

# Recommendations on possible elements for EU legislation on MARKETING & SALES OF DOGS and CATS

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<b>RECOMMENDED ELEMENTS TO BE INCLUDED IN (NATIONAL) GUIDE/CODE OF GOOD PRACTICE ON INFORMATION TO BE INCLUDED IN THE ADVERTISEMENT ABOUT THE ANIMAL</b>	<b>11</b>

## Scope

The scope of these recommendations affect any form of publicity or intention to sell/supply cats and dogs resulting in a change of ownership.<sup>1</sup>

## Aim

The aim of these recommendations is to put requirements for cats and dogs advertised and/or sold and/or supplied, including on online marketplaces for pets or other more generic online marketplaces.

Advertisement, sales and supply of dogs and cats on any form of social media should not be allowed<sup>2&3</sup>

## Advertisement definition

“Advertisement” includes every form of advertisement, whether to the public or not and whether in a newspaper or other publication, on television or radio or by display of a notice or by electronic, online and social media means or by any other means.

“Advertisement” means information designed to promote the message of a legal or natural person, irrespective of whether to achieve commercial or non-commercial purposes, and displayed by other than online and/or online platforms specifically for promoting that information.

## Minimum age of animals for supply (Recommendation 1)

An unweaned dog/cat or younger than 8 weeks of age shall not be supplied (even though the sale/advertisement may have taken place before that age)<sup>4</sup>

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<sup>1</sup> In Spain the “Law for the Protection of the Rights and Welfare of Animals” has been approved (*BOE-A-2023-7963 Ley 7/2023, de 28 marzo de protección de los derechos y el bienestar de los animales*). ONLY registered breeders, no intermediary suppliers/sellers will be able to sell cats/dogs. Only identified animals can be sold. These animals shall be identified under the breeder’s name, local shelter’s name or local administration’s name.

<sup>2</sup>The advertisement of live animals is already not allowed on many social platforms. [Instagram](#): “...also prohibits the sale of live animals between private individuals, although brick-and-mortar shops may offer these sales.”; [Facebook](#): “We allow ads that promote the sale of non-endangered animals by brick-and-mortar entities, or when the purpose of the ad is to donate or rehome animals (for example, peer-to-peer adoptions or rewards for lost pets). We don’t allow the sale of animals and animal products across our commerce channels”; [TikTok](#) “In general, TikTok prohibits the advertising of the following industry and trade: Animals, animal parts, or products. Promotion, sale, solicitation of, or facilitation of access to animals including live animals, livestock, pets, carcasses, animal parts, or products. Animal, animal body parts or products derived: Any live animals, Animals listed as endangered, vulnerable, or threatened..”

<sup>3</sup> We understand that national organisations benefit from social media with their adoptions hence some members of the group suggest the set up of one national Platform where cats & dogs can be advertised for adoption, such is currently the case in [Flanders](#) (Belgium) and Greece.

<sup>4</sup> All animals must be microchipped and registered to the breeder before leaving the breeder’s premises. (If imported from abroad, the animal must comply with all relevant requirements for entry into each country. During long transportation or cross-border transportation, the animal should be older (>15 weeks old), microchipped and provide a pet passport with among others the rabies vaccine.

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
<b>High (+++)</b> Animals will not be separated from their mother and littermates too early.	<b>Medium (++)</b> The owners' wellbeing and safety of the environment will be increased, as behavioural problems due to early weaning are prevented.	<b>Medium (--)</b> It is difficult to prove that a puppy/kitten is too young to be sold, due to breed differences in speed of development.

### Minimum age of seller/supplier/buyer *(Recommendation 2)*

*'No minors without the explicit permission of their parents or guardians are allowed to buy, sell, obtain or breed companion animals.'* The seller/supplier has to verify that the buyer is not a minor.

Impact:

On problem/animals	On stakeholders/society	On Competent Authority
<b>Low (+)</b> Animals will be taken care of by adults or under adult supervision.	<b>Low (+)</b> It sends the message that animals are not a children's toy.	<b>Low (-)</b> Difficult to control.

### Registration of sellers/suppliers of pet animals and their premises *(Recommendation 3)*

In order to ensure the traceability and control of dogs and cats and their welfare, all sellers and other commercial providers (including breeders<sup>5</sup>) who sell/supply 10 or more puppies/kittens in a calendar year - with their premises - must register and be included in a central national register

A person registered on the Register of Breeders, Sellers and Suppliers of Cats & Dogs shall not breed, sell or supply a cat/dog from a premise unless such premise is entered in the Register of Premises.

