



EPO POSITION ON POSITIVE LISTS OF ANIMALS THAT CAN BE TRADED

EPO supports the position of the European Commission that such an approach does not provide an effective solution to address the illegal trade in live animals nor their keeping as pets.

The welfare of and illegal trade in animals is of primary concern to all our member organisations. We all seek to ensure good welfare standards across the industry, encourage responsible ownership and ensure that our members only trade in legally sourced animals.

Pets, including exotic species like goldfish, tortoises, hamsters and geckos, are an important part of our social, cultural and economic fabric – in 2008 it was estimated that household expenditure on pets was approximately €29 billion across EU Member States and over quarter of a million people were directly employed in the pet industry¹.

A very wide variety of animals has been kept successfully as pets for decades and, in some cases, centuries, improving people's well-being and providing a direct connection to nature for us and our children. Whilst we recognise there are instances where animals in the pet trade are illegally traded the evidence of the problem and its scale is patchy, as is the degree to which it is related to the keeping of exotic pets (which constitutes most pets other than cats and dogs), an area of particular attention in recent times. This is nonetheless an important issue and we are interested in better understanding the issues, what is causing them and how best we can work together to ensure that animals kept as pets are legally sourced and that good welfare standards are maintained for all of them.

It should be noted that the vast majority of animals kept as pets, including exotics, are legally traded and kept in good conditions. The keeping of pets has enabled us to develop a wealth of information about their needs giving us the ability to ensure they are met.

It is our view that rather than pursue measures such as positive lists that seek to reduce the number of animals that can be traded, and subsequently kept as pets, the solution lies in ensuring people are properly educated in how to look after the animals they share their homes with, exotic or otherwise, whilst ensuring the law to manage illegally traded species is effective and properly enforced.

The first annex to this document outlines in further detail why we do not consider that a positive list is the best solution to address the illegal trade in wild animals. The second one provides additional information about EPO and its members.

¹ EPO position paper 2012



Annex 1

Why EPO does not believe a positive list approach is the right solution to address the illegal trade in wild animals

With the current EU discussion about the implementation of the EU Action Plan against wildlife trafficking some parties are taking the opportunity to push for a EU-wide positive list for live animals including pets.

EPO does not believe that a positive list approach is the right solution to the issue of illegal trade in wild animals. We consider that such an approach carries a number of risks that will not be beneficial to the long-term conservation of wild animals.

The reasons we do not support this positions are explained more fully below.

SEVERAL REASONS FOR THIS POSITION:

The vast majority of the species currently being kept in captivity are cared for properly, are demonstrating the correct behaviours, and are breeding well. While in a small number of cases animals are not well cared for, these are limited and should not be held up as justification for action to reduce the number of species in ownership. Restrictions and controls on keeping and trading in animals that can genuinely shown to be problematic are more appropriate than prejudicing the majority of pet owners who care properly for their pets.

The creation of a positive list would most likely result in an extreme reduction in the number of species available in trade and personal ownership, as it would be prohibitively expensive to undertake risk assessments for all species currently in trade, just to demonstrate that there are in fact no significant issues associated with their keeping. Is it appropriate to deny the long historical linkage in between people and companion animals where there is little evidence to support significant reductions in the number of animals that can be traded and kept as pets?

There are many risks of a significantly reduced number of species in trade/ownership that is a likely consequence of positive lists, including:

- **Loss of conservation expertise** – Private keepers and breeders and businesses have greater expertise than most in animal husbandry and about the physiology of the animals they breed. For instance, Freek Vonk in the Netherlands is a good example of a former pet owner, who is now a scientist, who has been running scientific research on exotic animals. The same can be said for the worldwide renowned French scientist and researcher Pr. Jean M. Jaubert for his life devotion to corals. This knowledge is important for conservation breeding and any ban would mean a reduction in the available expertise.



