Problems with dealing and trading in puppies and dogs
FROM THE PUBLIC AFFAIRS DEPARTMENT

Key facts...
★ Dealing and trading in dogs and puppies is a growing and serious problem from both an animal health and welfare and human health perspective.
★ UK quarantine rules were relaxed in 2012 and rules are now harmonised with the rest of Europe allowing for free movement under the Pet Travel Scheme (PETS).
★ Many puppy dealers and traders are exploiting the rules under PETS and illegally importing animals to be commercially sold.
★ The RSPCA is very concerned about the health and welfare impacts on these animals as many have been found to be sick, underage and it is likely their welfare will have been compromised.
★ We are concerned that documentation is being falsified and that there are insufficient checks of the passports and animals.
★ It can be very difficult to accurately age puppies and there is an uncertainty over the process for declaring seized animals by enforcers as well as insufficient quarantine kennel spaces.
★ The changes due to come into effect later in 2014 should solve some of the falsification issues and the RSPCA believes there are a number of solutions to this growing problem but they need the involvement of and action from central and local government, the major welfare organisations as well as members of the public.

Another aspect of the puppy breeding issue is the dealing and trade in puppies both within the UK and from elsewhere. The RSPCA believes this is a growing and increasingly organised and coordinated problem and clearly not only poses serious welfare issues for the animals concerned but also health concerns, the most notable being rabies. As with irresponsible breeders, buyers can be duped into purchasing puppies that could have many of the same behavioural and health problems. Dealers and traders are simply exploiting a part of the market that is increasing putting animal health and welfare at risk as well as potentially causing misery for many pet owners.

Current legislation
There are two schemes for the trade in dogs and puppies in Europe; one to cover commercial movement and a second to cover the non-commercial movement, e.g. taking pets on holidays or attending shows. The following information provides an overview of the controls.

• Commercial trade in dogs and puppies (TRACES)
Since 1992 the commercial trade in dogs and puppies has been harmonised under European rules¹ (commonly known as the Balai Directive). The rules have not substantially changed since they were introduced then. Any dog being imported to be sold commercially has to be declared to the relevant authorities, come from a recognised breeding place and undergo the same vaccination and identification rules as dogs imported under the Pet Travel Scheme (PETS) (see below).

Council Regulation (EC) No 1/2005 ensures that only registered transporters can move animals across borders, that the animals are being transported in a suitable manner, have suitable rest breaks, and that cats and dogs specifically shall be fed at intervals of not more than 24 hours and given water at intervals of not more than eight hours.

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The Trade Control and Expert System (TRACES) is a single central EU-wide database for monitoring the commercial movements of animals (including pet animals) and products of animal origin both within the EU and from entering the Union from third countries.

These rules are implemented and enforced in England respectively by the Animals and Animal Products (Import and Export) Regulations 2004 as well as the Welfare of Animals (Transport) (England) Order 2006.

- **Non-commercial trade in dogs and puppies (PETS)**
The UK has been essentially free from rabies since 1922, its status historically maintained by quarantine rules introduced in 1897 that required any dog imported into the country to undergo quarantine for six months. The control over the trade in dogs and puppies is largely carried out to protect animal (and public) health.

The Pet Travel Scheme (PETS) was introduced in 2003 to implement EU legislation and UK quarantine rules were increasingly relaxed. PETS allows for the free movement of pet animals - for non-commercial purposes - within the European Union and between participating countries provided that certain conditions were met such as the animal being microchipped, given an anti-rabies vaccination, and having a passport showing that it has been vaccinated.

The rules are not intended to be used for the mass movement of dogs, and certainly not for commercial purposes. Therefore there is a limit of five dogs/puppies any one person can bring in under PETS. Furthermore, the minimum age a puppy can be imported under PETS is currently 8 weeks unless additional permission was granted by a veterinarian.

These rules will be tightened up further at the end of this year and although it maintains many of the current provisions it clarifies the legal position that already exists that any dogs or puppies transported for re-homing will need to be done through TRACES rather than PETS as it will be considered a commercial activity. Additionally measures will aim to prevent falsification of documentation and the age at which a puppy can be legally vaccinated against rabies will increase from 8 weeks to 12.