Impact:

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<sup>5</sup> Some participants would like to delete "breed" in this sentence, considering the need for registry-approval to be enough for commercial breeders (those breeding from at least 3 bitches or queens per year and/or intend to breed 3 or more litters) as per the Breeding Recommendations. Others would agree in including all sellers/suppliers selling/supplying at least 10+ animals per calendar year (including breeders).

On problem/animals	On stakeholders/society	On Competent Authority
<b>Medium (++)</b> Will ensure that all commercial sellers/suppliers in the EU will be registered and provide that all commercially supplied dogs & cats will in principle get the similar type of protection	<b>Low (+)</b> Reduces risk of fraud in trade	<b>Medium (--)</b> Will have to maintain the register, which may be difficult to control <b>Medium (++)</b> benefits from increased traceability.

#### Minimum standards to abide by the advertisers (*Recommendation 4*)

##### Minimum information to be included about the animal (*Recommendation 4.1.*)

- A recent dated photograph of the advertised animal (if unborn, photographs of both parents or a photograph of the mother at least)
- If available, a recent photograph of the mother or both parents, with the puppy-kitten
- Parents' pedigree number and puppy's/kitten's pedigree number too, if existing.
- The date of birth or estimated date of birth for rescued animals and country of origin (where the animal was born), sex, breed etc.
- Location where the animal is kept
- The animal microchip identification code and database wherein the animal is registered.

#### Impact:

On problem/animals	On stakeholders/society	On Competent Authority
<b>Low (+)</b> Fewer risks coming from ill-informed and ill-prepared new owners of dogs and cats.	<b>Low (+)</b> Reduces risk of fraud in trade about the identity of the animal.	<b>Medium (--)</b> Very difficult to control.

##### Minimum information to be included about the seller/supplier/breeder who advertises (*Recommendation 4.2.*)

- Registration number of the seller/supplier/breeder who advertises, if applicable (if registered)
- Contact details of the seller/supplier/breeder who advertises: phone number, real name and surname (no pseudonyms), email etc.
- Status of the seller: hobby or commercial breeder, trader, shelter, charity, rescue group etc.
- Breeder registration number, if applicable.

- Have the owner and dog/cat microchip verified before the ad is posted/ displayed (e.g. through a ‘double verification system’)<sup>6</sup>

**Impact:**

On problem/animals	On stakeholders/society	On Competent Authority
	<p><b>Medium (++)</b> Increased possibilities to locate the seller/supplier regarding violations of consumer rights.</p> <p><b>Low (+)</b> Buyers have more possibilities to screen sellers based on the provided information.</p>	<p><b>High (+++)</b> increased traceability of seller/supplier.</p>

**Minimum requirements to abide by online Platforms (Recommendation 4.3.)**

- The Advertising Platform should provide all sellers with a copy of their responsibilities and/or national government Codes of Practice relating to the listing and sales of animals
- The advertising Platform should clearly list in their policy the rules regarding the advertisement and sale of pet animals
- Ensure a highly visible “report animal welfare concern” button is on the same page as the ads to allow users to contact website administrators
- The minimum age of puppies/kittens to be supplied<sup>7</sup> is 8 weeks and the puppy/kitten should have been microchipped & registered (to the breeder and subsequently registered to any person that the puppy/kitten belongs to at the time of advertising)<sup>8</sup>. If imported from abroad, they should be older (more than 15 weeks old), and must provide a mandatory rabies vaccine.
- Information verification
  - Verify the advertiser’s identity (e.g. ID card)
  - Have the owner and dog/cat microchip verified before the ad is posted/ displayed (e.g. through a ‘double verification system’)<sup>9 1011</sup>
  - Verify the advertiser’s status (hobby, commercial, how many ads per advertiser<sup>12</sup>)

<sup>6</sup> Part of the group is of the opinion that the *buyer* should be enabled to verify both the microchip and the owner

<sup>7</sup> It will be possible though to advertise the puppy-kitten before the age of 8 weeks

<sup>8</sup> Recommendations on the Identification and Registration of dogs

<sup>9</sup> Part of the group is of the opinion that the *buyer* should be enabled to verify both the microchip and the owner

<sup>10</sup> A prerequisite for the double verification - EU wide - would be that microchipping and registration are obligatory by EU legislation and harmonised especially regarding the use of personal data

