

Message 001

Communication from the Commission - TRIS/(2026) 1817

Directive (EU) 2015/1535

Notification: 2026/0345/BE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261817.EN

1. MSG 001 IND 2026 0345 BE EN 07-07-2026 BE NOTIF

2. Belgium

3A. SPF Economie, PME, Classes moyennes et Energie

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3B. Vlaamse overheid

Departement Omgeving

Afdeling Dierenwelzijn

4. 2026/0345/BE - C90A - Well-being of animals and pets

5. Preliminary draft decree of the Flemish Government on the conditions for bringing in from abroad street or shelter dogs and cats intended for adoption

6. dogs and cats

7.

Obligation to take a specific legal form

The scheme applies, without distinction as to nationality or place of business, to any organisation that brings shelter dogs and cats from abroad into Flanders.

Better matching and a return policy implemented by registered associations will prevent animal suffering in Flanders. The promotion of animal welfare is a wholly legitimate objective of general interest for the Union and the internal market.

The association must be able to maintain good relations with the handlers in the countries of origin; it must also ensure the registration of both the animals transferred and any animals returned; and, finally, it must be available during the day to provide support to the adopters (see Articles 10, 11 and 12). Where shelter animals are supplied and transferred by a de facto association or by natural persons, it may be assumed that the proper fulfilment of this set of tasks cannot be adequately guaranteed.

Requirements that reserve access to particular providers

The scheme applies, without distinction as to nationality or place of business, to any organisation that brings shelter dogs and cats from abroad into Flanders.

The scheme is motivated by the observation that the bringing in of shelter dogs and cats from abroad is often not a good match due to a careless assessment of the social behaviour of the animals and that the animals are frequently returned to places where suitable care is sometimes lacking. A better matching and return policy will prevent animal suffering in Flanders. The promotion of animal welfare is a wholly legitimate objective of general interest for the Union and the internal market.

A ban on the supply of shelter dogs and cats would be too drastic a measure. The draft provides for a channelling of the supply through prior registration of the association, which must first screen prospective adopters and then the animals brought in and which must finally, following transfer, be able to find an animal-friendly solution for any animals returned. For control purposes, the association must register both the animals transferred and any animals returned (see Articles 10 and 12). The association may lose all or part of its right to supply shelter animals if the conditions set out in the draft decision are breached (see Article 3).

Directive 2006/123/EC on services in the internal market

8. The objectives of the draft decision are to improve the organisation of the import of animals for adoption (dogs and cats) from abroad and to maximise the success rate in matching animals with adopters.

9. In Flanders, shelter dogs and cats may be brought in only by associations that first register with the Flemish authorities and insofar as they meet a number of conditions, including the possession of legal personality.

The registered association may import a shelter animal from abroad if an adoption contract has been concluded with a prospective adopter. The contract must state that the animal meets a number of criteria (age, social disposition, etc.), that the adopter has been informed of these criteria and that the adopter is permitted to return the animal (see Articles 6, 8 and 9 and the annex).

The requirement that animals have a sufficient social disposition is essential to guarantee sustainable and animal-friendly care. The transferring organisation may be certain of this characteristic only once the animal has reached a certain age or once its teeth have fully developed.

The draft decree does not regulate the assessment of the health status of imported animals or their actual vaccination (Flanders has no competence in this matter).

9a. The scheme has been introduced in response to the observation that the supply of shelter dogs and cats from abroad is often not a good match, due to a careless assessment of the animals' social behaviour and that the animals are frequently returned to places where suitable care is sometimes lacking. The draft provides for a channelling of the supply through prior registration of the association, which must first screen prospective adopters and then the animals brought in and which must finally, following transfer, be able to find an animal-friendly solution for any animals returned.

9b. A better matching and return policy will prevent animal suffering in Flanders. The promotion of animal welfare is a wholly legitimate objective of general interest for the Union and the internal market.

9c. The regulation is proportionate. A ban on the import of shelter dogs and cats would be too drastic a measure. For control purposes, the association must register both the animals transferred and any animals returned (see Articles 10 and 12). The association may lose all or part of its right to receive shelter animals if the conditions laid down in the draft decree are infringed (see Article 3, § 4).

10. Numbers or titles of the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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