

## QUESTIONS AND ANSWERS

### Questions and answers surrounding illegal trade of cats and dogs.

#### **What is an EU coordinated action?**

The European Commission – at the request of one or more EU countries or on its own initiative – can coordinate activities at EU level. This action can be triggered when it appears that operators in several Member States are involved in a possible fraudulent scheme and when the suspicion presents either a health risk or a significant socio-economic risk. Decision criteria for such coordination at EU level take into account the seriousness of those risks, the reliability of the information available and its similarity to previous occurrences. When the suspicion is related to imported products, the Commission liaises with the concerned non-EU countries and requests targeted information and investigations.

#### **How are movements of cats and dogs currently regulated in the EU?**

Movements of cats and dogs currently fall under the scope of Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases, which prime aim is to lay down rules for the prevention and control of animal diseases that are transmissible to animals or to humans, and in particular to ensure an appropriate level of health protection when animals are moved within or into the EU. To prevent any risk of transmission of dangerous diseases such as rabies, this legislation covers all sorts of movements of dogs and cats having as aim the sale or the transfer of ownership of the animal, but also those of pets travelling with their owner for private purposes (the so-called "non-commercial movement"). This legislation requires animals to be identified when they are moved, to comply with certain animal health conditions and to be accompanied, depending on the nature of the movement, by a passport or an animal health certificate.

See for more information here: [https://food.ec.europa.eu/animals/animal-health/animal-health-law/factsheets-dogs-cats-and-ferrets\\_en](https://food.ec.europa.eu/animals/animal-health/animal-health-law/factsheets-dogs-cats-and-ferrets_en)

#### **Why was the trade of cats and dogs selected for an EU coordinated action?**

The annual demand across the EU for dogs exceeds eight million animals per year. Member States and several stakeholders indicate that an important part of these animals comes from illegal trade and unregistered transportation. In recent years, companion animals have been increasingly advertised through popular online platforms and social media. Many of these adverts offer animals from illegal sources under unacceptable breeding conditions rather than from honest breeders. The high demand for pets observed during the COVID-19 pandemic and the related lockdowns has further increased the risk of illicit supply practices.

#### **What are the most common fraudulent practices concerning trade of cats and dogs?**

Cats and dogs may only be traded across borders by registered breeders or approved shelters, if they are duly identified and comply with specific animal health requirements (e.g. against rabies) and age conditions. In addition, they must be accompanied by specific documentation (e.g. individual passports, animal health certificates) and submitted to specific controls at border control posts when sourced from outside the EU. On the other hand, due to their private nature, the so-called non-commercial movement of pet dogs and cats benefits from a more flexible control regime if limited to five animals and performed under the owner's responsibility.

Movement of cats and dogs intended for commercial purposes may be camouflaged as non-commercial, if under the number of five, by unregistered individuals or fraudulent breeders. Shelters or animal welfare associations can also take advantage of their status to breed and

trade animals under the cover of rescuing stray animals. When presented, official documentation related to health requirements may be subjected to forgery allowing potentially sick animals to travel into and across the EU. Those practices allow to earn untaxed income, circumventing health or minimum age requirements, and avoid providing traceability information as a registered establishment.

### **What are the fraud drivers for dog and cat trade?**

Demand for companion animals in the EU is constantly increasing. This creates an opportunity for financial gain. Consumers are often lacking knowledge, as it is not readily available, on necessary and correct practices when it comes to the sale of cats and dogs. It is not difficult for illegal operators to obtain a large number of dogs and cats for little money. The animals can then be re-sold at high prices, especially when they are allegedly purebred. Currently, existing penalties are not strong enough to deter those engaged in fraudulent activities. Moreover, enforcement of existing regulations is not sufficient due to limited resources and expertise in this sector.

### **What are the direct and indirect consequences of illegal trade of cats and dogs?**

Illegal movement of cats and dogs impacts not only the health and welfare of animals but also public health through the potential spread of zoonotic diseases (e.g. rabies, *Echinococcus multilocularis*). Illegal trade causes as well economic damage to legal breeders through unfair competition, tax evasion and undisclosed revenues. Additionally, companion animals can show behavioural and health issues, which impacts negatively the new owners.

### **What were the objectives of the EU coordinated action on dog and cat trade?**

The action aimed at detecting irregularities and falsification of official documents accompanying dogs and cats (passports, rabies test reports and health certificates) and targeting illegal trade through reinforced checks at EU borders and within the EU (taking also into account occurrence of frauds through online trade), as unlawful operators often disguise commercial movements as non-commercial movements to elude stricter control rules. In doing so, such action also contributed to protecting the animal and public health (mainly as regards the rabies risk). The overarching goal was to facilitate and increase cross-border cooperation, promoting a smooth exchange of information among all relevant authorities across Europe to reinforce the control efficiency.

### **Who were the actors and their roles in the EU coordinated action on dog and cat trade?**

Member States were in charge of notifying suspicions of fraudulent activities in the online application [iRASFF](#), intensifying controls at borders, investigating operators and conducting on-site inspections at their premises when necessary.

