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COMMISSION STAFF WORKING DOCUMENT

Accompanying document to the

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EC) No 998/2003 of the European Parliament and of the Council
laying down the animal health requirements applicable to the non-commercial
movement of pet animals**

SUMMARY OF THE IMPACT ASSESSMENT

**[COM(2009) 268 final]
[SEC(2009) 776]**

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**[COM(2009) aaa final]
[SEC(2009) bbbb]**

The item is part of the Commission agenda planning/work programme under the reference 2008/SANCO/010.

1. PROBLEM IDENTIFICATION

1.1. Legal background

1.1.1. Legal obligation to review

Regulation (EC) No 998/2003¹ of the European Parliament and of the Council ('the Regulation') lays down harmonised animal health requirements applicable to the non-commercial movement of pet animals within and into the Community ('general regime').

However, the Regulation grants a transitional period to the United Kingdom ('the UK'), Ireland, Malta, Sweden and Finland to make the entry of pet animals into their territory subject to compliance with certain additional requirements to prevent the risk of introducing rabies, echinococcus and ticks ('transitional regime').

The Regulation lays down a legal obligation to review the rules by the end of the transitional period and requests the Commission to submit to the European Parliament and to the Council a report based on experience gained and on a risk evaluation together with proposals for the regime to be applied at the end of the transitional period. The Commission adopted its report on 8 October 2007, together with a proposal for a Regulation of the European Parliament and of the Council to briefly extend the transitional measures until September 2009 (further deferred to 30 June 2010 by Regulation (EC) No 454/2008²) to allow sufficient time to consider all aspects and consult all interested parties on the options.

Based on its report, the outcome of various consultations conducted, including the consultation of the European Food Safety Authority ('EFSA'), and available information on the diseases concerned in the whole EU, the Commission is now assessing the long-term options, and in particular the case for extending the general regime to the Member States currently under the transitional regime.

1.1.2. General regime

The Regulation provides that pet animals travelling with their owner from one Member State to another must be identified and accompanied by an EU passport which provides proof of a valid anti-rabies vaccination. The regime applicable to pet animals entering the EU from listed or non-listed third countries depends on the quality of the guarantees provided by the third country of origin as regards rabies.

1.1.3. Transitional regime

This regime which has been granted to Finland, Ireland, Malta, Sweden and the UK, is summarised in Table 1. This is a combination of EU and national rules. It provides

¹ <http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2003/R/02003R0998-20081122-en.pdf>.

² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:145:0238:0239:EN:PDF>

for additional entry requirements, which vary according to the Member State of destination and the disease. It also provides for exemptions between the Member States currently under the transitional regime and even with other Member States (e.g. Denmark), so called bilateral arrangements.

1.1.4. Free movement regime

The UK and Ireland apply a mutual free movement regime for dogs and cats without the need for pet identification (marking) or passports. This regime is neither part of the general regime nor of the transitional regime provided for by the Regulation.

1.2. Issues to tackle

1.2.1. The current national rules are complex and place a considerable burden on pet owners

The transitional regime allows Finland, Ireland, Malta, Sweden and the UK to maintain their national rules, irrespective of the pet health status of the Member State of origin. These rules — additional animal health requirements and/or transport and route requirements — differ considerably, making it difficult for travellers to understand the conditions in force in the Member States and hampering long journeys that pass through these Member States.

This situation not only causes additional costs for pet owners (See [Table 2](#) — estimated costs), but has given rise to complaints from individuals and Member State authorities.

*1.2.2. Equivalence of health status for rabies, Echinococcosis (*E. multilocularis*) and ticks in the Member States — EFSA opinions*

1.2.2.1. Rabies

The EFSA recommended applying risk mitigating measures to primo-vaccinated pet animals coming from areas where the prevalence of rabies in the pet population is more than one case per million pets per year, namely the Baltic States.

Countries where the rate of reported rabies cases in wildlife was higher (e.g. Baltic States) have made over the past three years additional efforts to eradicate the disease and continue to monitor the situation.