These rules concerning PETS are enforced in England under the Non-Commercial Movement of Pet Animals Order 2011.

**Scale of the problem**
In 2013, 151,367 dogs were recorded as entering Great Britain under PETS (for non-commercial purposes). Excluding those which had a British microchip and those which can be assumed to belong to British owners returning with their dogs after visiting another Member State, 58,161 dogs were imported from 62 countries. Over 93% (53,911 dogs) of these were imported from the 27 other EU Member States.

In 2012 imports into the UK of dogs (under PETS) from Hungary increased on the previous year by 450%, from Romania by 1150% and from Lithuania by 507%. Whereas imports from other countries such as the Czech Republic, France and Germany only rose by 44%, 52% and 87% respectively. These changes are not completely unexpected as the RSPCA has noted a shift in the commercial trade towards central and eastern Europe in the past ten years since those countries joined the EU.

Investigations undertaken by the RSPCA in 2007 found that three countries (Czech Republic, Hungary and Poland) were responsible for over half the puppies being sold on the internet in the UK. Numbers are difficult to establish but one dealer in Hungary in 2007 boasted he had over 3,000 breeders he collected from and used some six different drivers to transport these dogs to the main markets of Germany, Netherlands, Spain and the UK. Another dealer in Slovakia estimated that he had distributed over 10,000 dogs annually throughout Europe³.

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² Regulation No 998/2003
³ RSPCA, 2008, The puppy trade in Europe

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Main problems and potential solutions
The RSPCA believes that the dramatic rise in dogs and puppies from Hungary, Lithuania and Romania, most of which are being imported under PETS, is for the commercial trade. Indeed it would appear the UK Government agrees that some dog traders/dealers are using the non-commercial rules to bring puppies into the UK for sale using PETS⁴.

Many of these young animals will have suffered long journeys in poor conditions (for example lack of space, adequate ventilation, noise, temperature, access to food and water, etc). Additionally they may not be correctly vaccinated or identified and could already be suffering from disease and poor welfare. Unsuspecting members of the public can often find themselves with large vets bills when they take their new pet to the vets because it is ill and may even have to have it put to sleep.

Large profits can be obtained from bringing in puppies and dogs (in particular highly sought after pedigree and pure-breds) under PETS and selling them through the internet. For instance, illegal imports of French bulldogs and pugs are documented and puppies can sell for £760 and £750 respectively. The RSPCA is extremely concerned that commercial dealers/traders are evading the controls over the commercial trade by exploiting loopholes in the non-commercial trade rules. For example:

- falsification of documentation
  The European Federation of Veterinarians carried out a survey of veterinarians in 2010 which showed that many of the dogs being traded were not being accompanied by the correct paperwork⁵ and one veterinary authority stated to the RSPCA in 2007 that they estimated the legal numbers of dogs being traded commercially were only 30% of the entire trade. Problems identified in the FVE survey included: dogs not being properly vaccinated, number of different dogs travelling under the same microchip number, generic paperwork being produced if the dog was stopped, and passports being signed by the veterinarian without the dog being seen. The new measures due to come in later this year should assist with preventing falsification of documentation.

- exploiting the limit of five dogs/puppies per person
  Under PETS puppy dealers and traders can bring in up to five puppies per person in a vehicle through the various entry points into the UK. This means a vehicle with 2-3 people in it could bring in up to 15 puppies which could then be sold on commercially. In some cases dealers and traders will attempt to import more than their legal limit under PETS in the hope they are not caught.

- insufficient checks on the animals (and passports)
  There are a lack of sufficient checks on the animals (and paperwork) at the ports of entry. Responsibility for checking of dogs and paperwork lies with the ferry companies, Eurotunnel or airlines not the national authorities and are only carried out on a risk-based approach. No data is collated centrally thus it is extremely difficult for these companies to develop an effective or meaningful approach. 95% of the trade in dogs and puppies into the UK comes through two ports; Holyhead and Dover.

