sole purpose of maintaining or improving the health of dogs or cats or preventing their injury. In such cases, the procedure shall be performed only under anaesthesia and prolonged analgesia and only by a veterinarian.
2. The medical indications justifying the mutilation, and the details of procedure carried out, shall be documented by a veterinarian. That document shall be retained by the operator and shall accompany the dog or cat when it is transferred to another establishment or owner. The operator shall retain a copy of the document for the first three years after that transfer.
3. 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.

4. Operators shall ensure that neutering is performed only under anaesthesia and prolonged analgesia and only by a veterinarian. However, Member States may allow the neutering of male cats to be performed by a licensed veterinary nurse.
5. Operators shall ensure that handling practices that cause pain or suffering are not performed, including:
 - (a) tying up body parts, unless required for medical reasons and limited to the minimum period necessary;
 - (b) the kicking, hitting, dragging, throwing or squeezing of dogs or cats;
 - (c) applying electric current to dogs or cats, unless performed for medical reasons;
 - (d) using muzzles, unless required for medical reasons or animal or human safety reasons, limited to the minimum period necessary and during which the dog or cat is supervised;
 - (e) using prong collars;
 - (f) using choke collars without a safety stop;
 - (g) lifting dogs or cats by the limbs, head, ears, tail or hair, or lifting adult dogs or cats by the skin.

Member States may grant exemptions from the first subparagraph for dogs intended for use in military, police or customs services.

Article 19

Aesthetic shows, exhibitions and competitions

1. In aesthetic shows, exhibitions and competitions of dogs and cats, operators of breeding establishments and selling establishments shall not use dogs or cats with excessive conformational traits, or dogs or cats which have been mutilated in a way that alters their physical characteristics.
2. When organising aesthetic shows, exhibitions and competitions of dogs and cats, organisers shall exclude dogs and cats which have excessive conformational traits or dogs or cats which have been mutilated in a way that alters their physical characteristics.

Chapter III

Identification and registration of dogs and cats and requirements on online advertising and placing on the market

Article 20

Identification and registration of dogs and cats

1. All dogs and cats kept in establishments, placed on the market or owned by pet owners or by any other natural or legal persons shall be individually identified by means of a single injectable transponder containing a readable microchip that complies with the requirements set out in Annex II.

2. Operators shall ensure that dogs and cats born in their establishments are individually identified within three months after their birth, and in any event before the date that they are placed on the market.

Operators of selling establishments and shelters, and operators who place and are 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 of arrival 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 every dog or cat is individually identified at the latest when it reaches the age of three months or, if the dog or cat is placed on the market, before the date of that placing on the market.

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

Where dogs and cats have been individually identified by means of an injectable transponder containing a microchip in accordance with Union or national law before ... [date two years after the date of entry into force of this Regulation], they shall be considered to be compliant with the requirements in paragraph 1 and the first, second, third and fourth subparagraphs of this paragraph, provided that the microchip is still readable.

3. Within two working days after their identification, the dogs and cats shall be registered by a veterinarian in a national database referred to in Article 23. Member States may allow registration by persons other than veterinarians, provided that the Member States have measures in place to ensure the accuracy of information that those persons enter in the database. For dogs and cats kept in establishments, the registration shall be made in the name of the operator of the establishment responsible for the dog or the cat. For dogs and cats owned by any other natural and legal persons, the registration shall be made in the name of those persons.

Member States may grant exemptions from the first subparagraph of this paragraph in respect of military, police and customs dogs.

4. Where dogs or cats are placed on the market or are donated in an occasional manner at irregular intervals by natural persons without using online advertising, the natural or legal person transferring the ownership of, or responsibility for, the dog or cat shall ensure that the change of ownership of, or responsibility for, the dog or cat is recorded in the database referred to in Article 23, within two weeks from the date of that transfer, in accordance with the conditions laid down by the Member State responsible for that database.