As a result, the disease occurrence in domestic animals has diminished and the situation can now be considered as roughly equivalent in all EU-27 Member States and comparable to the situation in those EU-15 Member States where rabies in wildlife had still been a significant problem when Regulation (EC) No 998/2003 was adopted.

No cases of rabies caused by legal cross-border pet movements within the EU, including from the Baltic States, have been recorded for many years, particularly since the Regulation entered into force.

The Community criteria so far applicable to the listing of a third country are not based on the prevalence of rabies in the pet population used by the EFSA, since they

take into account the implementation of regulatory measures to prevent and control rabies, how competent authorities guarantee the validity of the certification and the quality of the monitoring system and vaccines. Thus, third countries, such as the United States of America and the Russian Federation, have been accepted by the EU under the general regime, despite having a higher incidence of rabies in wildlife than the Baltic States.

1.2.2.2. Echinococcosis (*Echinococcus multilocularis*)

According to the EFSA, a number of isolated surveys in wildlife show great variations from one country to another and even between regions in the same country. Therefore it is extremely difficult to compare epidemiological situations and any evaluation of the epidemiology can only be an approximation. Very few data on the infection rates of pet dogs and cats are available, and existing data are difficult to interpret due to a lack of information on the sampling strategies.

Surveys conducted in Finland to detect *E. multilocularis* in dogs and rodents have so far yielded negative results. Ireland, Malta, Sweden and the UK have not provided any information on surveillance in domestic dogs but claim absence in wildlife and indigenous people.

From the limited number of published surveys on infection in pets in Europe, it seems that tapeworm infection rates in domestic carnivores are low, most likely due to low exposure to the intermediate stages of the parasite and to routine deworming.

Imported human cases have been reported in non-endemic areas. This shows that the risk of people travelling to endemic areas (whether or not from non-endemic areas) and contracting the disease by accidentally ingesting tapeworm eggs through contact with infected pets or contaminated wild or cultivated fruits and vegetables cannot be excluded.

1.2.2.3. Ticks

According to the EFSA, tick species harboured by pets are widespread in Europe, including in the UK, Ireland and probably Malta. Surveillance systems for tick species and tick-transmitted diseases are limited and incomplete. The current available data indicate a lack of systematic specimen collection, epidemiological background and effective control measures. Some of the available information is either anecdotal or outdated.

2. OBJECTIVES

The overall objectives are to be seen in the light of the free circulation of people (EC Treaty) and the new Animal Health Strategy.

The specific objectives are:

- To harmonise requirements to remove disproportionate obstacles to the movement of pets for non-commercial purposes across the EU or entering the EU from third countries, while properly protecting public and animal health, in particular with regard to rabies.

- To provide EU rules that are proportionate, avoid causing difficulties and give clear benefits in terms of clarity and simplification for travelling pet owners.

The operational objective is to determine the regime to be applied as from 1 July 2010.

3. KEY POLICY OPTIONS

The Commission has identified four policy options to achieve the objectives:

Option 1: No Action

This would mean that after 30 June 2010, Finland, Ireland, Malta, Sweden and the UK will no longer make the entry of pet animals into their territory subject to additional requirements regarding rabies, echinococcus and ticks. The particular bilateral arrangements existing between those Member States will also cease.

Option 2: Extension of the transitional regime

This would mean a further temporary extension of the transitional period until the end of 2011, which is when the Commission expects to end EU support to national programmes to eradicate sylvatic rabies in the Baltic States. A substantially improved situation in those Member States would fully address the risks identified by the EFSA and render its recommendations for mitigating measures obsolete.

Option 3: Adjustment of the current rules applicable to all Member States

This would mean ending the specific conditions applied by the five Member States including the bilateral arrangements and proposing a technically reviewed regime in line with the EFSA which recommends that the health status of the Member State of origin should determine the regime.

