

Advice of the Brussels Animal Welfare Council (21/06/2018)

Accreditation procedure for occasional dog and cat breeders

Within the framework of the Cat Plan, in order to limit the population of stray cats, every cat owner in the Brussels-Capital Region (BCR) must have their cat neutered before it reaches¹the age of 6 months, as from 1 January 2018. Exceptions are only made for accredited (licenced) breeders.

Breeders of dogs and cats must, in accordance with current legislation (Royal Decree of 27 April 2007)² be accredited if they intend to breed more than 2 litters a year. Accreditation (a licence) can be obtained as a hobby breeder (who can trade up to 10 litters of their own per year), professional breeder (who can trade in more than 10 litters of their own per year) or breeder-dealer (who can also trade in the litters of other breeders). However, the obligation to neuter cats does not take into account the occasional breeders (who are in fact considered private individuals) who, due to the obligation to neuter can no longer breed without accreditation. However, some occasional breeders are breeders of (sometimes rare) pedigree cats who - from a love of the breed rather than for commercial reasons - would like to breed and raise a very limited number of litters in a domestic environment. However, it is expected that a small minority will take the trouble to go through the procedure to obtain accreditation as a hobby breeder. After all, this procedure and the associated conditions for accreditation are relatively onerous for many private individuals.

For dogs, the problem of stray animals is much less prevalent in Belgium, so there is no obligation to neuter them. However, from the point of view of traceability of breeding and trade, it may also be of interest to have all dog breeders (including occasional breeders) registered or accredited. This would be informative for authorities if problems were to develop, e.g. illegal trade in (non-self-bred) puppies through 'so-called' occasional breeders (in 'so-called' family situations). If all breeders had to be accredited, they could also all be required to indicate their accreditation number in publicity when selling their animals. However, as with cat breeders, the current accreditation procedure for hobby dog breeders is relatively onerous.

The current accreditation procedure for hobby breeders is not only onerous for candidate breeders, it also represents a significant administrative burden for the authority assessing the applications for accreditation (Brussels Environment in the BCR). Indeed, the latter is required to carry out an on-site control visit. This is one of the reasons for which the (maximum) deadline for issuing accreditations is 4 months after receipt of the complete application file (Royal Decree of 27 April 2007)².

For the above reasons, the Brussels Animal Welfare Council (the Brussels Council) advocates the introduction of a separate accreditation procedure for occasional cat and dog breeders, which is less administratively burdensome than the accreditation procedure for hobby breeders. In the Walloon Region (WR) a similar, "light" version of accreditation for occasional breeders of cats has been in place since May 2017.

¹ Order of the Government of the Brussels-Capital Region of 13 July 2017 amending the Royal Decree of 3 August 2012 on the multi-year plan for the neutering of domestic cats

² Royal Decree of 27 April 2007 on the approval conditions for animal establishments and the conditions for trading in animals

The conditions for this “light” accreditation were set out in the Walloon Government Decree of 11 May 2017, which amended the Royal Decree of 27 April 2007. The Brussels Council studied the principles and conditions for the recognition of occasional breeders in the WR, and discussed which principles and conditions should or should not be included in the procedure for the accreditation of occasional breeders in Brussels.

The Brussels Council wants a recognition procedure that is less "light" in some respects than the Walloon accreditation procedure:

Concerning cats

- Accreditation as an occasional breeder of cats should be reserved for breeders of pedigree cats. Purebred cats are those with a pedigree, that are bred by an accredited breeder and under the oversight of a recognised cat-breeding association. The breed or breeds held by an occasional breeder must appear on a list of breeds recognised by a recognised breeding association. Meaning that they must be included in the current Fédération Internationale Féline (F.I.Fe) list, with the exception of
 - the house cat, defined (although breeding is not allowed) by F.I.Fe as consisting of two different types, namely the Long-haired House Cat (Longhaired House Cat, HCL) and the Short-haired House Cat (Shorthaired House Cat, HCS). The latter types are not the same as the European Shorthair (European, EUR), which according to F.I.Fe is a recognised breed that may be bred (provided that the cat has a pedigree). The Brussels Council wishes the future amendments of this F.I.Fe list to be taken into account.

