

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2000/0221(COD) Procedure completed
Animal health requirements: non commercial movement of pet animals	
Amended by <a href="#">2007/0202(COD)</a>	
Amended by <a href="#">2009/0077(COD)</a>	
Repealed by <a href="#">2012/0039(COD)</a>	
Subject	
3.10.08 Animal health requirements, veterinary legislation and pharmacy	
4.20.05 Health legislation and policy	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>DELE</b> EP Delegation to Conciliation Committee	V/ALE <a href="#">EVANS Jill</a>	06/12/2002
	Former committee responsible		
	<b>ENVI</b> Environment, Public Health, Consumer Policy	V/ALE <a href="#">EVANS Jill</a>	10/10/2000
	<b>ENVI</b> Environment, Public Health, Consumer Policy	V/ALE <a href="#">EVANS Jill</a>	10/10/2000
	Former committee for opinion		
<b>JURI</b> Legal Affairs and Internal Market	ELDR <a href="#">WALLIS Diana</a>	17/10/2000	
<b>AGRI</b> Agriculture and Rural Development	The committee decided not to give an opinion.		
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">2480</a>	21/01/2003
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2441</a>	27/06/2002
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2422</a>	22/04/2002
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2404</a>	21/01/2002
European Commission	Commission DG	Commissioner	
	<a href="#">Health and Food Safety</a>		

Key events			
18/09/2000	Legislative proposal published	COM(2000)0529	Summary

06/10/2000	Committee referral announced in Parliament, 1st reading		
10/04/2001	Vote in committee, 1st reading		Summary
10/04/2001	Committee report tabled for plenary, 1st reading	<a href="#">A5-0125/2001</a>	
02/05/2001	Debate in Parliament		
03/05/2001	Decision by Parliament, 1st reading	<a href="#">T5-0222/2001</a>	Summary
21/06/2001	Modified legislative proposal published	COM(2001)0349	Summary
21/01/2002	Debate in Council	<a href="#">2404</a>	
27/06/2002	Council position published	<a href="#">07839/2/2002</a>	Summary
03/07/2002	Committee referral announced in Parliament, 2nd reading		
03/10/2002	Vote in committee, 2nd reading		Summary
03/10/2002	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A5-0327/2002</a>	
22/10/2002	Debate in Parliament		
22/10/2002	Decision by Parliament, 2nd reading	<a href="#">T5-0493/2002</a>	Summary
21/01/2003	Parliament's amendments rejected by Council		
18/02/2003	Formal meeting of Conciliation Committee		
19/02/2003	Final decision by Conciliation Committee		Summary
19/02/2003	Report tabled for plenary, 3rd reading	<a href="#">A5-0102/2003</a>	
19/03/2003	Joint text approved by Conciliation Committee co-chairs	<a href="#">3610/2003</a>	
09/04/2003	Debate in Parliament		
10/04/2003	Decision by Parliament, 3rd reading	<a href="#">T5-0181/2003</a>	Summary
25/04/2003	Decision by Council, 3rd reading		
26/05/2003	Final act signed		
26/05/2003	End of procedure in Parliament		
13/06/2003	Final act published in Official Journal		

## Technical information

Procedure reference	2000/0221(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2007/0202(COD)</a>
	Amended by <a href="#">2009/0077(COD)</a>

	Repealed by <a href="#">2012/0039(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037; EC Treaty (after Amsterdam) EC 152-p4b
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/16989

