

Flemish Government

Animal Welfare Department

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OPINION GUIDANCE 29/09/2022 – Flemish Animal Welfare Council

Import of stray and shelter dogs

1 WORKING GROUP PARTICIPANTS

Chairman:

- Frank Gasthuys UGent, Faculty of Veterinary Medicine

Working Group Members:

- Emmanuelle Nicolaï Animal Shelter Genk
- Gudrun Briat Animal Care Espana | Spaanse Honden In Nood (Shin)
- Kurt Zaman Inspection Service Animal Welfare, Flemish Government
- Miguel Stevens Regional Council of the Order of Veterinarians, NGROD
- Nathalie Jacobs Federal Agency for the Safety of the Food Chain
- Patrick Ghysels Andibel
- Paul De Cooman Anizoo
- Sébastien Tonneus Animal Shelter Tienen
- Vanessa Delvael The lucky ones vzw

Secretary of the Flemish Animal Welfare Council:

- Ester Peeters

Animal Welfare Service:

- Eric Van Tilburgh
- Elke Vleugels/Leen Willems
- Marjoleine Walewijns

2 DATES OF MEETINGS

30/09/2021, 28/10/2021, 23/11/2021, 21/12/2021

3 CONTENT SUMMARY OF MEETINGS

Overview

- The demand for puppies in Flanders exceeds the supply of animals bred here.
- Every year, 160,000 new dogs are registered in Belgium, about 100,000 (\pm 63%) of which in Flanders. 70,000 dogs of these have Belgian (European) passports, 30,000 have non-Belgian (European) passports. Of the animals with non-Belgian (European) passports, 16,000 are imported by breeder-dealers and 14,000 by others. Dogs with Belgian passports also include dogs imported from third countries (non-EU) that do not have a European passport and are issued a Belgian passport upon arrival.
- According to current regulations, animal shelters are not allowed to import dogs. As such, in Flanders, organisations that import dogs cannot be recognised as animal shelters. So dogs go directly to the adopters. Organisations may therefore only mediate (mediation non-profit organisations), or place dogs from their shelter abroad directly with the adopter in Flanders (foreign recognised shelters).
- Within the European Union, a commercial or private transport of 5 or more dogs must be registered by TRACES (TRAde Control and Expert System). The number of dogs registered in TRACES in Belgium is increasing year on year (Table 1). Organisations' transports of stray and shelter dogs are also considered commercial transports.

Table 1: Number of dogs imported into Belgium registered in TRACES by region

Region	2017	2018	2019	2020
Brussels	41	53	127	210
Flanders	19,583	18,492	19,635	22,361
Wallonia	1,744	2,373	2,264	3,396
Grand Total	21,368	20,918	22,026	25,967

Source: Based on TRACES figures (2017-2020)

- Most of it is accounted for by Flanders because there are many grower-traders in Flanders (commercial shipments). The countries from which these breeder-dealers import dogs are Hungary,

Slovakia and the Czech Republic. Other countries from which there are significant imports are Romania and Spain. Approved breeder-dealers are not or less active here; these are stray and shelter dogs imported by individuals or organisations (Table 2).

Table 2: Number of dogs imported into Belgium registered in TRACES by country of origin (top 6)

Country of origin	2017	2018	2019	2020
Hungary	1,818	1,660	4,126	8,854
Slovakia	12,704	12,167	8,515	6,244
Romania	1,166	1,748	2,687	4,667
Czech Republic	3,960	3,483	4,437	3,584
Spain	1,477	1,562	1,873	2,263
Italy	26	34	18	71

Source: Based on TRACES figures (2017-2020)

- The majority of Spanish dogs are imported by individuals or organisations who do so regularly or have done so for a long time. Romanian dogs are mainly imported by small organisations.
- 50% of imported Romanian dogs are under a year old; for Spanish dogs, the figure is 38%.
- Dogs imported from non-EU Member States such as Ukraine and Russia are not included in these figures, as this transport does not have to be registered in TRACES.