- **Loss of developments in husbandry and keeping expertise** - All the key advances in animal feeds, enclosure design, aquarium equipment, specialist reptile lighting, etc. are derived primarily from the industry and by virtue of having a large private market to sell to
- **Negative health impacts** – There are plenty of studies that show the positive health benefits of keeping pets of all types. The latest one is from the Human Animal Bond Research Initiative (HABRI) Foundation that estimated in 2015 \$11.7 billion savings in U.S. healthcare costs as a result of pet ownership². Reducing the variety of animals available as pets is likely to have knock-on health benefits for people.
- **Negative economic impact** – The pet industry is a significant employer (directly and indirectly) across the EU, providing substantial tax revenues by virtue of a buoyant market sector for non-domesticated species. The Euromonitor and ZZF/IVH reported that the worldwide spending on pet supplies in 2015 reached over 92 billion euros, including for Western Europe over 24 billion euros and Eastern Europe over 4 billion euros³. In regards to the number of pets being traded for this same period over 357 billion individuals have been recorded.
- **Increasing illegal trade** – The Belgian experience, following the introduction of a positive list, is that the list has been ignored by many owners that simply keep their animals undercover, selling any surplus quietly in Belgium or more openly to clients in other EU Member States. Before Sweden acceded to the EU reptile ownership was banned but upon accession and a lifting of the ban many reptiles came to light. In Norway where a ban on reptile ownership still exists there is a very healthy private ownership of reptiles, which is acknowledged by the Norwegian Government. So there is evidence that these bans, including bans arising as a consequence of positive lists, do not stop ownership, instead they drive it underground. We do not endorse illegal activity.
- **Negative welfare impacts** – A consequence of illegalising ownership is that owners would be less willing to take ill animals to a vet for fear of prosecution with negative implications for the animal in question.
- **Lack of credibility** – We understand that when Belgium undertook its assessments for a positive list of mammals, dogs and rabbits could not make it on. Clearly, it seems that this was not politically workable and following a further assessment they were included. Such lists are therefore not necessarily representative of how hard it is to keep animals.

² The Health Care Cost Savings of Pet Ownership:

https://habri.org/docs/HABRI_Report_-_Healthcare_Cost_Savings_from_Pet_Ownership_.pdf

³ Euromonitor and ZZF/IVH : pet market in 2015

https://www.zzf.de/fileadmin/files/ZZF/Marktdaten/Pet_market_2015_en.pdf



- **Lack of engagement with and understanding of nature** - Already in our society many people grow up without any interaction with animals. They have no feeling for animals and to a larger extent nature. This situation could worsen if the number and variety of companion animals is reduced within our society with a reduced lack of care for or engagement with wider environmental issues over time.
- **LEGAL ISSUES**

The proposal put forward by the European Parliament – ENVI Committee motion for resolution on the EU action plan against wildlife trafficking - appears to be driven in a large part by welfare considerations, not least the reference to "*Calls on the Member States to consider 'positive list' species systems, whereby exotic species are assessed objectively and according to scientific criteria for their safety and suitability for trading and keeping as pets*". The European Commission has recently stated that the "*the welfare of dogs and cats, in particular their keeping and breeding for non-commercial and commercial purposes, is not governed by EU rules. This matter remains within the sole competence of the Member States. The Commission has at present no plans for animal welfare initiatives targeting the keeping and breeding of dogs or cats*".

This highlights the question of to what extent does the EU have the competence to act in relation to issues associated with animal welfare, and whether this proposed amendment exceeds that competence.

There are already well-established international mechanisms for determining whether animals are suitable for trading. CITES is clearly and well defined in EU law, has its own clear criteria, and has worked effectively on the basis of a negative list approach. The need for an alternative approach in relation to trade has not been established and is very difficult to justify given the rules already in place.

Additionally there is the potential that a positive list approach may be subject to **legal challenge**, e.g. if pets can be defined as property under EU law and a positive list retrospectively removed a person's Property Rights.

Finally, effectively banning large numbers of sustainably utilised species through the introduction of positive lists could **undermine many of the EU's commitments** under CITES and CBD on the sustainable use of wildlife and support for livelihoods in many of the poorest parts of the world.



Annex 2

Additional information about EPO

Created in Vienna in April 1990, the European Pet Organization (EPO) is the European organization with which national pet trade associations in Europe collaborate in order to promote best practices among the industry and responsible pet ownership as well as to strengthen their position on European and other international issues.

EPO represents ten (10) trade associations in nine countries representing thousands of enterprises many of which are SME's or micro businesses. Its members are working together with both animal protection and scientific organizations.

Its member organizations include for each country:

- Austria: WKO
- Germany: ZZF
- Greece: Greek Pet Trade Association GPTA
- Italy: VIMAX / AIPA
- Norway: NZB
- Spain: AEDPAC
- Sweden: ZOORF
- Switzerland: VZFS
- The Netherlands: DIBEVO
- United Kingdom: OATA
- United Kingdom: Pet Industry Federation

EPO supports best practices and expertise of the pet industry as well as recommendations toward pet lovers to choose and keep in a responsible way their pets.

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