<sup>11</sup> Some participants indicated difficult situations to comply with a double verification system for example when advertising puppies/kittens too young to be already microchipped or when advertising puppies/kittens to be imported from abroad and not yet in possession of the advertiser

<sup>12</sup> A participant indicated that platforms should have a self-monitoring system to check the number of advertisements per advertiser/seller

- Ensure close cooperation with the Competent Authority
- Keeping records of all reported ads.
- Actively monitor, ban, remove and report to the Competent Authority ads offering animals that are banned by law, animals not fit for transport or animals for **whom there is a reasonable concern for their health/welfare**
- Suspend the advertisers that do not supply all the information requested
- Review, remove and report within 12 hours any suspicion of illegal activity
- Actively monitor ads for “blacklisted” words and images and remove inappropriate/misleading ads. (e.g. “for dog fighting”)
- Monitor and permanently ban sellers/suppliers that don’t comply with the minimum standards
- Establish a system to monitor and ban multiple accounts per user

**Impact:**

On problem/animals	On stakeholders/society	On Competent Authority
<p><b>Low (+)</b> Helps to ban/avoid marketing of banned, unfit or unhealthy animals.</p>	<p><b>Low (+)</b> Better guarantee of information provision to prospective owners.</p> <p><b>Low (+)</b> Better guarantees to new owners of animals fulfilling of requirements regarding age, vaccination against Rabies.</p> <p><b>Medium (++)</b> Better guarantees on the identity of the animals and reduction of the risk of fraud in trade</p> <p><b>Low (+)</b> Helps to ban/avoid marketing of banned, unfit or unhealthy animals.</p>	<p><b>Low (+)</b> Close cooperation can aid in receiving signals of fraud and prioritising inspections.</p>

**Records to be kept by the seller/supplier for no less than 3 years (Recommendation 5)**

The breeder and seller/supplier must keep accurate and complete records for all parent animals and offspring. Each female animal used for breeding should be registered at the address of the breeder. The breeder and seller should ensure that puppies and kittens are identified and registered, under his/her name. Records should provide a complete account of each animal’s life history with the breeder/seller, including socialisation and health data<sup>13</sup>

- Name, address and copy of ID card<sup>14</sup> (or any other national official identification) of the person from whom the animal is obtained if the supplier/seller is different from the breeder

<sup>13</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 27) and the responsible [cat breeding guidelines](#) (Page 27) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare

<sup>14</sup> If allowed by GDPR legislation

- Number of animals supplied, identification number and copy of registration certificate
- Date the animal is obtained by the supplier/seller, if applicable
- Date of sale or supply of an animal
- Description of animals, including species, breed, sex, colour, distinctive markings, physical condition and health, age etc.
- Name, address and copy of ID card<sup>15</sup> (or any other national official identification) of the person to whom each animal is sold, date of sale/supply
- Details of disposal of each animal not sold/supplied, cause of death, method of, reason for euthanasia, circumstances of escape, date of the death or escape.
- For each animal receiving medical care, clinical signs, diagnosis, type of service rendered, date and veterinary practitioner's name.

**Impact:**

On problem/animals	On stakeholders/society	On Competent Authority
	<p><b>Low (+)</b> Increased traceability and reduced risk of fraud in trade about the identity of the animal.</p>	<p><b>Medium (++)</b> Increased traceability of animals.</p> <p><b>Medium (++)</b> Better possibilities for controls against fraud.</p>

**Recommendations on requirements for sellers/suppliers of pet animals<sup>16</sup>**  
(Recommendation 6)

**Recommendation on Good Feeding**

- Cats, dogs and their offspring must be correctly fed and always supplied with clean water to avoid hunger and thirst and to meet their need for a suitable diet and to prevent alimentary disorders<sup>17</sup>

**Recommendation on Good Housing**

- Cats, dogs and their offspring must be housed in a clean environment that provides freedom of movement, physical comfort, and access to a variety of resources without fear, risk of injury and illness, to meet their need for a suitable environment. To ensure freedom of movement, dogs older than 5 weeks of age should have daily access to a safe outside area for exercise. Dogs and cats should be provided with an area to exercise and should

<sup>15</sup> If allowed by GDPR legislation

<sup>16</sup> In order to avoid impulse purchases and promote responsible ownership, sellers/suppliers/intermediaries should provide prospective owners with backed up scientific information on the appropriate care of the species/breed sold, on any necessary hygiene procedures and avoidance of infectious diseases that can be transmitted from animal to human as well as with information on the species/breed lifespan and size the animal will attain when mature.