Operation of dog importing organisations

- Differences exist between the importing organisations. On the one hand, there are organisations that organise imports according to the applicable rules (registration, vaccinations, etc.) and, on the other hand, there are also organisations that do not follow all applicable rules. Assessing or not assessing the dogs' behaviour and finding a good match between dog and adopter can also differ by organisation.
- Some adopters of foreign stray and shelter dogs did not find a dog to their liking in Flemish shelters or were turned down for adoption by a Flemish shelter because of their age.
- The consulted organisations of the working group work with a local shelter in the country of origin (The Lucky Ones), or are themselves a shelter recognised in the country of origin (ACE|SHIN). That shelter takes in animals from municipal shelters, animals from confiscations, and surrendered dogs. The dogs go into quarantine on arrival and receive medical treatment if necessary (e.g. surgery after trauma). They are

identified/registered, vaccinated spayed/neutered, treated for worms and parasites and tested for common diseases. Behaviour towards people and other dogs is assessed and, if necessary, work is done with a behavioural therapist.

- Prospective adopters are screened by completing a questionnaire and/or a home visit. This takes into account family composition, space, presence of other domestic animals and experience, lifestyle and expectations of the candidates, among other things. Applicants are given a description of the dog's nature (active, social or anxious, dominant or more obedient, etc.) and given tips on its subsequent upbringing and how to best introduce it to its new environment.
- If an organisation judges that there is a match between the prospective adopter and a dog, then the dog may be adopted.
- Afterwards, the organisation keeps in touch with the adopter and guidance is provided by the aftercare team. Assistance by behavioural therapists is also provided (ACE | SHIN) If it turns out that dog and adopter are not a good match, or if after some time the adopter is unable to keep the dog (e.g. death, illness or divorce), the organisation takes the dog back, and looks for a new adopter. This is to prevent the dog from ending up in a Belgian shelter. Because of the current ban on fostering dogs in Flanders, these dogs are currently placed into temporary care in the Netherlands (ACE | SHIN), or are transported back to the shelter in Spain.
- The organisations represented in the working group indicate that they do not import dogs if the adopter is not yet known. Inspectors from the Animal Welfare Department note that other organisations import stray and shelter dogs without adopters. Also, dogs that are returned to the organisation after the actual adoption by the adopter often stay in host families that are not recognised as shelters for receiving surrendered dogs.

Rabies and public health

- Rabies is a communicable disease that can be fatal. Belgium has been rabies-free for several years, but the disease still occurs in some European and non-European countries. To protect human and animal health, there are rules at European level that must be complied with. There are conditions relating to identification, vaccination, blood tests and health certificate. In the case of a commercial transport (including transfer of ownership after importation or transport of more than five dogs), there are a number of additional import conditions that must be met (<https://www.fasfc.be/import-belgium/travelling-your-pet/return-belgium> and <https://www.fasfc.be/import-belgium/travelling-your-pet/commercial-and-non-commercial-imports>)
- An animal can be vaccinated against rabies from the age of 12 weeks. This is the so-called 'primary vaccination' (first vaccination against rabies). This vaccination is only valid after 21 days, meaning that an animal may travel across borders from 15 weeks of age at the earliest. Animals imported must therefore be at least 15 weeks old.
- The FASFC (Federal Agency for the Safety of the Food Chain) regularly receives reports from veterinarians about imported unvaccinated dogs. Mostly they are imported from Romania, Bulgaria and Poland, but also

increasingly from high-risk countries such as Turkey and Ukraine. The seriousness of the danger of rabies should not be underestimated.

Current rules in the context of (public) health

- Some terms:
 - TRACES (TRAde Control and Expert System): for intra-Community (within Europe) trade. All commercial transport must be reported, indicating the point of departure and the point of arrival.
 - Health certificate: for any dog coming from outside the EU, there should be a European recognised health certificate, making it clear that the animal has had the necessary vaccinations.
 - European passport: European passport to travel in the EU with a dog (cat or ferret). This passport must contain the identification details of both animal and owner. The domestic animal must be identified with a microchip.
- In case of transport, the following rules must be complied with:
 - Commercial transport within the EU
 - Identification and registration (passport + microchip) in European passport
 - Valid vaccination against rabies
 - Preparation of a TRACES certificate by the official veterinarian in the country of origin
 - Transport from outside the EU
 - Identification (microchip)
 - Valid vaccination against rabies
 - Health certificate and inspection of the animal at the border inspection point of entry into the European Union
 - Blood test (list of countries https://ec.europa.eu/food/animals/movement-pets/eu-legislation/listing-territories-and-third-countries_en)
 - No announcement in TRACES
- If dogs are imported by an organisation and delivered to the adopter, they must go directly to the final address of the already identified adopter. With the entry into force of the 'Animal Health Law', the FASFC will monitor this more strictly.

