

A close-up photograph of several guinea pigs of various colors (brown, white, and black) gathered around a pile of fresh green grass, appearing to be eating. The background is a rustic wooden structure.

COUNCIL ON ANIMAL AFFAIRS

REQUIREMENTS FOR
KEEPING ANIMALS
SUMMARY

The purpose and activities of the Council

The Council on Animal Affairs (Raad voor Dierenaangelegenheden RDA) is an independent council of experts, which advises the Minister of Economic Affairs. This advice is submitted on request and by the Council's own initiative regarding complex, multidisciplinary issues relating to animal health and welfare. The Council currently comprises some forty experts with a wide range of backgrounds and expertise, who serve on the Council in a personal capacity, independently and without any outside influence.

The Council on Animal Affairs considers issues across the entire spectrum of animal policy: on captive ("domesticated") and non-captive ("wild") animals, smallholding, or hobby farm animals, companion animals (pets), commercially raised animals and laboratory animals.

The Council records the conclusions of its deliberations in opinions. These documents provide an overview of the scientific and societal background to various issues, and include recommendations on policy options and avenues for resolving potential problems. Consensus is not a requirement for the inclusion of opinions; an opinion may contain views held by a minority of Council members.

Preface

In 2013, the Minister of Agriculture asked the RDA to establish basic requirements for keeping certain animal species as companion animals. Given the data available at the time, the Council concluded that it would be impossible to draw up appropriate requirements, and recommended a procedure for obtaining the required information. Since then, the Minister has published the first list of companion animals, based in part on information provided by the RDA. With this summary of the Council's opinion we are pleased to inform the general public about some of the background and history of this topic.

The Hague, March 2015



Frauke Ohl, chair



Marc Schakenraad, general secretary

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Requirements for keeping animals

Opinion request

Request: Establish requirements for keeping distinct animal species as companion animals. (The species in question are listed in an attachment to a letter by the Minister for Agriculture to the Dutch Lower House on 20th of June 2013).

Reason: Concern at the societal and political levels had prompted an increasing call to restrict the possibility to keep non-regular species as companion animal. During the summer of 2013 the Minister of Economic Affairs therefore presented the Lower House with lists of animal species that shall be allowed to be kept either with or without restrictions. The requirements for keeping the animals on the first list had not yet been determined.

Views: "The Council's Chairperson, Frauke Ohl, thus organised a large stakeholder meeting to explore a possible joint working agenda" Ludo Hellebrekers remembers. Ludo chaired the forum that was overseeing this opinion. The meeting went very well and revealed considerable willingness among stakeholders to work together. "After that, we set to work and the process turned out to be similar to the discussion about interventions in animals, which also had resulted in an opinion," Hellebrekers recalls. As it had done previously, the Council started by creating a roadmap for establishing requirements. Hellebrekers explains, "You have to weigh the different