<sup>17</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 14) and the Responsible [cat breeding guidelines](#) (Page 13) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare.

not be kept in an indoor kennel or cage (except temporarily for medical reasons or temporarily in rescue shelters). Avoid housing cats long-term in cattery-style pens. To ensure proper socialisation and habituation, puppies and kittens should be kept in an environment that promotes socialising with different animals and people, encountering household items and experiencing household activities they will encounter in their future daily lives<sup>18</sup>

### **Recommendation on Good Health**

- Cats, dogs and their offspring must be cared for in such a way as to keep them in a state of good physical health. Only animals in good health should be bred. Parents and offspring must be treated correctly in all circumstances by their carers to meet their needs and to be protected from pain, suffering, injury, and disease. Each animal should have a veterinary preventive health plan, including a veterinary clinical examination at least yearly, vaccinations<sup>19</sup> and treatment for internal and external parasites<sup>20</sup>
- The vaccination<sup>21</sup> and anti-parasitic records should be kept as well as other health-related information (sterilisation status etc.)

### **Recommendation on Appropriate Behaviour**

- Cats, dogs and their offspring must be provided a complex, stimulating environment and opportunities for positive human-animal interactions that support normal behavioural development, and appropriate company of their own kind to meet their need to perform appropriate behaviour. Offspring should be reared with their littermates and mother until at least 8 weeks of age and must be well socialised and habituated to experiences they will encounter in a domestic home environment or other environments they will encounter in later life<sup>22</sup>

### **Duty of Care**

- A ratio of 1 carer for every 3 bitches with litters at the same time<sup>23,24</sup> should be provided as necessary to take proper care of the dogs without compromising their health and welfare. Breeders and sellers need to ensure that puppies and kittens are socialised towards other animals, people and the daily life in and around their prospective household. Breeders and sellers should dedicate enough care for the young animals (including time

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<sup>18</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 16) and the responsible [cat breeding guidelines](#) (Page 15) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare as well as the supplementary socialisation guidelines for [dogs](#) and [cats](#) endorsed at the EU Platform for animal welfare.

<sup>19</sup> As per the most updated [WSAVA Vaccination Guidelines](#).

<sup>20</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 18) and the Responsible [cat breeding guidelines](#) (Page 18) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare.

<sup>21</sup> As per the most updated [WSAVA Vaccination Guidelines](#)

<sup>22</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 22) and the responsible [cat breeding guidelines](#) (Page 22) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare as well as the supplementary socialisation guidelines for [dogs](#) and [cats](#) endorsed at the EU Platform for animal welfare.

<sup>23</sup> The recommendation of 1 carer per 3 bitches with litters is based on shelter guidelines that state that the amount needed for general care per animal is approximately 15 min for cleaning, feeding, etc. The estimated additional time needed for socialisation of the puppies is 15 to 30 min/animal. One country objects to the recommendation to have one carer for every 3 bitches with litters, feeling it would be better to put outcome-based requirements (e.g. well-socialised puppies, clean environment, etc).

<sup>24</sup> The group would be in favour to also put a requirement on the number of carers needed per cat with litters for proper care and socialisation, however evidence lacked to do so.



for socialisation and habituation) to ensure their welfare is protected and develop into well-adjusted dogs and cats<sup>25</sup>

- Socialisation of puppies and kittens starts with human handling from birth, but is most important from about 3 weeks of age when they develop the sensory and physical capabilities to learn social behaviour towards other animals and people. From 3 weeks of age, puppies & kittens play with their mother & littermates; play-specific behaviours and expressions develop. Exploration of their environment and new objects increases up to 5 weeks of age. After 8 weeks of age, puppies and kittens become more fearful of new experiences. Therefore, it is extremely important that breeders and sellers socialise their animals before they are rehomed to their new owners.

**Impact:**

On problem/animals	On stakeholders/society	On Competent Authority
<b>Medium (++)</b> Better protection of the welfare and health of dogs and cats that are supplied to new owners (equal to breeders)..		<b>Medium (++)</b> Equal standards for breeders and sellers/suppliers.