Current rules related to animal welfare

- Situations in which a foreign dog may be imported:
 - purchase or direct adoption - by a private individual
 - purchase by a Belgian grower-dealer from an authorised foreign grower

- purchase or adoption through a Belgian non-profit organisation or organisation that mediates between the adopter and a foreign animal shelter or that itself has a foreign shelter, where the dog is taken directly to the adopter
- a dog accompanying its owner when the latter moves to Belgium
(see Royal Order of 27 April 2007 on the accreditation criteria of animal establishments and the conditions for the marketing of animals, the so-called Kennel Order)
- The representatives of the shelters in the working group have asked their colleagues via a roundtable question if they are requesting to be allowed to import stray and shelter dogs as well. Asylums contacted by representatives indicated that they have no demand given structural capacity issues. There are already intake waiting lists for shelter dogs in Flanders. A shelter in the East Flanders region does however have demand, given that it still has space available, which it wants to use to give foreign dogs a chance as well. Another shelter in the Antwerp region (which also previously imported dogs), has no issue importing adoptable dogs.

Discussion points on importing stray and shelter dogs

- Several behavioural vets contacted indicate that it is not straightforward to determine whether a dog is well-socialised via a test.
- From their practical experience, the behavioural vets contacted are of the opinion that imported stray and shelter dogs have a higher risk of anxious behaviour and consequently biting behaviour than other dogs. The dogs' past is often unknown. There are few if any figures to estimate the order of magnitude of the problem. Dog-importing organisations regret that these behavioural veterinarians did not participate in the working group, making it impossible for members to ask questions, or respond to their pronouncements. Nor was it clear to the organisations exactly what experience these individuals had, what type of foreign dogs were involved (feral stray dogs or shelter dogs) and how they dealt with anxious dogs. Indeed, ACE|SHIN, for its part, has found that the approach of some behavioural therapists (whose title is also unrecognised) just traumatises anxious dogs even more.
- During meetings on the import of stray and shelter dogs, members of the working group raised the following concerns:
 - health risks
 - difficulty of correctly screening and matching adopter and dog.
 - potential puppy trade
 - greater risk of behavioural difficulties
 - strict regulations for shelters and for traders importing and selling dogs, while this is not the case for importing stray and shelter dogs.
- For their part, participating dog-importing organisations expressed concern about:
 - The existence of rogue organisations, which already do not follow the rules in force, importing dogs purely for monetary gain, without attention to medical follow-up (only the rabies vaccine is mandatory), to animal welfare or without proper screening and guidance of prospective

adopters. If rules are tightened, they risk going even more underground, leaving no control at all over animal welfare and health rules. On the other hand, the serious organisations, which have always followed the rules, risk bearing the brunt of stricter rules. The current administrative and legal requirements in both the country of origin and Belgium are already making things very difficult for them, including financially.

4 REPORTS CONSULTED - REGULATORY FRAMEWORK

- Flemish Animal Welfare Council opinion - Flemish Animal Welfare Council opinion (09/12/2010) on the import of dogs into Belgium
- Royal Order of 27 April 2007 on the accreditation criteria of animal establishments, the so-called 'Kennel Order'
- Law of 14 August 1986 on the protection and welfare of animals.
- FASFC regulations:
 - Royal Order of 13 December 2014 on animal health requirements for the movement of dogs, cats and ferrets
 - Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003
 - Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council and required pursuant to Article 10(1)(e) of the aforementioned Regulation (EU) 576/2013

5 PRESENTATIONS

- Ester Peeters - 'State of affairs - Import of stray and shelter dogs - Flemish Animal Welfare Council, Opinion 2010, Problem definition, Working group objective, Regulation, Overview'
- Gudrun Briat – Operation of ACE|SHIN
- Vanessa Delvael - Operation of The Lucky Ones

6 APPROVAL OF OPINION BY FLEMISH ANIMAL WELFARE COUNCIL

Approved 29/09/2022