5. In the case of the 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 23, in accordance with the conditions laid down by the Member State responsible for that database.
6. Where a transponder is or becomes unreadable, 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 that new transponder.
7. The identification and registration requirements of this Article shall apply as follows:
 - (a) for operators and natural or legal persons placing dogs and cats on the market: from ... [4 years from the date of entry into force of this Regulation];
 - (b) for pet owners and other natural or legal persons other than operators, who do not place dogs on the market: from ... [10 years from the date of entry into force of this Regulation];
 - (c) for pet owners and other natural or legal persons other than operators, who do not place cats on the market: from ... [15 years from the date of entry into force of this Regulation].

Article 21

Requirements on online advertising and placing on the market

1. When operators advertise a dog or a cat online with a view to placing it on the Union market, they shall ensure that the following warning is included 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 the animal’s health and welfare and not to abandon it.’.
2. When natural or legal persons other than operators advertise a dog or a cat online with a view to placing it on the Union market, they shall ensure that a warning on responsible ownership is included in the advertisement using either the wording set out in paragraph 1, or a different wording with the same meaning.
3. When placing a dog or a cat on the market in the Union, the natural or legal person placing the dog or cat on the market shall provide the acquirer with:
 - (a) proof of the identification and registration of the dog or cat in compliance with Article 20;

- (b) 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.

Where a natural or legal person advertises a dog or cat online with a view to placing it on the Union market, that person shall use the system referred to in paragraph 5 to generate a unique verification token. That person shall include that token in the advertisement, along with a weblink to the system referred to in paragraph 5.

The system referred to in paragraph 5 shall enable acquirers to verify the authenticity of the identification, registration and ownership of dogs or cats advertised online.

4. In line with Article 31 of Regulation (EU) 2022/2065, providers of online platforms shall ensure that their online interface is designed and organised in such a way that facilitates compliance by the operators or other natural or legal persons placing dogs or cats on the market with their obligations under paragraphs 1, 2 and 3 of this Article, and shall inform acquirers, in a visible manner, of the possibility to verify the authenticity of the identification, registration and ownership of the dog or cat on the online verification system referred to in paragraph 5 of this Article accessed via a weblink.

Only the natural or legal person placing dogs or cats on the market shall be 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 ensure that an online verification system for performing automated checks of the authenticity of the identification, registration and ownership of dogs or cats advertised online, using the database referred to in Article 23, is publicly available online, free of charge and generates the unique verification token referred to in paragraph 3, second subparagraph, of this Article. The Commission may entrust the development, maintenance and operation of this system to an independent entity. That independent entity shall be chosen for that task following a public selection process, pursuant to the relevant provisions of Title VII of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council²⁰. The system shall ensure the following:
 - (a) reliable verification of the authenticity of the identification, registration and ownership of the dog or cat using the national databases referred to in Article 23 of this Regulation;

²⁰ Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>).

- (b) compliance with data protection in accordance with Regulations (EU) 2018/1725²¹ and (EU) 2016/679²² of the European Parliament and of the Council.

6. The Commission shall adopt implementing acts laying down:

- (a) the 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 paragraph 3, point (a);
- (b) the information to be provided by natural and legal persons advertising dogs or cats to the verification system referred to in paragraph 5 for the purpose of demonstrating the authenticity of the identification, registration and ownership of the dog or cat advertised;
- (c) the following characteristics of the system referred to in paragraph 5:
 - (i) the key functions of the system;
 - (ii) the technical, electronic and cryptographic requirements for the system;

²¹ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

²² 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, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

- (iii) the procedural steps to be followed, and the information to be provided, by the natural or legal person placing the dog or cat on the market, and the steps and information required of the acquirer, in order for the online verification system to work.

The implementing acts referred to in point (a) shall be adopted by ... [two years after the date of entry into force of this Regulation] and the implementing act referred to in points (b) and (c) shall be adopted by ... [three 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 29.

