

# Statutory guidance for the licencing regime and pet sales under the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021

## **Consultation response form**

Your name: British Veterinary Association (BVA)

Organisation (if applicable): British Veterinary Association (BVA)

The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We, therefore, take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.

## Question 1

Do you think, as drafted, the business test provides enough advice to Local Authority officials? If not, do you have any alternative suggested wording?

We are concerned that the list of exemptions included leaves the business test open to abuse.

The exemption of “infrequent” sale of “surplus offspring” bred for “pleasure” is very much open to interpretation, and we disagree with the suggestion that someone might breed to continue a line but make little profit selling the surplus stock.

We support the £1000 business test, since this is a clear and unambiguous test and less open to abuse.

Welsh Government should introduce a system by which decisions made across Wales are reviewed in order to ensure consistency between LAs. It may also be helpful to provide Local Authorities with case studies to help interpret the guidance.

It would also be helpful to highlight an example of “not for profit” rehoming, and to require the charitable status of organisations to be scrutinised.

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Do you think the species specific conditions in the guidelines are sufficiently comprehensive to ensure the welfare of these animals?

We have serious concerns about the guidance in relation to snakes. Table K-01 on page 80 states the minimum length for snake vivaria as 2/3 body length. We have long supported the BVZS recommendation that the minimum acceptable length for the enclosure is the full body length of the snake when stretched out. We are aware that the Animal Welfare Committee, who have recently been commissioned to review this, will soon be publishing the same recommendation, and a recent study provides further evidence in support of this<sup>1</sup>. We strongly recommend that Welsh Government adopt this minimum requirement.

We are also concerned that the document is confusing, with related information spread across different sections. It would be helpful to cross-reference sections where relevant information can be found in more than one place.

Following consultation with members with experience and expertise in relation to the different species covered, the following improvements to the guidance should be considered:

### **Guinea Pigs**

Under the higher standard (6p/c)-6 (on( )Jd4 i)16 (ghe T(W) 0.028 Tw -4302ow)16 (i)16 f28 ( (s)enc  
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*outdoors, to avoid health problems.*” There is no reference to this in the species specific-section of the report, so it may be overlooked by keepers.

There are a number of references to raptors and birds of prey throughout this document, yet businesses that breed falcons in Wales are not required to be licensed under the Statutory Guidance for the Licencing Regime and Pet Sales under the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021. This is a concern as the lack of welfare codes, inspection and transparency of records for falcon breeders may mean the welfare of the birds may be compromised in some establishments. Welsh Government should review the requirement for anyone breeding birds of prey in order to protect their welfare.

### **Reptiles and Amphibians**

*“Advice must be given on environmental conditions”*

This should include how to accurately monitor temperature and humidity.

Advice should also be given on appropriate diets and supplementation for the different life stages of the reptile.

### **Fish**

#### Suitable Environment

There is no mention of aquaria size requirements. We recognise this may be challenging due to the number of species, however, there is published advice available, eg from the Ornamental Aquatic Trade Association (OATA) and City of London Corporation.

#### Temperature

There should be mention of other measures to take when water temperatures are excessively high other than the provision of ‘supplementary aeration or oxygenation’. For example, the use of electric cooling fans, air conditioners or water chillers.

#### Table L-01

This could be simplified by combining some of the ‘fish groups’ which share similar temperature ranges (eg most marine fish).

#### Table L-02

This refers to ‘free ammonia’, which is now more commonly called ‘un-ionised ammonia’.

The ammonia and nitrite levels used are maximum levels which can be tolerated for short periods, but are not best practice. 0.0mg/L is recommended in the OATA care sheets.

The fact that dissolved oxygen levels are given implies that these should/must be measured. This is not practical in most situations since the lowest dissolved oxygen levels are usually in the early hours of the morning and requires expensive equipment that must be calibrated regularly. It is not clear where these minimum dissolved oxygen levels come from.

The pH in marine tanks in OATA's care sheets is '8.1 to 8.4', but only the minimum level is stated in this guidance document. A maximum pH is needed to ensure dangerously high levels are not mistakenly thought to be acceptable.

#### Protection from Pain, Suffering, Injury and Disease

The 'higher standard' states that aquatic 'businesses must have in place reasonable measures to prevent the import, outbreak and spread of disease/pathogens. This must be demonstrated by implementation of a biosecurity plan'. We would support this being applicable to all businesses to prevent spread of disease.

The statement 'Fish waste, including cadavers, may be incinerated or disposed of through general waste in sealed double-bagged plastic bags' may need clarification if there is a limit to the volume that can be disposed of in this manner. The Environment Agency should be consulted if large cadavers are regularly disposed of in general waste.

The guidance should reference the possible need for a water discharge consent from the Environment Agency by some aquatic businesses.

In relation to frozen water in cold weather, the guidance should also recommend use of a small floating electric pond heater to keep an area of pond surface open for air exchange with water in the pond.

#### Guidance for inspectors on businesses consolidating imports of fish

Further detail should be provided to the conditions, as the bullet point notes, which are not very helpful.

The use of the abbreviations for CITES, IATA and WIT should be expanded.

#### **Question 4**

Do you have any further comments or suggested amendments?

## **Overall**

The document

## **Specific conditions**

### 2. Records and advertisements

*'For fish, deaths should be recorded when mortality exceeds 5% of animals on site, over a 24 hour period'*. We are concerned that 5% is too high and would expect aquatic businesses to consider a much lower level to be significant. We would expect 1-2% to be a more appropriate figure.

### 3. Prospective Sales: pet care and advice