The status of occasional breeder should not be available to the domestic cat (a cat without a pedigree, the parents of which are usually unknown, or which originated from an unauthorised cross between different breeds), for which, as part of the Cat Plan, no exceptions to the obligation to neuter are allowed.
 - Bengal of generations F1-F4. In a separate advice (also dated 21/06/2018) the Brussels Council advises a ban on the keeping (and breeding) of hybrid cats, with the exception of Bengals of generations F5 and beyond. F.I.Fe also prohibits the breeding of generations F1-F4, although it does recognise the Bengal as a breed.
- Each occasional cat breeder may keep and breed a maximum of 2 different breeds.
- The Brussels Council stresses, however, that attention must be paid to maintaining genetic variability and health, and to avoiding welfare problems in the general population of purebred cats. Breeders (including occasional breeders) and owners of pedigree cats should be made aware of hereditary defects resulting from excessive selective breeding. The Brussels Council also notes that, if the option of breeding pedigree cats as a "private" (occasional breeder) leads to too many health and welfare problems in the long run, the legislation will have to be amended again. This should be included in future evaluations of the Cat Plan.

Concerning dogs

- Each occasional dog breeder may keep and breed a maximum of 2 different breeds, 1 pure breed and 1 or 2 crossbreeds.



- In line with the previous point (as well as the first point of the preceding paragraph, "Concerning cats"), the Brussels Council notes that Article 19, paragraph 3 of the Royal Decree of 27 April 2007 provides that: *"Breeding by crossbreeding different breeds shall be prohibited, except for exceptions permitted in writing by the Minister on the advice of the Animal Welfare Council or the societies for the improvement of dog and cat breeds"* However, this ban is in practice not respected for dogs, as many breeds of dogs are commonly crossed throughout Belgium, without the abovementioned written permission. The Brussels Council is aware of this and at least with regard to dogs does not want to put an end to this practice.
- Purebred dogs are understood to mean: dogs that have a pedigree and have been bred by an accredited breeder and which are supervised by an accredited dog-breeding association. The breed or breeds held by an occasional breeder must appear on the current list of breeds recognised by the "Fédération Cynologique Internationale" (FCI). The Council would like future amendments to this FCI list to be taken into account.

Concerning cats and dogs

- Regular visits by a contract veterinarian should also be mandatory for occasional breeders.
 - The manager must therefore enter into a contract with an accredited veterinarian and attach this contract to the application form for accreditation (in accordance with Art. 6 and Art. 2 paragraph 2 of the Royal Decree of 27 April 2007).
 - Visits by the contract veterinarian must be made less often than for hobby breeders (quarterly, i.e. 4 times a year). For occasional breeders a half-yearly frequency is sufficient. This frequency can ensure a good relationship of trust between breeder and veterinarian (important for raising awareness and accountability) while a higher frequency contributes little when only 2 litters per year are bred (see below).
 - At each visit, the contract veterinarian will leave a report of the visit confirming that the animals present have proper and careful care (including suitable accommodation), in accordance with the regulations for other accredited breeders (Article 6 paragraph 2 of the Royal Decree of 27 April 2007). This report shall be kept in the establishment for at least 2 years and will be made available to the inspecting authority for at least 2 years (for any checks or inspections).
 - In addition, each animal present must have a medical record at the contract veterinarian's office, which must be completed and kept up to date, including reports on every medical treatment. This medical record also logs which mother has produced which kittens or puppies. The relevant ID codes of the mother and the offspring will be reported in the medical records.
- The validity of the accreditation must be limited to 2 years (instead of 6 years for occasional breeders in the WR and 10 years for hobby breeders in all regions), but must offer the possibility of renewal of accreditation every 2 years. This should ensure regular, interim evaluations of the conditions for approval by the competent authority.
 - Renewability is important because reproductive females (cats and bitches) do not always get pregnant within 2 years.