Chapter IV

Competent authorities

Article 22

Training

1. For the purposes of Article 12, the competent authorities shall be responsible for:
 - (a) ensuring that training courses are available for animal carers;
 - (b) approving the content of the training courses referred to in point (a), in accordance with the minimum requirements laid down by the implementing acts referred to in Article 12(4);
 - (c) certifying animal carers who have successfully completed the training courses referred to in point (a).

The competent authorities may delegate the task referred to in point (c) of the first subparagraph to providers of training courses.

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 competent authorities or other providers of training courses.

Article 23

Databases of dogs and cats

1. Member States shall be responsible for establishing and maintaining databases for the registration of identified dogs and cats in accordance with Article 20(1) and (2), Article 26(3) and Article 26(4), second subparagraph.
2. For that purpose, the Member States may use databases maintained by another Member State, on the basis of appropriate arrangements between those Member States.
3. Member States shall ensure that their databases, as referred to in paragraph 1, comply with the requirements laid down by the implementing act referred to in paragraph 4, second subparagraph, point (b), to ensure their interoperability.
4. The Commission shall establish and maintain an index database containing the minimum set of fields laid down in the implementing acts referred to in the second subparagraph, point (b), of this paragraph. The Commission may entrust the development, maintenance and operation of that index database to an independent entity, following a public selection process pursuant to the relevant provisions of Title VII of Regulation (EU, Euratom) 2024/2509.

The Commission shall adopt implementing acts laying down detailed arrangements concerning:

- (a) the minimum content of the databases referred to in paragraph 1;
- (b) the interoperability between Member States' databases and the index database, including the minimum set of fields to be transmitted to the index database and the intervals of the transmission;
- (c) the functionality for providing proof of the identification and registration of a dog or a cat, as referred to in Article 21(3), point (a);
- (d) the registry where Member States will declare their databases, and the necessary parameters for connecting those databases with one another in accordance with the arrangements established pursuant to point (b);
- (e) the interconnection between the Member States' databases referred to in paragraph 1 of this Article, the Union pet traveller database referred to in Article 26 (4), and the Information Management System for Official Controls (IMSOC), where relevant.

The Commission shall adopt the implementing acts referred to in the second subparagraph, points (a) and (c), by ... [date two years after the date of entry into force of this Regulation]. It shall adopt the implementing acts referred to in the second subparagraph, points (b), (d) and (e), by ... [three years from 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 29.

Article 24

Collection of data on animal welfare and reporting

1. The competent authorities shall collect, analyse and publish the data on animal welfare set out in Annex III.
2. The competent authorities shall draw up and transmit to the Commission a report in electronic form on the data on animal welfare set out in Annex III, by 31 August at three-yearly intervals. The first such report shall be drawn up and transmitted to the Commission by ... [date 6 years from the date of entry into force of this Regulation]. Each report shall contain a summary of the data collected during the previous three years.
3. The Commission may adopt implementing acts, establishing a harmonised methodology for collecting the data on animal welfare set out in Annex III and establishing 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 29.

Article 25

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 Articles 9 and 10 of this Regulation, as well as under Article 23(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 21(5), Article 23(1) and (4), and Article 26(4), third subparagraph, of this Regulation when that data is used for the purposes of compliance with Article 108 of Regulation (EU) 2017/625 and the reporting obligations under this Regulation.

It shall be prohibited for any person with access to the personal data referred to in the first and second subparagraphs to divulge any personal data the knowledge of which was acquired in the exercise of his or her duties or otherwise incidentally to such exercise. Member States and the Commission shall take all appropriate measures to enforce that prohibition.