**Rehoming of shelter animals** (*Recommendation 7*)

When cats and dogs are imported from abroad, the private individual (fosterer) must be linked to a registered organisation/shelter for full traceability. (Shelters must be registered under the Animal Health Law<sup>26</sup>)

**Impact:**

On problem/animals	On stakeholders/society	On Competent Authority
<b>High (+++)</b> Fosterers can only operate under the supervision and responsibility of a professional organisation.	<b>Low (+)</b> More transparency.	<b>High (+++)</b> Increased traceability.

<sup>25</sup> For more details, please see the responsible [dog breeding guidelines](#) (Page 12) and the responsible [cat breeding guidelines](#) (Page 10) which were endorsed on the 3<sup>rd</sup> November 2020 by the EU platform on Animal Welfare.

<sup>26</sup> [Animal Health Law Regulation EU 2016/429. Implementing Regulation \(EU\) 2022/1345](#)

## Sales in Pet Shops (Recommendation 8)

### Problem statement

Studies published during the past 23 years have suggested that dogs sold through pet stores show an increased number of problem behaviours as adults compared with dogs from other sources, particularly noncommercial breeders (McMillan, 2017, Serpell & Jagoe, 1995).

Data from 7 published studies using surveys of dog owners suggest that dogs sold through pet stores and/or born in high-volume commercial breeders establishments have an increased frequency of aggression directed toward the dog's owners and family members (Jagoe, 1994, McMillan et al., 2013, Casey et al., 2014, Gray et al., 2016, Pirrone et al., 2016), unfamiliar people (strangers), and other dogs.

Increased fear (Jagoe, 1994, Pierantoni et al., 2011, McMillan et al., 2013, Gray et al., 2016), in response to strangers, children, other dogs (Jagoe, 1994, McMillan et al., 2013, Gray et al., 2016), nonsocial stimuli, and during walks was commonly reported.

Behaviours related to separation and/or attention seeking were reported in 3 studies (Pierantoni et al., 2011, McMillan et al., 2013, Gray et al., 2016) and heightened sensitivity to touch was reported in 2 studies (McMillan et al., 2013, Gray et al., 2016).

### Recommendation on sales in pets shops

Cats & Dogs should not be sold in Pet Shops<sup>27</sup>

### Impact:

On problem/animals	On stakeholders/society	On Competent Authority
<p><b>Medium (++)</b> Improved living conditions (pet shops do not have the proper facilities for socialisation and habituation).</p> <p><b>High (+++)</b> Impulse buying by people that are not aware of the responsibilities included in keeping a dog is prevented.</p>	<p><b>Low (-)</b> Dogs and cats are not as readily available and should be actively sought out.</p>	<p><b>Low (+)</b> Many member states already have a ban, or have legislation that strongly discourages sales of dogs and cet in pet shops. A complete ban is easier to enforce than legislation with difficult terms and conditions.</p> <p><b>Low (-)</b> Trade can move to less visible locations.</p>

<sup>27</sup> A good definition of what a **pet shop** is will be necessary.

## ANNEX

### RECOMMENDED ELEMENTS TO BE INCLUDED IN (NATIONAL) GUIDE/CODE OF GOOD PRACTICE ON INFORMATION TO BE INCLUDED IN THE ADVERTISEMENT ABOUT THE ANIMAL

- Scientifically backed up and officially supported breed-specific information and general information for responsible care e.g. advice related to feeding, housing, handling, husbandry, life expectancy, suitable accessories and veterinary provisions.
- Additional support documents: vaccination certificates<sup>28</sup>, health records, breeder registration number, EU passport number etc.
- Registration number of the premises
- Information on socialisation and habituation
- Sellers/suppliers must not misrepresent the breed/species of the animal (e.g. presenting a dog from a working breed as suitable for a low-stimulation environment), and must not withhold any information that may have a bearing on a decision to buy such an animal (e.g. on common genetic disorders that might develop later in life)
- The price of the animal and the (consumer's right (e.g. guarantee<sup>29</sup>)
- Include information on any DNA-tests that may have been performed on the parent animals or animal being sold/advertised
- Inclusion on recommendations regarding responsible ownership e.g. owning an animal is a long-term commitment with substantial financial costs.
- Inclusion of European Uniform and/or National Leaflets

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<sup>28</sup> As per the most updated [WSAVA Vaccination Guidelines](#)

<sup>29</sup> Such as the guarantee system implemented in Flanders (Belgium): [Leefmilieu](#) and in the Netherlands: [Testaankoop](#)