- Moreover, an explicit limitation should be set on the number of litters per occasional breeder. In view of the advised period of validity of the accreditation (2 years), and the already existing prohibition to breed female breeding animals (used for breeding by approved breeders) more than twice a year (Art. 19 paragraph 1 of the Royal Decree of 27 April 2007), the Brussels Council proposes a maximum of 4 litters per 2 years.
 - The occasional breeder therefore will not allow more than 2 female breeding animals per year to become pregnant, and (preferably) does not allow each female breeding animal to become pregnant more than once a year.
- Furthermore, a legal limit should be set on the number of non-neutered females over 6 months of age (breeding animals) that an occasional breeder may keep, specifically 5.
- In accordance with the provisions of the Cat Plan, kittens should be neutered before they are sold (including by occasional breeders), unless they are sold to another accredited breeder.
- Occasional breeders should, however, be required to provide guidelines for nutrition, housing and care and, at the request of the buyer, a certificate of transfer.
 - This is (based on Art. 29 paragraph 1 of the Royal Decree of 27 April 2007) mandatory for all accredited breeders and pet shops, but not for occasional breeders (on the basis of Art. 34/1 of the Royal Decree of 27 April 2007) - and also not for occasional breeders in the WR (see Art. 6 of the Walloon Government Decree of 11 May 2017).
 - The Brussels Council emphasises that the guidelines are essential in the context of raising awareness and responsibility of the buyer with regard to the physiological and ethological needs of the purchased cat or dog, while also paying attention to the specific characteristics of, for example, the breed.

Furthermore, the Brussels Council agrees with the following points that should make the accreditation procedure for occasional breeders less onerous than the accreditation procedure for hobby breeders (like in the WR):

- The accreditation application form is simpler and does not have to include a schematic plan of the nursery interior (indicating the function and dimensions of the different rooms).
- The cost of accreditation is limited. The cost of € 20 in the WR is an appropriate amount in the opinion of the Brussels Council.
- There is no inspection visit by the authorities before accreditation is issued, which shortens the administrative procedure for obtaining accreditation.
 - The BCR has yet to determine which deadline would be feasible for the administration of Brussels Environment.
- Occasional breeders are not required to have a room for veterinary examination and quarantine.
- There should be no rules for occasional breeders about requirements to provide personnel, training and hours spent socialising the animals. However, occasional breeders should be obliged to pay sufficient attention to the socialisation of the animals, in a correct and animal-friendly way.

Conclusion:

After an analysis and discussion of the Walloon regulations concerning a "light" accreditation (licencing) procedure for occasional breeders of cats and dogs, the Brussels Council decided that a similar, separate accreditation procedure for occasional breeders should come into force in the BCR.

This accreditation procedure should, however, be less "light" than the Walloon accreditation procedure on a number of points. Specifically, the Brussels Council wants to limit the accreditation of occasional cat breeders to pedigree cat breeders - of F.I.Fe-listed cat breeds - with the exception of the domestic cat (HCL or HCS, see page 2) and Bengals of generations F1-F4. In addition, the Brussels Council (for cats and dogs) wants to mandate half-yearly visits by a contracted veterinarian and the keeping of a medical record per animal, limit the validity of accreditation to 2 years, explicitly limit the number of litters (2 litters per year), and make the provision of guidelines for feeding, housing and care to buyers mandatory.

This accreditation will allow occasional breeders of pedigree cats to breed and raise a limited number of litters in a domestic environment, despite the requirement to neuter for private cat owners. In addition, accreditation will contribute to the traceability of breeding and of trading in cats as well as dogs.

Minority recommendations:

The CRFOMV³, the NGROD⁴ and the UPV⁵ regret the variations in the status of occasional breeder among the different regions. It should be remembered that each measure must be in the public interest. Therefore, the updated statistics for animal shelters must be reviewed. Each measure must be applicable, but this proposal is very difficult to put into practice, to monitor and to reconcile with the breed associations. Any measure must be proportionate to the objective pursued and must be applied in the same way to all. However, the proposal is highly discriminatory and disproportionate to the objective. Moreover, selective breeding inevitably leads to genetic defects and diseases. Therefore, the veterinarians are in favour of a "light" version of accreditation for occasional breeders of pedigree and domestic cats, under the same conditions.

³ Conseil Régional Francophone de l'Ordre des Médecins Vétérinaires

⁴ Nederlandstalige Gewestelijk Raad van de Orde der Dierenartsen

⁵ Union Professionnelle des Vétérinaires