Option 4: Continuation of the transitional regime on a permanent basis

This would mean an indefinite extension of the transitional regime and therefore enable the five Member States to systematically request additional guarantees. It is not excluded that other Member States complying with OIE criteria for a rabies-free country or claiming a special status with regard to tick borne disease or echinococcosis, would equally request additional conditions.

4. IMPACT ANALYSIS

4.1. Preliminary remarks

Under the Regulation, the cost of preparing a pet dog or cat for travel varies according to the country of origin and the Member State of destination (See [Table 2](#) — cost of a travel for the first time, meaning that identification, vaccination and, where necessary, antibody titration must be carried out before travel).

Table 2 does not take into account the particular arrangements existing between the Member States under the transitional regime that may lead to a significant reduction of preparation costs.

Table 2 shows that it is more expensive for an EU citizen to travel with its pet to Member States under the transitional regime, except to Finland, than to return from a non-listed third country under the general regime.

4.2. Option 1

4.2.1. Economic impacts

This option would certainly benefit citizens by removing the costs due to additional requirements requested by the Member States under the transitional regime. Conversely, citizens originating in and moving between Member States currently under the transitional regime will be affected since the bilateral arrangements will cease.

Authorised veterinarians would certainly benefit from an expected increase in numbers of travelling pets.

The impact of this option on EU-approved labs should be minimal since laboratory incomes generated by testing pet animals entering or re-entering the EU from non-listed countries would not be affected. Impacts would be more important for labs which have exclusively oriented their activities to respond to those obligations.

There should be no or marginal impacts on suppliers of medicines for the treatment against tick or echinococcus since such treatments are also recommended for animal and public health reasons.

This option is unlikely to have negative impacts on transport companies ('carriers') since the checking system would be simplified. It can be assumed that with this option, new business opportunities will be open to carriers to offer their services to travellers with pet animals.

This option may have a significant impact on the business of the quarantine facilities in Ireland, Malta, Sweden and the UK. A number of facilities which license into long-term quarantine pet animals originating in non listed third countries may cease operations. However short-term stays may remain for reasons other than incorrect anti-tick/echinococcus treatment.

4.2.2. Social impacts

EU-approved labs may suffer if this option is selected. However, most labs intend to redeploy staff to other lab activities.

This option, which simplifies the rules, may have a positive impact on tourism and therefore on employment in general.

Pets will no longer be separated from their owners as the long-term quarantine system will disappear.

As regards public health impacts, the risk of introducing rabies by pets travelling from the Baltic States under the general regime can be estimated with high degree of certainty to be no higher than the risk associated with movements between the other Member States or from listed third countries, such as the United States of America or the Russian Federation, despite a more sinister rabies situation in their wildlife.

Pets are not the only cause of human infection from alveolar echinococcosis. It is therefore unjustified to concentrate risk-mitigating measures exclusively on pet animals travelling with their owners. No causative impacts on public health, and in particular on the extension of the geographical distribution of tick species and tick borne diseases, will necessarily be recorded.

4.2.3. *Environmental impacts*

The simplification would certainly lead to an increase in the number of pet movements. However, impacts of this option on the environment are difficult to quantify.

4.3. **Option 2**

4.3.1. *Economic impacts*

Until the end of 2011, citizens will continue to pay additional costs and probably contribute to sustaining the income of veterinarians and EU-approved laboratories.

This will also help temporarily sustain carriers and quarantine facilities' incomes due to the monopoly situation generated by the current system.

4.3.2. *Social impacts*

Until the end of 2011, no impact on employment is expected and trip disturbances will remain.

As regards the public health impacts, the recent figures published in *Rabies Bulletin Europe* indicate that rabies is likely to be eradicated in the Baltic States by the end of this extension period. This option would help make pet movements in EU safer and as a result decrease the potential risk to public health. However, as no human cases of rabies have been traced to pets travelling from the Baltic States, the difference is expected to be very minimal.

4.3.3. *Environmental impacts*

No major change from the current situation is expected.