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

- (a) official controls by Member States' competent authorities of compliance with the welfare and traceability requirements of this Regulation and of compliance with Regulation (EU) 2016/429, including the detection of fraudulent practices; and
- (b) compliance by the Commission with 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 Articles 9 and 10, 10 years after the date of cessation of the activity of the establishment;
- (b) in the case of Article 21(5), 18 months after the generation of the token referred to in Article 21(3), second subparagraph;
- (c) in the case of Article 23(1) and (4), 25 years after the first registration of the dog or cat in the database referred to in that Article or five years after the recording of the death of the dog or cat in that database;
- (d) in the case of Article 26(4), third subparagraph, five years after the date of pre-notification.

Chapter V

Entry of dogs and cats into the Union

Article 26

Entry of dogs and cats into the Union

1. Dogs and cats may be brought into the Union for the purpose of being placed on the Union market only if the following conditions are met:
 - (a) they have been bred and kept in compliance with any of the following requirements:
 - (i) the requirements contained in Chapter II of this Regulation;
 - (ii) requirements recognised by the Union, in accordance with Article 129 of Regulation (EU) 2017/625, as being 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) they come from a third country or territory and from an establishment listed in accordance with Articles 126 and 127 of Regulation (EU) 2017/625.

2. The official certificate referred to in Article 126(2), point (c), of Regulation (EU) 2017/625 accompanying dogs and cats brought into the Union from third countries and territories for the purpose of being placed on the Union market, shall contain an attestation certifying compliance with paragraph 1 of this Article.
3. Dogs and cats brought into the Union for the purpose of being placed on the Union market shall be identified before their entry into the Union by a veterinarian by means of an injectable transponder containing a readable microchip that complies with the requirements set out in Annex II.

The operator responsible for the import of the dogs or cats into the Union shall ensure that they are registered in a national database referred to in Article 23(1), by a veterinarian, within five working days after they were brought into the Union. Member States may allow registration by persons other than veterinarians, provided that they have measures in place to ensure the accuracy of information that those persons enter in the database.

4. The non-commercial movement of a dog or cat from a third country or territory to the Union shall be pre-notified by its owner to the Union pet traveller database at least five working days before the dog or cat crosses the Union border, except in the following cases:
- (a) where the dog or cat is brought into the Union directly from third countries or from territories fulfilling the conditions set out in Article 17(1), point (a), of Commission Delegated Regulation (EU) .../...²³; and
 - (b) where the dog or cat is registered in a Member State database referred to in Article 23(1) of this Regulation.

Where the dog or cat stays more than six months in the Union, the owner shall ensure that it is registered in the database of the Member State of residence referred to in Article 23(1), by a veterinarian, within five working days after the expiry of the sixth month since it entered the Union. Member States may allow registration by persons other than veterinarians, provided that they have measures in place to ensure the accuracy of information that those persons enter in the database.

²³ Commission Delegated Regulation (EU) .../... of ... supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council, as regards animal health requirements for non-commercial movement of pet animals (OJ...; ELI: ...)[OJ please insert the publication references of document C(2026)20].

The Commission shall establish and maintain the Union pet traveller database referred to in the first subparagraph of this paragraph. The Commission may entrust the development, maintenance and operation of that database to an independent entity, following a public selection process pursuant to the relevant provisions of Title VII of Regulation (EU, Euratom) 2024/2509. Access to that 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 present a risk of fraud. The Member State receiving the notification shall take appropriate measures to follow it up 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] adopt implementing acts laying down detailed arrangements for the following:

- (i) the information to be pre-notified by owners in accordance with paragraph (4) of this Article in the Union pet traveller database, taking into account the personal data protection requirements of Regulations (EU) 2018/1725 and (EU) 2016/679;
- (ii) the procedure by which the risk of fraud is to be established, which is to take 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 29.