## Documentation gateway

Legislative proposal	<a href="#">COM(2000)0529</a> <a href="#">OJ C 029 30.01.2001, p. 0239 E</a>	18/09/2000	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES1437/2000</a> <a href="#">OJ C 116 20.04.2001, p. 0054</a>	29/11/2000	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0125/2001</a>	10/04/2001	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0222/2001</a> <a href="#">OJ C 027 31.01.2002, p. 0019-0055 E</a>	03/05/2001	EP	Summary
Modified legislative proposal	<a href="#">COM(2001)0349</a> <a href="#">OJ C 270 25.09.2001, p. 0109 E</a>	21/06/2001	EC	Summary
Council position	<a href="#">07839/2/2002</a> <a href="#">OJ C 275 12.11.2002, p. 0042 E</a>	27/06/2002	CSL	Summary
Commission communication on Council's position	<a href="#">SEC(2002)0772</a>	02/07/2002	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	<a href="#">A5-0327/2002</a>	03/10/2002	EP	
Text adopted by Parliament, 2nd reading	<a href="#">T5-0493/2002</a> <a href="#">OJ C 300 11.12.2003, p. 0025-0124 E</a>	22/10/2002	EP	Summary
Commission opinion on Parliament's position at 2nd reading	<a href="#">COM(2002)0710</a>	04/12/2002	EC	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading	<a href="#">A5-0102/2003</a>	19/02/2003	EP	
Joint text approved by Conciliation Committee co-chairs	<a href="#">3610/2003</a>	19/03/2003	CSL/EP	
Text adopted by Parliament, 3rd reading	<a href="#">T5-0181/2003</a> <a href="#">OJ C 064 12.03.2004, p. 0391-0504 E</a>	10/04/2003	EP	Summary
Implementing legislative act	<a href="#">32003D0803</a> <a href="#">OJ L 312 27.11.2003, p. 0001-0013</a>	26/11/2003	EU	
Implementing legislative act	<a href="#">32004D0203</a> <a href="#">OJ L 065 03.03.2004, p. 0013-0019</a>	18/02/2004	EU	
Implementing legislative act	<a href="#">32004D0539</a> <a href="#">OJ L 237 08.07.2004, p. 0021-0022</a>	01/07/2004	EU	Summary
Implementing legislative act	<a href="#">32004D0557</a> <a href="#">OJ L 249 23.07.2004, p. 0018-0019</a>	02/07/2004	EU	Summary

## Additional information

European Commission

[EUR-Lex](#)

## Final act

[Regulation 2003/998](#)

[OJ L 146 13.06.2003, p. 0001-0009](#) Summary

Final legislative act with provisions for delegated acts

## Delegated acts

[2013/2861\(DEA\)](#)

Examination of delegated act

[2013/2869\(DEA\)](#)

Examination of delegated act

[2013/2792\(DEA\)](#)

Examination of delegated act

## Animal health requirements: non commercial movement of pet animals

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**PURPOSE** : to harmonise the animal-health requirements applicable to non-commercial movements of pet animals. **CONTENT** : this proposal highlights that measures need to be adopted at Community level to ensure that rules applicable to non-commercial movement of pet animals in the Member States are consistent. To date, attempts to harmonise the animal-health requirements applicable to non-commercial movement of pet animals have come to grief over the problem of rabies, which is dealt with in widely divergent ways by the Member States. The number of cases of rabies among household pets (cats and dogs) dropped from 499 in 1991 to 5 in 1998. This highly favourable development has prompted the United Kingdom authorities to do away with the six-month quarantine they applied hitherto to cats and dogs entering the UK. An alternative to the quarantine system has been adopted by the United Kingdom on the basis of the conclusions of a group of independent experts and following a public survey that came out overwhelmingly in favour. It is only intended to cover animals from the Member States and ultimately those from certain third countries where rabies does not exist or is under control. It is now accepted that this alternative system provides an equivalent level of safety to quarantine. Briefly, it involves: - electronically identifying the animals; - vaccinating them with an inactivated vaccine; - checking their immune response to vaccination by titration of antibodies, to be carried out more than six months prior to the movement. This draft Regulation is largely based on the alternative system adopted by the United Kingdom as regards the movement to Member States "historically free of rabies". Furthermore, vaccination is only required for movement between the Member States other than those referred to in the preceding paragraph. In line with a regional approach, the same rules applies to third countries and territories, such as Switzerland, that can be treated in the same way as the Community. At a later stage, the regulations applicable to cats and dogs from third countries should be tightened up and stricter controls applied to such movement. Since the disease is under control in all Member States, the introduction of animals from regions where rabies is endemic now constitutes the major risk of propagation. As regards such movement, this regulation lays down stricter provisions than those currently applied in certain continental Member States where titration of antibodies is not required (the test is among the recommendations of the International Animal Health Code of the International Office of Epizootics from infected countries). ?