The European Commission was tasked with liaising between competent services (e.g. police, customs) from different Member States, analysing and providing data from EU databases like iRASFF or [TRACES](#), and production of guidelines and procedures. The Commission also provided technical support on animal health and welfare issues (through its Directorate General for Health and Food Safety (SANTE)), and customs expertise (TAXUD) to EU and Member States of the European Free Trade Association (EFTA). SANTE coordinated exchanges with non-EU countries and collaboration with some relevant and interested EU NGOs, which proved beneficial in the monitoring of online advertisements and in the development of trainings to national authorities.

SANTE also interacted with EUROPOL through the European Multidisciplinary Platform Against Criminal Threats (EMPACT EnviCrime) sub-action on illegal pet trade. EUROPOL's role was to relay iRASFF information in the [Secure Information Exchange Network Application \(SIENA\)](#) so that relevant law enforcement agencies could take action.

Furthermore, the agency cross-checked data in its database and gave support in the coordination of specific cases between police and administrative authorities.

Animal welfare associations provided information shared by whistle-blowers for competent authorities to investigate. Additionally, they led trainings on dog and cat trade investigative techniques and the e-commerce aspect of the traffic.

### **What do the results of the action show?**

Dogs and cats are moved supposedly with their owner(s) but concealing commercial intentions. This practice is used to elude stricter health requirements and avoid to provide traceability information and registration in TRACES. Additionally, it allows for the circumvention of customs rules on prohibitions and restrictions, and it enables individuals to earn untaxed income by not declaring goods for commercial purposes. These disguised movements occur both within the EU and from non-EU countries, which is particularly concerning for countries where the export of dogs and cats to EU for commercial purposes may not be authorised. Regarding the origin of the animals, the primary suppliers within the EU were Romania and Hungary. However, irregularities were also observed at the borders for animals arriving from outside the EU, particularly from Ukraine, Serbia, Türkiye, Russia and Belarus. Nearly half of the reported fraud on illegal trade of dogs and cats involved animals that originated from non-EU countries.

### **What are the routes used by fraudsters?**

Among the many routes where irregularities were detected during the action, four of them were subject to more in-depth analysis:

- 1) Animals transported commercially from **Russia and Belarus** by EU transporters to different destinations than the ones declared at the time of control. When crossing the border, the documents appear to be in order. However, there is often no opportunity to verify the exact destination. Animals are frequently regrouped in the first country of entry and then continue their journey with new documents, as EU pets, with no trace of their real origin. Some animals do not show immunity against rabies. The nine suspicious exporters involved account for almost 27 000 animals imported in the EU over the last four years, that represents more than 13% of the worldwide export of cats and dogs to the EU from Third Countries.
- 2) Organised network selling **Serbian** dogs in the EU with falsified Greek or Bulgarian pet passports. The implication of recurring veterinarians and operators (transporters, breeders and first owners) was shown. Additionally, the same rabies vaccine lot numbers were displayed on the vaccine stickers in passports issued by different veterinarians, sometimes with various expiration dates.
- 3) **Romanian** shelters suspected to take advantage of their status to breed dogs illegally or to import them from non-EU countries and advertise them online for sale. Animals display many non-compliances, including the lack of required documentation as well as incorrect data entered in health certificates or passports. A “symbolic fee”, described as the alleged cost of transport or care, is usually required to obtain the pet. Since these movements are not declared as commercial, this fee, along with the financial profit generated from the exchange, enables these fraudulent organisations to engage in tax evasion.
- 4) Movements of pet animals **from Türkiye** suspected to be destined for sale but moved as non-commercial with forged documents. Falsified rabies antibody titration test reports from Turkish and European laboratories and health certificates are regularly used, which puts in doubt the proper vaccination of the animals. These forged documents present similarities regarding the template, usurped name of veterinarians,

name of veterinary clinics, stamps and vaccine lot numbers, suggesting that they are used by the same organized network.

### **Are the results from the EU coordinated action representative of the EU market for the trade of cats and dogs?**

No.

The trade of dogs and cats, both legal and illegal, is much larger than what the results of the action show. Additionally, since participation was voluntary, the extent of this issue in some countries may not be adequately represented by the action's outcomes.

### **What are the main conclusions of the action?**

The action confirmed that a significant part of traders' abuses the EU legislation on non-commercial movement of pet animals to disguise their real commercial activities, avail from less stringent control rules and evade taxation, as the current legislation allows pet owners (in the case of fraud, the keepers) to travel with up to five pets in a more flexible control- and tax framework. Some shelters or animal welfare associations are also suspected to take advantage of their status to illegally breed or trade dogs from non-EU countries through online advertisements and sales for a "symbolic fee" of few hundreds of euros to cover alleged costs of transport or care.

### **What steps should be taken to address the problems identified during the action?**

Overcoming the identified challenges will require a multifaceted approach at EU and national level. In particular, the action has highlighted the pressing need for stronger penalties and effective enforcement of law. Authorities in Member States are often not equipped to deal with the illegal trade of dogs and cats, therefore further training and enhancement of targeted controls is needed. Collaboration between law enforcement agencies and judicial authorities is fundamental, as the latter do not always have the legal competences to impose appropriate sanctions. The same applies to cooperation with stakeholder organisations and regular informative public awareness campaigns to empower consumers to make informed choices and decrease the demand from dubious sources.