Chapter VI

Procedural provisions

Article 27

Amendment to the Annexes

The Commission is empowered to adopt delegated acts in accordance with Article 28 to amend the Annexes to this Regulation to take account of scientific and technical progress, including, where relevant, the scientific opinions of EFSA, as regards:

- (a) a suitable number of animal carers in breeding establishments and selling establishments;
- (b) watering and feeding requirements and weaning process;
- (c) temperature ranges;
- (d) lighting requirements;
- (e) ammonia and carbon monoxide levels;
- (f) kennel and cattery designs;
- (g) group housing;
- (h) space allowances for various categories of dogs and cats;

- (i) the frequency of pregnancies;
- (j) the minimum and maximum age of bitches and queens for breeding;
- (k) socialisation, the provision of enrichments and other measures for meeting the behavioural needs of dogs and cats;
- (l) the requirements for the transponders used to identify dogs and cats individually;
- (m) the 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 such evidence 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 shall provide for sufficient transition periods to allow the operators concerned to adapt to the new requirements.

Article 28

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 7(8), Article 8(3), Article 13(2) and Article 27 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 7(8), Article 8(3), Article 13(2) and Article 27 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 7(8), Article 8(3), Article 13(2) or Article 27 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 29
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 VII

Stricter national rules and final provisions

Article 30

Stricter national rules

1. This Regulation shall not prevent Member States from maintaining or adopting stricter national rules aimed at providing more extensive protection of the welfare of dogs and cats kept in establishments, and a greater 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.

2. Member States shall, by ... [two years from the date of entry into force of this Regulation], inform the Commission about any existing stricter national rules that they intend to maintain in accordance with paragraph 1 of this Article. Thereafter, Member States shall inform the Commission about stricter national rules before their adoption, unless the Member States have already notified the draft national rules as a draft technical regulation under Article 5 of Directive (EU) 2015/1535 of the European Parliament and of the Council²⁴. The Commission shall bring them to the attention of the other Member States.

²⁴ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1; ELI: <http://data.europa.eu/eli/dir/2015/1535/oj>).

3. A Member State that has stricter national rules referred to in paragraph 1 shall not prohibit or impede the placing on the market within 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.

Article 31

Reporting and evaluation

1. On the basis of the reports received in accordance with Article 24 and any additional relevant information, the Commission shall publish, by ... [7 years from the date of entry into force of this Regulation] and thereafter at three-yearly intervals, a monitoring report on the welfare of dogs and cats placed on the market in the Union.
2. By ... [14 years from the date of entry into force of this Regulation], the Commission shall carry out an evaluation of this Regulation 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 that evaluation and report the Commission shall assess, in particular:
 - (a) the extent to which this Regulation has contributed to ensuring a high level of welfare for dogs and cats, improving their traceability, and reducing the illegal trade in them;

- (b) the impact that this Regulation has had on operators of breeding establishments and selling establishments and shelters, and of operators who place dogs and cats in foster homes, taking into account inter alia the administrative burden and compliance costs.
3. For the purposes of the reporting referred to in paragraph 2, Member States shall provide the Commission with the information necessary for the preparation of its report.

Article 32

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 amendments affecting them.

Article 33

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 ... [two years from the date of entry into force of this Regulation]. However,

- (a) Article 16 shall apply from ... [three years from the date of entry into force of this Regulation];
- (b) Article 21(3) and Article 23(1) shall apply from ... [four years from entry into force of this Regulation];
- (c) Article 8(1) shall apply from 1 July 2036 and Article 8(2) shall apply from 1 July 2030;
- (d) Article 15, Article 21(3), second subparagraph, Article 21(4) and (5), Article 22(1), points (a),(b) and (c), Article 23(3) and (4), and Article 26(1), (2) and (3) shall apply from ... [five years from the date of entry into force of this Regulation];
- (e) Article 12(2) and (3) shall apply from ... [seven years from the date of entry into force of this Regulation];
- (f) Article 10 shall apply from ... [eight years from the date of entry into force of this Regulation]; and

(g) Article 26(4) shall apply from ... [10 years from the entry into force of the Regulation].

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

Done at ...,

For the European Parliament

The President

For the Council

The President

ANNEX I

Requirements applicable to establishments pursuant to Articles 14 to 17

1. Feeding and watering

- 1.1. Dogs and cats shall be fed at least twice per day. Puppies and kittens shall be fed more frequently.

