

POSITIVE LISTS OF SPECIES SUITABLE AS PETS BRIEFING NOTE

The keeping of a companion animal or pet should enhance both the welfare of the animal and the keeper, and should not be detrimental to the wider community or the environment. However, many species traded as exotic* pets are unsuited to a captive life in close proximity to people. Evidence also shows that the exotic pet trade often has detrimental impacts on the environment and human health.

Across Europe and beyond, there is growing interest in the 'positive list' approach as a better way to regulate the exotic pet trade. Several countries, including Belgium and the Netherlands have already adopted positive lists and many others are looking to follow their example.



*For the purposes of this document, the term 'exotic' is defined as non-native or non-domesticated.

WHAT IS A 'POSITIVE LIST'?

'Positive lists' are evidence-based regulations that permit the sale and keeping of only those species that are suitable to keep in the home, and that do not pose a disproportionate risk to people or the environment. All other species are prohibited from sale or keeping, or may only be kept with a special permit (by those who can demonstrate that they have specialist facilities or expertise).

Transitional provisions ensure that existing pets belonging to species not included on positive lists can be kept until they die, provided that they are not bred from or traded. Species can be added or removed from a positive list when new evidence emerges of their suitability, or otherwise, as pets.

The positive list approach has already received support from the European Court of Justice (Andibel ruling, 19 June 2008) and also from the Federation of Veterinarians of Europe.

WHY DO WE NEED POSITIVE LISTS IN THE UK?

Animal welfare: Across the devolved administrations of the UK, there are few legal restrictions on the types of animals that can be kept as pets and with over 4000 species in the international pet trade, consumers have an enormous diversity from which to choose. For most exotic species, very little knowledge exists about their biology and behaviour, and therefore their basic care, which results in high premature death rates. **Positive lists limit the types of animals that can be kept and sold to those for which better care information is available, and that are less sensitive to captivity-related problems.**

Environment and species conservation: The capture of animals for the pet trade is regularly cited as a major cause of species decline and a significant factor driving biodiversity loss. Non-native species that are accidentally or deliberately released by pet owners can become invasive and threaten native species with extinction. Furthermore, diseases carried by pet animals can infect wildlife, sometimes with devastating consequences. **Positive lists limit the types of animals that can be kept and sold to those which do not negatively impact on species conservation or the environment.**

Human health: Exotic pets can pose health and safety risks to their keepers and to the wider public, either by inflicting injuries or transmitting diseases. **Positive lists limit the types of animals that can be kept and sold to those which do not pose an important health and safety risk to people.**

Consumer protection: The exotic pet industry does not conform to the precautionary safeguards demanded for other industry sectors. For example, businesses producing consumer goods must adhere to product safety laws. However, no such precautionary legislation exists for live animals sold as pets. **Positive lists limit the types of animals that can be kept and sold to those that are safe and suitable to keep in the home.**



POSITIVE VERSUS NEGATIVE LISTS

Most countries currently operate a system of negative lists for pet selling and keeping, i.e. those that identify prohibited rather than permitted species (usually for human health and safety reasons or to underpin restrictions on international trade for conservation purposes).

Negative lists, however, can be exhaustively long and require regular additions as constantly shifting market trends mean that ever more diverse species appear in the pet trade. In contrast, a positive list, is proactive and precautionary in nature.

As well as being more effective as a means of control, positive lists also require less regulatory bureaucracy and therefore lessen the burden on the public purse. Also, the concise nature of positive lists means greater clarity for enforcers, pet keepers and the public.

BELGIAN CASE STUDY

In 2001, Belgium became the first EU country to adopt a positive list, which comprises 42 mammalian species. In 2016, Eurogroup for Animals (a pan-European umbrella animal advocacy organisation) carried out an assessment to evaluate the effectiveness of the Belgian positive list. Their findings showed that illegal trade had reduced and that the adoption of the positive list system did not cause the much-feared increase in rescued animals. The high level of public awareness and familiarity with the positive list had assisted compliance and enforcement.



THE FUTURE: POSITIVE LISTS IN THE UK

The exotic pet trade, which has for decades been out of control, continues to evade responsible measures that are normal for other industries. The current situation is unsustainable and must change - and the most proportionate, transparent, enforceable and economical way forward is the 'positive list'.

As well as preventing large-scale animal suffering, positive lists for pets would also help to safeguard the environment, improve species conservation efforts and protect consumers. It is vital that, post-Brexit, the UK keeps pace with the rest of Europe in adopting key progressive measures such as the positive list – the British public will expect and deserve no less.

FURTHER READING

Animal Protection Agency (2017) 'It's time to think Positive'. www.apa.org.uk

CONTACT INFORMATION

Animal Protection Agency
Werks Central
15 – 17 Middle Street, Brighton, BN1 1AL
01273 674253
info@apa.org.uk

apa.org.uk
facebook.com/APAWild
twitter.com/APAWild
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