Photo: William Hoogteyling



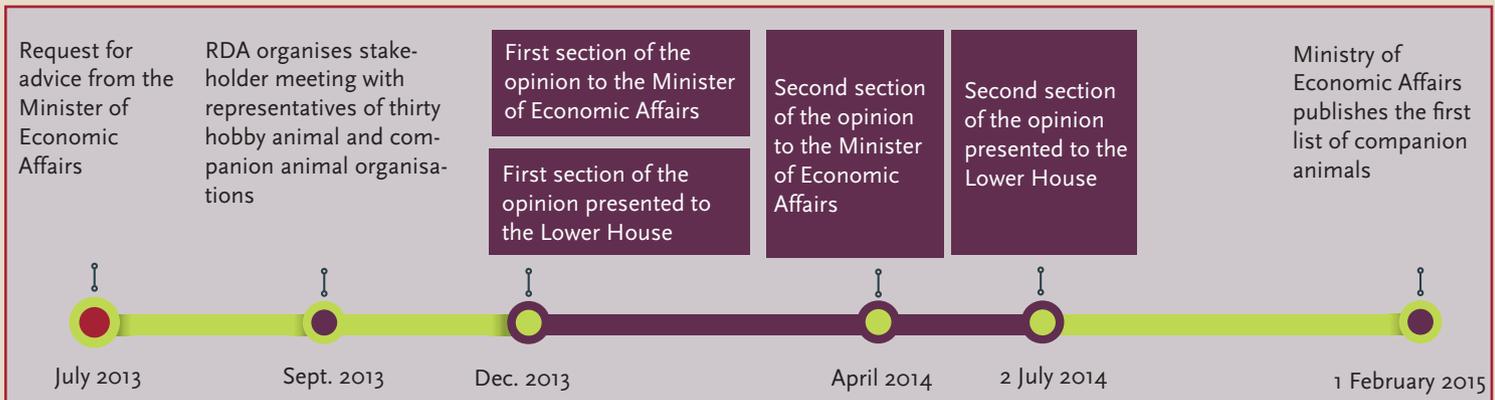
Ludo Hellebrekers

aspects that play a role in determining requirements. These include animal welfare, human welfare and, of course, ecological considerations.” While the Council, thus, was able to recommend on how requirements for animal keeping should be framed, it felt that there was insufficient clarity on the content of the requirements themselves: what information should they contain? How should they be tested? And who should be responsible for their establishment and enforcement? The Council also requested information on problems that can affect the welfare of animal species that were under review for special requirements. The Minister promised to provide this information. As it was still unavailable at this stage, the Council however was not able to address the Minister’s request for specific requirements as yet.

Recommendations: A first section of the opinion includes recommendations for establishing requirements, with examples for ferrets, hamsters, chinchillas and guinea pigs. The format is comparable to that of

the ethical framework used in previous opinions. The Council’s letter to the Minister indicates that information about potential animal welfare problems is not sufficient for defining the requested requirements for keeping distinct species. Thus, the process of determining actual welfare problems needs to be refined, and the results subsequently need to be tested by an experts group.

Response: As we are dealing with an opinion that still needs to be finalised, public response has been limited so far. On the 2nd of July 2014, the Minister for Agriculture sent the Lower House the final version of the opinion, with her conclusions for the follow-up. This has since resulted in the first list of companion animals.



Brief overview of contents

It was some 25 years ago that the debate emerged on creating lists of animal species labelled as “positive” or “negative” to indicate whether, and if so, under what conditions, keeping distinct animal species may be deemed socially acceptable as related to aspects of animal welfare and risks to humans. In 2009, the RDA published an opinion entitled “Responsible Animal Keeping” (*Verantwoord Houden*) about roles and responsibilities in keeping animals. This document also served as a guideline for the current opinion on requirements for keeping non-regular animal species. In June 2013, the Minister for Agriculture presented the first positive list, which comprised mammals only. The lists were partly based on a system developed by the Animal Sciences Group of Wageningen University & Research centre (WUR)

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“The opinion ultimately resulted in cooperative action”

Once the final recommendations were published on 1st of April 2014, a successful process was set in motion to establish requirements for keeping non-regular animal species. Ludo Hellebrekers explains: “After the summer, a group of experts was set up under the auspices of the Ministry of Economic Affairs. This group is also known as the Positive List Expert Committee (*Positieflijst Expert Commissie*, or PEC), and consists of researchers, stakeholders and non governmental organisations. They are responsible to define the requirements for different animal species and to present those to a second commission, the Positive List Advisory Committee (*Positieflijst Advies Commissie*, or PAC). The PAC consists of four independent experts, plus the project leader, Hans Hopster, from Wageningen University & Research centre (WUR). The PAC evaluates the PEC’s findings in terms of quality, consistency and feasibility. The PAC’s evaluation also takes account of a risk assessment on zoonoses by the Netherlands Food and Consumer Product Safety Authority (NVWA).

The first series, comprising about one hundred animal species, were successfully presented to the Ministry just before the end of 2014. The list differentiates between animals in three categories: A (species with no restrictions), B (species subject to special requirements, and C (banned species). The list took effect on February 1st 2015. According to Hellebrekers: “In the end, all the parties involved managed, despite their individual responsibilities, to find a very effective common approach.”

In July 2013, the Minister for Agriculture asked the council to submit an opinion, specifying the requirements for animals that fall within the category of species that are subject to special requirements for keeping. The task at hand was to establish feasible requirements that would meet with sufficient public support. The Minister asked the committee to seek advice from stakeholder organisations and specialised keepers. After a motion in the House, the Minister also asked to look into guidelines for the housing and care for the six animal species that were on the positive list at that time.



for assessing welfare problems when keeping animals. Other considerations examined in this regard were the possibility of zoonoses, potential threats to the environment, including the risk of domesticated animals going feral.