- difficulty to accurately age puppies
  At present the age at which a puppy can be legally vaccinated against rabies is 8 weeks, although in reality this is 11 weeks (i.e. the minimum 8 weeks plus 3 weeks for the vaccination to take effect). From December 2014 it will be illegal to vaccinate puppies below the age of 12 weeks, although again in reality this will be 15 weeks. However it can be extremely difficult to accurately age a puppy and so some dealers/traders currently import significantly younger puppies and simply falsify their documentation. It is hoped the changes due to come in later this year that should assist with preventing falsification of documents will help, however the problem remains that it is extremely difficult to age puppies. With some people desiring younger puppies for their appeal there is a real incentive to import puppies at a younger age.

- uncertainty over process for declaring a dog/puppy suspected of carrying rabies

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⁴ Letter from the Secretary of State for Defra to the RSPCA 27.01.14
⁵ Federation of Veterinarians in Europe. 2010, Puppy trade and animal welfare

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Where checks are carried out and irregularities in the documentation and/or an animal is showing signs of ill health an inspector from a local authority can declare that a dog has been illegally imported and is a rabies risk under the Rabies Order 1974. However uncertainty exists amongst local authorities over the test needed to satisfy this declaration, i.e. what is reasonable belief? Furthermore once an animal has been declared it must be quarantined and this can be costly to the local authority. Most of the puppies illegally imported are only picked up when they attend the vets for the first time, putting the vet at health risk as well and uncertainty as to who they should notify. The RSPCA has found some local authorities are reluctant to declare a dog as illegally imported as they are not clear what level of proof is required and are concerned about the potential costs.

- insufficient quarantine kennel space

Following the relaxation of quarantine rules the needs for special quarantine kennels reduced as a result the number of kennels (and kennel spaces) reduced. England currently has only eight licensed quarantine kennels with 225 kennel spaces, there are none in Wales⁶. With illegal imports of dogs and puppies rarely in single figures it is clear to see how quickly these limited spaces could be filled up.

**Conclusion and recommendations**

Interestingly partly to investigate this increased 'non-commercial' trade, the European Commission awarded a contract to a research consortium at the start of this year to undertake a study on the welfare of cats and dogs involved in commercial practices, which is looking into all aspects of breeding, sale and trade within the EU, and will report at the beginning of next year. This is something the RSPCA very much welcomes.

The non-commercial trade in puppies and dogs has increased by over 88% into Great Britain since 2012. Huge increases have occurred from Hungary, Lithuania and Romania since 2012 and are undoubtedly due to dogs being imported under PETS rather than under the commercial rules. Since 2012 the number of legitimate imports of dogs/puppies for commercial reasons has declined as puppy dealers and traders appear to use the loopholes and lack of enforcement under PETS. Although the changes due on December 29th 2014 are welcome and may aid in reducing documentation falsification, there are a number of actions the RSPCA believes can and should be taken to improve the health and welfare of puppies and dogs as well as crack down on those dealers and traders trying exploiting current legislation:

1. Increase spot checks by AHVLA at Dover and Holyhead on consignments of dogs (and puppies) from countries where significant increases in imports of animals have occurred.
2. Responsibility for checking that PETS is being implemented correctly and enforced should be transferred from the ferry companies, Eurotunnel and airlines to the statutory border control agency.
3. Defra should provide clear advice to local authorities as to what constitutes reasonable belief that a dog/puppy has been illegally imported and should be quarantined.
4. The number of official quarantine spaces for dogs/puppies in the UK should be re-evaluated.
5. The establishment of a national dog registration system which is harmonised with other such systems in other EU Member States, this would be able to track and monitor the movement of dogs and puppies, provide traceability of ownership and assist with enforcement.
6. The public should only buy dogs and puppies from sellers where they can see the animal with its mother.
7. Support moves to amend the European Commission’s proposed Animal Health Law to ensure that any commercial breeder or seller has to be registered with a Competent Authority.

For further information and other resources please see the following:

- RSPCA briefing on irresponsible dog breeding
- Case studies of illegal imports of dogs and puppies since 2012
- RSPCA overview brief of puppy and kitten trade adjournment debate on 04.09.14
- Joint briefing on key issues from major welfare organisations

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⁶ Hansard, 16 December 2013, cc447

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