## Animal health requirements: non commercial movement of pet animals

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The committee adopted the report by Jillian EVANS (Greens/EFA, UK) broadly approving the proposal under the codecision procedure (first reading), subject to a number of amendments. In particular, the committee wanted identification through tattoos to be phased out in eight years in favour of microchips, arguing that this was a more effective method of identification and was also a more humane method of treating animals. Tattoos could fade in time and become difficult to read. Provision should also be made for the indication of details identifying the name and address of the animal's owner. The committee also believed that detailed information for the public should be provided so that people could make the necessary preparations for travel with their pets. Staff at border points needed to be fully informed of the health requirements applicable for the movement of pets, as effective checks at EU borders were imperative to ensure the success of the new system. As regards drawing up the list of third countries which were deemed to be free of rabies, the committee wanted the Commission text to be replaced by the OIE Animal Health Code definition, which gave more information on the health status of the country and provided more adequate guarantees. It also felt that ferrets should not be included among the specified mammals covered by the proposal, as immunity testing for ferrets was not available. Lastly, it wanted Article 152 (public health) to be the sole legal base for the regulation.?

## Animal health requirements: non commercial movement of pet animals

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The European Parliament adopted the report by Mrs Jillian EVANS (Greens/EFA, UK) on animal-health requirements applicable to non-commercial movement of pet animals. (Please refer to the previous document).?

## Animal health requirements: non commercial movement of pet animals

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Most of the modifications to the initial proposal made by the Commission are amendments for clarification or introducing obligations on the Commission or on the Member States with no serious impact on the general objective of the proposal. The most significant amendment concerns the transitional period of 8 years after which the tattoo will not be recognised for identification of cats and dogs. Electronic identification will be the only accepted method. The Commission anticipates that this amendment is likely to cause difficulties in a few Member States where tattooing is still practised. Nevertheless, 8 years should allow for a smooth switch to the new technology of the microchip. ?

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## Animal health requirements: non commercial movement of pet animals

The Council has endorsed the general approach of the Commission's amended proposal. In its general structure, the common position differs from the amended proposal by integrating into the body of the text a number of animal health conditions, depending on the type of movement, which were originally in the Annex. The aim of this amendment is to distinguish the basic elements of the act, of a legislative nature, clearly from the technical elements coming under the implementing measures (comitology). The common position also clarifies certain points of the Commission's amended proposal: -it amends the directive applicable to trade in these animals (92/65/EEC) so as to ensure immediate consistency between the two texts; -it lays down, in certain cases, derogations from the general principle of anti-rabies vaccinations for young animals; -it proposes anti-rabies vaccinations for ferrets as a general principle underlying all movements of those animals; - there is a transitional period of five years at the end of which the special provisions relating to movements to the three sensitive Member States - the United Kingdom, Ireland, and Sweden - are to be reconsidered in the light of the evolution of the rabies situation in the EU; -it clarifies the additional guarantees granted to certain Member States for a transitional period of five years. These amendments are the result of a carefully-balanced compromise, and do not jeopardise the thrust of the proposal and its long-term objectives. Finally, the European Parliament considered it useful to make the identification of dogs and cats by tattooing transitional. The Council agrees to that approach, but postponed a decision on the choice of identification methods. Accordingly, the Council did not consider it necessary to specify immediately that only transponders complying with the ISO standard may be used. The decision is postponed to a subsequent review. ?

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## Animal health requirements: non commercial movement of pet animals

The Commission supports the common position, and approves all the amendments proposed by the Council.?

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## Animal health requirements: non commercial movement of pet animals