Stakeholder meeting

Initially, little support for the proposed positive lists appeared to exist among animal owners. Nonetheless, contributions from stakeholder organisations were needed to draw up these requirements, as the database at WUR contained practically no information for numerous

species. In light of this, the Council started by organising a meeting with all stakeholder groups to find a common base from which to work together towards establishing the envisioned requirements.

All of the participants at this stakeholder meeting, around fifty representatives from some thirty organisations, agreed that requirements are necessary for keeping animals. At the same time, there was widespread concern about whether monitoring and enforcement of the positive list system would be feasible.

The stakeholder groups in particular felt that they had been given insufficient opportunity to contribute to the

process so far. They also felt the process had lacked transparency. There was some criticism as to the fact that the positive list would coincide with existing legislation, for instance in risk areas and in matters involving zoonoses and invasiveness. Moreover, considerations regarding animal diseases and zoonoses were perceived as being quite unrealistic, and a great deal of criticism arose concerning the inclusion of dogs and cats on the list of commercially kept animals without an assessment by WUR.

Eliminating ambiguities

Subsequently, the Council set to work to create a cooperative framework for establishing a coordinated set of requirements for all species of kept animals, regardless of the reasons for which they were acquired. This extended beyond the scope of the Minister's request,

but was felt to be necessary in developing a sustainable and consistent policy.

It also appeared that previous considerations for placing animal species on the different lists were unclear, which was not helpful in garnering societal support for the positive list system. This lack of societal support also applied to the decision not to include dogs and cats in the opinion by placing them on the list of "commercially kept" animal species. The Council also questioned that decision. Finally, the Council was wary of duplicating any existing or upcoming guidelines or regulations.

A decision was made to issue the opinion in two stages: a preliminary set of recommendations for establishing requirements for keeping animals, followed in the first half of 2014 by the final recommendations, including the envisioned requirements themselves. During the second



stage, contributions by stakeholder organisations, such as Dibevo¹, *Stichting AAP*² and the *Platform Verantwoord Huisdierenbezit*³ would be vital.

As amateur animal keepers are expected to present the biggest problems, proposals were made to introduce a system of testing for exemptions, of issuing permits and of requiring registration for all animals. The stakeholder organisations indicated that they would be willing and able to help out with the administration of permits. Proposals regarding the trade in companion animals were to continue certification, to limit the specialised outlets that sell less regular species and to require dealers to issue instructions and/or information leaflets for keeping animals.

1 Sector organisation for entrepreneurs in the companion animals sector

2 Organisation for the welfare of primates and other exotic animals

3 Platform for responsible caretaking of companion animals



Requirements

In establishing requirements, the Council prefers target requirements above operational requirements. The Council also advocated requirements that would serve, through best practices, not only to eliminate negative factors, but also to create positive ones. To this end, a template for requirements to keep animal species was presented that is intended to be filled out and substantiated by relevant stakeholder organisations.

The Council suggested having the regulations established in this way assessed by an independent expert review committee, to be appointed by the Minister for Agriculture. This committee would also make assessments about later amendments.

The Council considers the *National Information Centre for Companion Animals*⁴ and the *National Livestock Knowledge Network*⁵ the best organisations for disseminating the requirements and making them available to the general public.

Other recommendations

The Council also issued the following recommendations:

- To create effective cooperation between keeper organisations, animal welfare NGOs and government;
- To ensure that the requirements for keeping animal comprise an open system that can be adjusted based on new insight;
- To establish requirements for keeping animal species that are currently not subject to any restrictions;
- To include hybrid species and mutants in the regulations for the relevant thoroughbred species;
- To apply the findings of the European CALLISTO project in tightening Dutch policy on diseases in companion animals.