Furthermore, the Commission is currently considering possible ways to strengthen existing legal frameworks. It is also working on the development of artificial intelligence (AI) in iRASFF, able to easily identify links between operators. AI would help Member States adopting a risk-based approach and allocating their limited resources more efficiently. The development of a new iRASFF system will allow the creation of a dedicated sub-network of experts of the Agri-food fraud network in the future.

Lastly, the Commission plans to establish cooperation with the pharmaceutical industry to detect and deter vaccine counterfeiting.

### **What are the possible ways to strengthen existing legal framework?**

The Commission might strengthen the legal framework on welfare of dogs and cats kept for economic purposes, aiming to establish a common framework to

1. Ensure common animal welfare standards for the breeding, keeping and placing on the market of dogs and cats bred and kept in establishments for economic purposes, or in shelters for donation,
2. Reinforce traceability requirements for dogs and cats placed on the Union market or supplied,
3. Foster a better level playing field between operators keeping and placing on the market dogs and cats for economic purposes across the Union,

4. Promote competence for animals' handlers,
5. Promote responsible ownership for buyers,
6. Fix animal welfare related rules for the imports of dogs and cats.

### **How does the Commission engage with competent authorities in third countries?**

Third countries are informed about non-compliances related to commercial or non-commercial movement of dogs and cats whenever enough information is provided by Member States. Competent authorities are asked to investigate and provide results. If that is not achieved, the Commission engages in bilateral dialogue with the country in question to understand what kind of constraints they are facing and provide aid if necessary. For instance, collaboration with Serbian law enforcement authorities was initiated on the matter of illegal trade of dogs from their country to Member States using fake EU pet passports. With the help of Europol, a broader investigation involving the SIENA network is currently ongoing.

### **What are the requirements to sell cats and dogs coming from EU- and from non-EU-countries?**

All dogs and cats offered for sale in the European Union must comply with specific animal health requirements. They must originate from a registered or approved establishment and undergo clinical examination. They are required to be microchipped and vaccinated against rabies if they are travelling to another member country or from outside the EU. If destined to certain Member States, an additional treatment against *Echinococcus multilocularis* is necessary. If the purchase is made in another country, the commercial transport must be registered in the [Trade Control and Expert System \(TRACES\)](#) and a health certificate must accompany the animal(s). Should the animals be of EU origin, they need to be accompanied by their individual EU Pet Passport. Cats and dogs intended to be imported into the EU for commercial purposes must originate from an authorised country, and for some of those countries, must undergo, before any movement, a rabies antibody titration test (with result of at least 0.5 IU/ml), the report of which must be presented to the custom authorities when crossing the EU border.

For more detailed information, please do not hesitate to consult:

- for movement within the Union at: [https://food.ec.europa.eu/animals/movement-pets/eu-legislation/movements-within-union\\_en](https://food.ec.europa.eu/animals/movement-pets/eu-legislation/movements-within-union_en)
- for entry into the EU at: [https://food.ec.europa.eu/animals/movement-pets/eu-legislation/entry-union\\_en](https://food.ec.europa.eu/animals/movement-pets/eu-legislation/entry-union_en)

### **What are the sanctions that illegal operators face?**

Sanctions are not harmonised at EU level. Measures can vary widely across Member countries, from formal letter to closure of the establishment, suspension of licenses and permits or penalties ranging from €100 to several thousand euros. According to the Article 139 of Regulation (EU) 2017/625, the penalties provided for violations perpetrated through fraudulent or deceptive practices, should be “effective, proportionate and dissuasive and reflect, in accordance with national law, at least either the economic advantage for the operator or, as appropriate, a percentage of the operator’s turnover”. As generally the amount of how much money illegal sales of companion animals can bring to the operators is underestimated, often the penalties for unlawful practices are not proportionate to the turnover made.

### **What can I do to avoid buying or adopting animals from illegal traders?**

Potential owners must beware of allegedly purebred cats or dogs offered for prices below their market value.

When choosing which breeder to buy from or which shelter to adopt from, you should research the operator online. News article or reviews by previous customers can help detect if the person or organisation has been involved in suspicious practices. Additionally, legal breeders have to be registered and be assigned a unique registration number.

Animals offered for sale or put up for adoption must always be given to the new owner with a valid EU pet passport. You must always pay attention to the country issuing the EU pet passport – for example, it is suspicious if an animal allegedly bred in a Member State is sold with the EU pet passport of a different Member State.

Age is also a key element to check - puppies and kittens should not be separated early from their mothers, as it would impact negatively both their health and behaviour. If the animal is delivered from another Member State, it should be at least 16 weeks old. This is because animals travelling within the EU must be vaccinated against rabies, a vaccine that can be administered when the puppy or kitten is at least 12 weeks old. After vaccination, it is required to wait 21 days before the animal can travel. If you receive the animal from another country, you should be on alert if the delivery takes place at uncustomary locations – e.g. highways, parking lots, gas stations.