The committee adopted the report by Jill EVANS (Greens/EFA, UK) amending the Council's common position under the 2nd reading of the codecision procedure. It reinstated, wholly or in part, a number of amendments adopted by Parliament at 1st reading which were not taken up by the Council. In particular, it once more insisted that electronic identification systems (transponders) should be the only permitted method for identifying pet animals in the EU, following the eight-year transitional period for phasing out the use of tattoos, whereas the Council was postponing a decision on the definitive system of identification. The committee also reiterated Parliament's demand that, whatever form the animal identification system takes, provision should also be made for indicating details identifying the name and address of the owner. It argued that this would make checks easier, make it possible to find stray animals and help combat trafficking in pets. Another amendment deleted the clause in the common position stipulating that the requirement of compliance with ISO standards for the transponders should be the subject of a report by the Commission before 2005. The committee argued that the ISO standard should be compulsory as it would guarantee reliability and assist in public understanding of the scheme. Other reinstated 1st reading amendments covered the following points: - deletion of Article 5(2) of the common position relating to the movement of unvaccinated animals under 3 months old and its replacement by a new paragraph stipulating that the conditions laid down in the regulation should also apply to the young of animals specified in Annex I (Part A and B), which should not therefore be moved before they had reached the required age of vaccination; - as regards drawing up the list of third countries deemed to be free of rabies, the criteria laid down by the OIE Animal Health Code definition should be taken into account. Lastly, in a new amendment, the committee insisted that the possibility of extending the transitional period for the entry of pet animals into Ireland, Sweden and the UK be decided by Parliament and Council jointly, rather than by the Council alone, as provided for in the common position. ?

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## Animal health requirements: non commercial movement of pet animals

The European Parliament adopted a resolution drafted by Jill EVANS (Greens/EFA, UK) on the non-commercial movement of pets. (Please refer to the document dated 3/10/02.)?

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## Animal health requirements: non commercial movement of pet animals

The Commission accepts two of the amendments made by the European Parliament: - the recognition of electronic identification only after eight years; - the introduction of the codecision procedure for possibly adopting an extension of the special status of the United Kingdom, Ireland and Sweden on expiry of the five-year transitional period. The remaining amendments were rejected. These include: - the removal of the exemption from rabies vaccination for young animals. The risk represented by movements of non-vaccinated young animals between continental Member states was regarded as negligible during discussions at the council, and the Commission concurs with that approach; - the establishment of a number of animals to distinguish non-commercial movements from commercial movements; - basing classification of third countries solely on recognition as rabies-free, when the mechanism adopted at EU level is based on minimum acceptable risk. - the institutional amendments on the Commission's powers and on comitology are also rejected.?

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## Animal health requirements: non commercial movement of pet animals

The Conciliation Committee reached agreement on the joint text of the directive. The compromise package can be summarised as follows: - any derogation to or possible extension of the special status of the United Kingdom, Ireland and Sweden should be decided under the codecision procedure with full participation of the European Parliament; - after a transitional period of 8 years, during which both tattoos and electronic identification systems (transponders) will be allowed, tattooing will be replaced by electronic identification; - any animal identification system must be accompanied by a system of recording details from which the animal's owner can be identified. This will also assist in combating trafficking in pet animals; - with regard to the implementing measures to be adopted by the Commission under the comitology procedure, it was agreed that the provisions should be restricted to measures of a technical nature only. Furthermore, any transitional provisions adopted by the Commission shall be strictly limited to permit the changeover from the current arrangements to the arrangements established by the new regulation.?

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## Animal health requirements: non commercial movement of pet animals

The European Parliament adopted a conciliation agreement with 270 votes in favour, 8 against, with 4 abstentions approving a regulation on the non-commercial movement of pets.?

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## Animal health requirements: non commercial movement of pet animals