4.4. **Option 3**

4.4.1. *Economic impacts*

This option would lead to additional costs for owners of primo-vaccinated pets originating in the Baltic States, as recommended by the EFSA.

Veterinary incomes should not increase substantially since the population concerned is rather limited.

This option would have a similar impact on anti-parasite suppliers, carriers and quarantine facilities than Option 1.

4.4.2. *Social impacts*

Since the population of pet animals covered by specific additional rules is rather limited, the impacts on pet owners and tourism would also be limited.

Practical findings have indicated that the negative impacts on public health would be marginal.

4.4.3. *Environmental impacts*

No major impacts on the environment can be predicted since the impact of this option on the number of pet movements cannot be quantified.

4.5. **Option 4**

4.5.1. *Economic impacts*

In the longer term, citizens will continue to face additional costs when going or returning to Member States currently under the transitional regime. On the contrary, citizens originating in and moving between Member States currently under the transitional regime will continue to benefit from the bilateral arrangements.

This option will probably help sustain the income of EU-approved labs and due to the monopoly situation generated by the current system, the income of carriers and quarantine facilities as well.

4.5.2. *Social impacts*

The work of EU-approved serology laboratories, 'carriers', quarantine facilities, authorised veterinarians and anti-parasite treatment suppliers would continue and should not give rise to particular unemployment risks.

Pet animals entering the EU from non-listed third countries or those not in compliance with the national rules (short-term quarantine stays) would still be put in quarantine. In these cases, social (and/or welfare) impacts should be considered where pet animals are separated from their owners for at least six months.

It can be reasonably assumed that there will be no significant clear benefits in terms of public health (as explained in section 1.2.2.1).

4.5.3. *Environmental impacts*

Although pet travel is on the increase and may impact the environment, it is difficult to establish a correlation between the current restrictive regimes and the number of pets (and pet owners) travelling.

4.6. Conclusions

Options 3 and 4 do not appear to provide added value to solving the most acute problems voiced by administrations and citizens affected by a complicated, burdensome and inconsistent system of excessive and unjustified animal health requirements, in particular regarding rabies.

Option 3 would not only increase confusion amongst travellers dealing with new regimes according to the country of origin, but also completely disregard other risk-relevant aspects considered in listing third countries. It would give the Baltic States an unjustifiable bad reputation and discriminate against them in favour of certain listed third countries. This is contrary to the fundamental principles of the EU Treaty. It would also disregard Member State requests for simplification based on field evidence.

Option 4 would continue to place a heavy burden on citizens travelling to or re-entering the five Member States and possibly other disease-free Member States.

These options are a far cry from the desire of most Member States to achieve harmonisation and simplify pet movements within and into the EU, considering the similarity of the animal health situation in the EU.

Options 1 and 2 are similar in principle. Either would entail removing, sooner or later, the unjustified disparities, discrimination and burden on citizens, including citizens from the five Member States who are affected by additional requirements when returning from abroad.

At the same time, both options would maintain a high level of safety for pet animals travelling within and into the EU by applying the general regime, which has proven to be effective in preventing human and pet animal cases of rabies caused by lawful movement of pets between and into Member States.

There is a slight advantage in selecting Option 2 over Option 1. In terms of lowering the public health risk, a reasonable extension of the transitional measures would defer the application of the general regime throughout the EU to a point in time when EU-supported measures to eradicate remaining pockets of sylvatic rabies in the EU (and neighbouring territories) will render the EFSA recommendations on risk mitigation redundant.

5. MONITORING AND EVALUATION

To ensure that the new regime achieves the objectives set in Section 2, the Commission will regularly monitor several indicators to assess its performance.

Data on indicators will be collected through different existing sources of information. Additional data may be generated, especially surveys and/or interviews to measure the level of satisfaction among the population/pet owners. Data from Member State authorities (on pet movements and on public health) will be collected regularly at EU level as part of reinforced cooperation processes with Member States by the Standing Committee for Food Chain and Animal Health (SCoFCAH).