However, those 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.

- 1.2. Each puppy or kitten shall be fed with colostrum during at least the first two days of its life. Thereafter, it shall be fed with milk from its mother or a lactating bitch or queen. If that is not possible, because the mother is ill or is otherwise unable to feed her offspring or unable to provide sufficient milk, the puppy or kitten shall be fed with a milk replacer that has been designed for puppies and kittens. The frequency of such feeding shall comply with the manufacturer's instructions or those of a veterinarian.
- 1.3. All unweaned puppies and kittens shall be fed enough milk, milk replacer or a combination of both to allow them to gain bodyweight steadily.

1.4. Weaning shall be performed by the gradual introduction of solid feed over a period that is not shorter than seven days and shall not be completed before the age of six weeks for puppies and kittens alike.

2. Housing

2.1. Temperature:

In breeding establishments, the temperature shall be maintained within a range of:

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

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

2.2. Lighting

2.2.1. Dogs and cats shall be exposed to light for at least seven hours per day.

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

2.2.3. Dogs and cats shall have the possibility to be without artificial lighting for at least eight hours per day.

2.3. Space allowances

2.3.1. Whelping and kitting areas shall be designed to allow the mother to move away from her offspring.

2.3.2. In the case of breeding establishments and selling establishments, the following minimum space allowances for dogs and cats shall apply, 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 the case of purebred dogs, wither heights can be calculated on the basis of the standard wither height of the breed. When dogs of differing 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. Female cats shall be bred from only if their age is at least 10 months.
 - 3.2. Female dogs shall not be used for breeding from before their second oestrus.
 - 3.3. A bitch or queen shall not produce more than three litters within a period of two years.
 - 3.4. For bitches and queens that have produced 3 litters, including stillborns, within a period of two years, there shall be a recuperation period of at least one year.
 - 3.5. Any bitch or queen that has undergone two caesarean sections shall no longer be used for breeding.
 - 3.6. Before any bitch aged eight years or more, or any queen aged six years or more, is used for breeding, it must be physically examined by a veterinarian who confirms in writing that, at the time of the examination, there are no medical indications that argue against the use of that bitch or queen for breeding.
 - 3.7. The operator shall keep the written confirmation referred to in point 3.6 for a period of at least three years.
4. Behavioural needs
 - 4.1. Socialisation
 - 4.1.1. From three weeks of age, dogs and cats shall be gradually provided with daily opportunities for social contact with other animals of the same species and humans, and, where possible, with animals of other species.

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

4.2. Enrichment

4.2.1. Cats shall be provided with a sufficient number of scratching posts, hiding places and shelves to ensure that each cat can climb, rest, observe and withdraw.

4.3. Separation

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

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

4.3.3. However, earlier separation from mothers shall be possible for medical reasons based on the written advice of a veterinarian. The operator shall keep a record of such 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

Transponders used to individually identify dogs and cats as required in Article 20 and Article 26 shall meet the following requirements:

- (a) the microchip shall contain an individual, non-repeatable and non-reprogrammable identification number;
 - (b) the identification number shall start with the country of identification of the dog or cat identified in accordance with ISO standard 3166;
 - (c) the code structure and technical concept of the radio frequency identification shall be in compliance with ISO standards 11784 and 11785;
 - (d) compliance with ISO standards 11784 and 11785 shall be evaluated in accordance with ISO standard 24631-1.
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ANNEX III

Data on animal welfare

1. The number of dogs and cats registered per year, as referred to in Article 20 and Article 26(3).
 2. The number of breeding establishments, selling establishments, shelters and foster homes registered per year in accordance with Article 9.
 3. The number of breeding establishments approved per year, as referred to in Article 10.
 4. The number of breeding establishments the approval of which has been suspended or withdrawn per year.
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