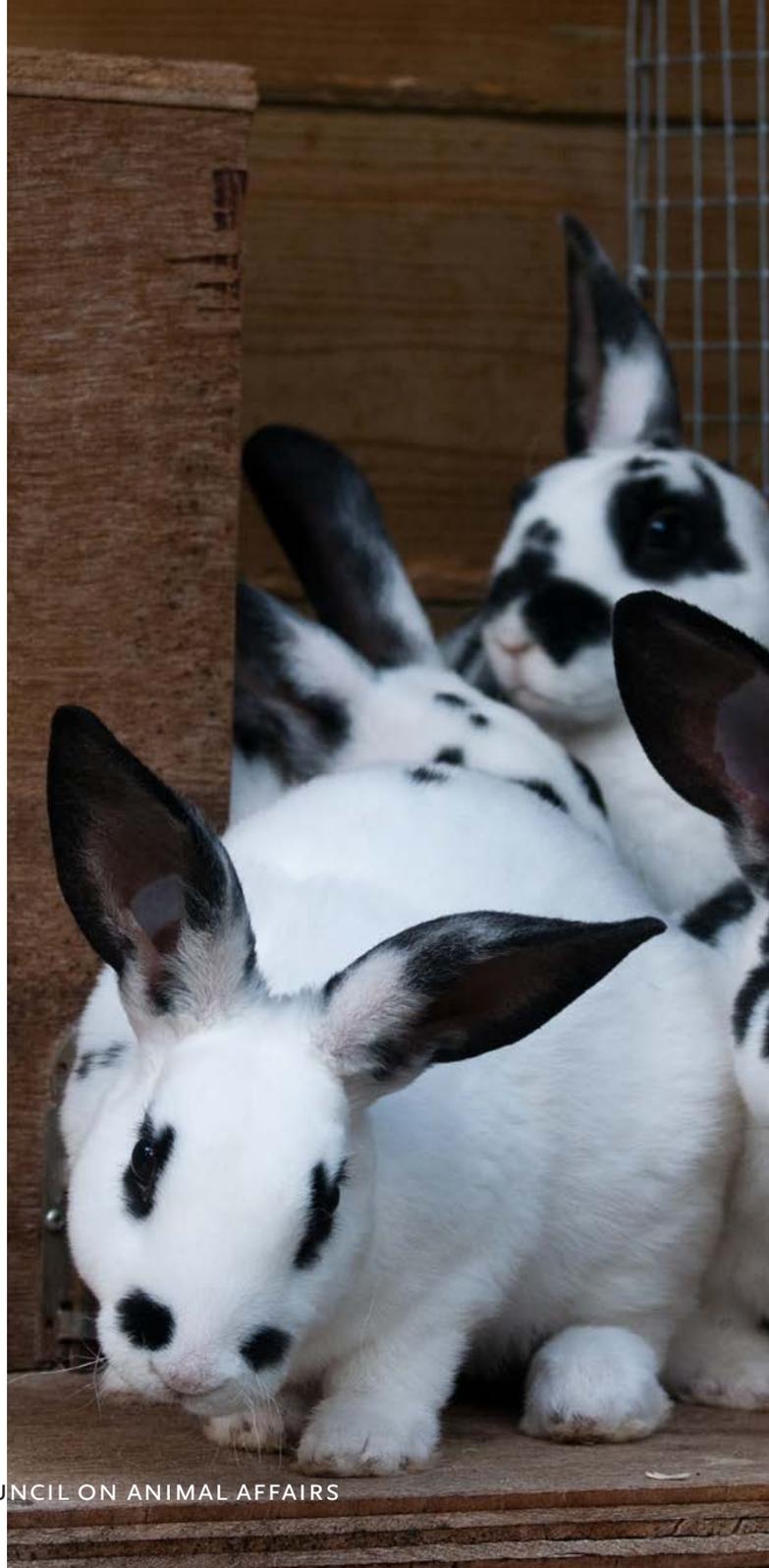
4 www.licg.nl

5 www.levendehave.nl

Final recommendations

In her response to the preliminary recommendations of December 2013, the Minister for Agriculture, Sharon Dijksma, said that she wanted to introduce minimum requirements only in the laws and regulations, in order to prevent problems for different animal species. The Minister also expressed her preference to avoid including best practices, as that was more an issue for voluntary information exchange by animal owners and their organisations. In the follow-up to this, it proved impossible to prepare a list of potential problems within a reasonable time frame to serve as a basis for those minimum requirements. At that stage, the scientific foundations for that were simply inadequate. Consequently, the committee expected any list prepared at that point to meet with insufficient support, and to have little validity. In the light of all this, the Council informed the Minister as follows: “Based on the data currently available, the RDA does not have a sufficiently clear picture of the actual problems that can affect each of the species that are subject to requirements for keeping. For this reason, the committee does not feel it is appropriate at this time to submit requirements for you to introduce in legislation regarding non-regular mammals that will be subject to specific requirements.”

Poto: Dierenbeeldbank







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