PURPOSE : to facilitate the free movement of pet animals. COMMUNITY MEASURE : Regulation 998/2003/EC of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pets animals and amending Council Directive 92/65/EEC. CONTENT : this Regulation aims to facilitate the free movement of pet animals while guaranteeing a high level of protection for human and animal health. To that end, it seeks to harmonise animal-health measures and the controls on non-commercial movements of pet animals within the Community and from non-member countries. The French delegation voted against this Regulation. This Regulation applies to the movement between the Member States or from third countries of the following pet animals (dogs, cats, ferrets, invertebrates (except bees and crustaceans), ornamental tropical fish, amphibia, reptiles, birds: all species (except poultry covered by Council Directive 90/539/EEC and 92/65/EEC; mammals: rodents and domestic animal). The Regulation stipulates that during an 8-year transitional period starting from the entry into force of this Regulation, dogs, cats and ferrets shall be regarded as identified where they bear: - either a clearly readable tattoo; or - an electronic identification system (transponder) After this period tattooing will be phased out and replaced by an electronic identification system (transponders). Moreover, when being moved, dogs, cats and ferrets shall be accompanied by a passport issued by a veterinarian authorised by the competent authority certifying valid anti rabies vaccination, or revaccination if applicable, in accordance with the recommendations of the manufacturing laboratory, carried out on the animal in question with an inactivated vaccine of at least one antigenic unit per dose (WHO standard). Member States may authorise the movement of dogs, cats and ferrets which are under 3 months old and unvaccinated, if they are accompanied by a passport and have stayed in the place in which they were born since birth without contact with wild animals likely to have been exposed to the infection or are accompanied by their mothers on whom they are still dependent. For a transition period of 5 years starting from the entry into force of this Regulation, entry of dogs and cats into the territory of Ireland, Sweden and the United Kingdom shall be subject to the following requirements: - they must be identified by an electronic identification system (transponder) unless the member State of destination also recognises tattooing and; - they must be recognised by a passport issued by a veterinarian authorised by the competent authority certifying a neutralising antibody titration at least equal to 0,5 IU/ml carried out in an approved laboratory on a sample within the periods laid down in national rules in force on the date 3 August 2003. In addition, Member States shall ensure that animals which are refused authorisation to enter Community territory, from third countries, are housed under official control pending return to their country of origin or any other administrative decision. Before 1 February 2007 the Commission, after receipt of the opinion of the European Food Safety Authority on the need to maintain the serological test, shall submit to the European Parliament and to the Council a report, based on experience gained and on a risk evaluation, together with appropriate proposals for determining the regime to be applied with effect from 1 January 2008. ENTRY INTO FORCE : 3 July 2003. It shall apply from 3 July 2004.?

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## Animal health requirements: non commercial movement of pet animals

LEGISLATIVE ACT: Commission Decision 2004/539/EC establishing a transitional measure for the implementation of Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals.

CONTENT: despite measures which have been adopted to ease the transition from the existing conditions to those established by Regulation (EC) No 998/2003, its implementation requires in particular the availability of the passport document in all veterinary offices, the issuing of new models of import certificates for the entry of animals from third countries, and post-vaccination testing for animals from third countries not listed in Part C of Annex II to Regulation (EC) No 998/2003. It is therefore advisable to maintain as necessary the application of the national conditions currently in force for a sufficient period of time. Accordingly, the derogation from Commission Decisions 2003/803/EC and 2004/203/EC, provided for in Decision 2004/301/EC, as regards the format for certificates and passports to be used for the non-commercial movement of dogs, cats and ferrets, should be postponed. Member States may therefore allow entry into their territory until 1 October 2004 of pet animals of the species listed in Annex I to Regulation (EC) No 98/2003 in conformity with national rules that were in force before 3 July 2004.

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## Animal health requirements: non commercial movement of pet animals

LEGISLATIVE ACT : Commission Decision 2004/557/EC laying down a derogation to the transitional regime established by Article 6 of Regulation 998/2003/EC for the transit of pet animals through the territory of Sweden between the Island of Bornholm and the other parts of the territory of Denmark.

CONTENT : Article 6 of Regulation 998/2003/EC establishes for a transitional period of five years the veterinary conditions applying, inter alia,

to non-commercial movements of pet dogs and cats, to the territory of Sweden. Those conditions are largely the same than the national conditions applying for entry into Sweden before the implementation of the Regulation. A bilateral agreement existed between Sweden and Denmark establishing less restrictive requirements than those applicable for entry into Sweden for the transit of pet animals through the territory of Sweden between the Island of Bornholm (DK) in the Baltic Sea and the other parts of the territory of Denmark.

This Decision maintains the limited derogation to the transitional regime. By derogation to Article 6 of Regulation 998/2003/EC and until the end of the transitional period laid down in that Article, transit of pet animals of the species mentioned in Part A of Annex I to the Regulation between the Island of Bornholm and other parts of the territory of Denmark through the territory of Sweden is permitted according to the conditions agreed between the two Member States.

ENTRY INTO FORCE : This Decision will apply from 3 July 2004.