External evaluations at this stage are considered disproportionate. The monitoring mechanisms will provide sufficient information to assess the case for revising the Regulation at a later stage (in 5-10 years) unless the situation changes.

Table 1: Overview of the rules applied by Member States under the transitional regime								
Legal regime	Measures	IE	MT	SE	UK	FI		
General Regime	Identification by passport and microchip or tattoo until 2011 (Article 4)	x	x	x	x	x		
	Valid anti-rabies vaccination (Article 5)	x	x	x	x	x		
	Simplified import regime for pet animals (Article 8(3)(b))			Norway				
Transitional regime	Community provisions	Article 6(1)	Microchip compulsory	x	x		x	n/a
			Mandatory antibody titration before entry into their territory to confirm a protective level of anti-rabies antibodies	x	x	x	x	n/a
			Exemptions from the anti-rabies vaccination and antibody titration requirements for pet dogs and cats moving between these Member States	x	x	x	x	n/a
	Article 8(1)	Pet animals entering from listed third countries must comply with same rules as pets from other EU Member States	x	x	x	x	n/a	
		Pet animals entering from non-listed third countries are to be put in quarantine	x	x	x	x	n/a	
	Article 16	Mandatory anti-parasite treatment against Echinococcus/ticks	x	x	x	x	x	
	Article 21	Exemptions from the passport, anti-rabies vaccination and antibody titration requirements for Danish dogs and cats transiting through Sweden			Denmark ³			
	National Rules	Article 16	Exemptions from anti-parasite treatment against Echinococcus/ticks	x	x	x	x	x
		No legal basis in Regulation	Approved transport companies	x	x		x	
	Free movement regime	National Rules	No legal basis in Regulation	Exemptions from the identification and passport requirements for pet dogs and cats moving between Ireland and the UK	x			x

³ Commission Decision 2004/557/EC (OJ L 249, 23.7.2004, p. 18).

Table 2: ESTIMATED COSTS									
for a dog of average size travelling within the EU or re-entering the EU after a trip abroad (source: Member States' competent authorities)									
	Identification (microchip + passport)	Vaccination documented in the passport	Sampling + certification	test	Anti-tick treatment	Anti- echinococcus treatment	'Carriers'	Quarantine	Total
General regime									
Pet travelling within EU	€2.93 ⁴ (€15 to 95.5)	€2.50 ⁴ (€ to 63)	-	-	-	-	-	-	€65.43
Pet re-entering EU from listed third countries	€2.93 ⁴ (€15 to 95.5)	€2.50 ⁴ (€ to 63)	-	-	-	-	-	-	€65.43
Pet re-entering EU from non listed third countries	€2.93 ⁴ (€15 to 95.5)	€2.50 ⁴ (€ to 63)	€9.20 ⁴ (€5 to 53)	€0 (€0 to 88)	-	-	-	-	€144.63
Transitional regime									
Pet entering/re- entering UK, IE, MT from the rest of EU	€0.50 (€15 to 107)	€6.70 (€ to 63)	€4 (€5 to 69)	€0 (€0 to 88)	€8.80 (€5 to 56)	€16.80 (€1 to 39.30)	UK: N/A IE: ferry=€20, plane=€10, MT: €72	-	€196.80 (+ carriage costs)
Pet entering/re- entering SE from the rest of EU	€0.50 (€15 to 107)	€6.70 (€ to 63)	€4 (€5 to 69)	€0 (€0 to 88)	-	€16.80 (€1 to 39.30)	-	-	€178
Pet entering/re- entering FI from the rest of EU	€0.50 (€15 to 107)	€6.70 (€ to 63)	-	-	-	€16.80 (€1 to 39.30)	-	-	€4
Pet entering UK, IE, MT, SE from non listed third countries	-	-	-	-	-	-	-	UK: €3480 IE: €2500 MT: €1000 SE: €3350	€3480 €2500 €1000 €3350

⁴ Figures excluding those provided for by the UK, IE, MT, SE and FI.

