



German



English

Bundesministerium
der JustizBundesamt
für Justiz

Animal Welfare Act

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TierSchG

Date of issue: 07/24/1972

full quote:

"Animal Welfare Act in the version published on May 18, 2006 (BGBl. I p. 1206, 1313), which was last amended by Article 2 Paragraph 20 of the law of December 20, 2022 (BGBl. I p. 2752)"

Was**standing:**

Revised by Bek. May 18, 2006 I 1206, 1313;

last changed by Art. 280 V v. June 19, 2020 I 1328

A notice:

Amendment by Art. 1 G v. 18.6.2021 I 1826 (No. 34) textually proven, documentary not yet finalized

Amendment by Art. 2 G v. 18.6.2021 I 1826 (No. 34) textually proven, documentary not yet finalized

Amendment by Art. 1 G v. 18.6.2021 I 1828 (No. 34) textually proven, documentary not yet finalized

Amendment by Art. 105 G v. 10.8.2021 I 3436 is taken into account

Amendment by Art. 2 Para. 20 G v. 20.12.2022 I 2752 is taken into account

You can find more information about the stand in the menu under [Notes](#)**footnote**

(+++ Text evidence valid from: 1.1.1987 +++)
 (+++ Provisions based on the EinigVtr Annex I Chapter VI Subject A Section III No. 14 no longer apply in accordance with Article 109 No. 2 letter. a D-letter jj G v. 8.12.2010 I 1864 mWv 15.12.2010 +++)
 (+++ Official references of the norm setter to EC law:
 implementation of
 EWGRL 628/91 (CELEX No: 31991L0628)
 EWGRL 630/91 (CELEX No: 31991L0630)
 EGRL 119/93 (CELEX No: 31993L0119)
 EWGRL 609/86 (CELEX Nr: 31986L0609)
 EWGRL 35/93 (CELEX Nr: 31993L0035) cf. Law of 25.5.1998 I 1094
 EURL 6 3/2010 (CELEX No: 32010L0063) cf. Law of June 18, 2021 I 1828
 Notification of
 EURL 2015/1535 (CELEX No: 32015L1535) cf. 18.6.2021 I 1826 +++)

First Section Principle

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§ 1

The purpose of this law is to protect the life and well-being of humans from their responsibility for animals as fellow creatures. No one may cause pain, suffering or harm to an animal without just cause.

Second section animal husbandry

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§ 2

Anyone who keeps, looks after or has to look after an animal

1. must feed the animal appropriately according to its species and needs, care for it and house it in a manner appropriate to its behavior,
2. shall not restrict the animal's ability to engage in species-appropriate exercise in such a way as to cause pain or avoidable suffering or harm,

3. must have the knowledge and skills required for proper feeding, care and housing of the animal.

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§ 2a

(1) The Federal Ministry of Food and Agriculture (Federal Ministry) is authorized to issue statutory ordinances with the consent of the Bundesrat, insofar as this is necessary for the protection of animals, to specify the requirements for the keeping of animals in accordance with Section 2 and in particular to issue regulations about requirements

1. with regard to the possibility of movement or the community needs of the animals,
2. to rooms, cages, other containers and other facilities for housing animals and to the condition of tethering, feeding and watering devices,
3. with regard to the lighting conditions and the room climate when housing the animals,
4. to the care including supervision of the animals; the Federal Ministry can also prescribe that records of the results of the monitoring are to be made, kept and presented to the competent authority on request,
5. the knowledge and skills of people who keep, look after or have to look after animals and evidence of this knowledge and skills,
6. of safety precautions in the event of technical faults or in the event of a fire.

(1a) The Federal Ministry is authorized to issue ordinances with the consent of the Bundesrat, to the extent necessary for the protection of animals, to specify requirements for goals, means and methods in the education, upbringing or training of animals.

(1b) The Federal Ministry is authorized to issue regulations for the identification of animals, in particular dogs and cats, by ordinance with the consent of the Bundesrat, insofar as this is necessary for the protection of animals and there is no obligation to identify them from Section 11a Paragraph 3. as well as on the type and implementation of the labeling.

(2) The Federal Ministry is authorized, in agreement with the Federal Ministry of Transport and Digital Infrastructure, to regulate the transport of animals by ordinance with the consent of the Bundesrat, insofar as this is necessary for the protection of animals. In particular, it can

1. Requirements
 - a) regarding the transportability of animals,
 - b) of means of transport for animals
 establish,
- 1a. prohibit or restrict certain means of transport and types of shipment for the transport of certain animals, in particular shipment as cash on delivery,
2. prescribe certain means of transport and types of shipment for the transport of certain animals,
3. require certain animals to be accompanied by an attendant when being transported,
- 3a. prescribe that persons who carry out animal transport or are involved in this have certain knowledge and skills and must be able to prove this,
4. issue regulations on the loading, unloading, accommodation, feeding and care of the animals,
5. prescribe certain certificates, declarations or reports as a prerequisite for carrying out animal transport and regulate their issue and storage,
6. prescribe that whoever transports animals on a commercial basis requires a permit from the competent authority or must be registered with the competent authority, as well as regulate the requirements and the procedure for granting the permit and for registration,
7. prescribe that anyone who wants to feed, care for or accommodate animals during transport in a facility or establishment requires a permit from the competent authority, and regulate the conditions and the procedure for granting the permit, insofar as this is necessary for the implementation of legal acts of the European Community or the European Union is required.

(3) Ordinances require the consent of the Federal Ministry of Education and Research

1. in accordance with paragraph 1, insofar as they specify requirements for the keeping of animals that are intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes,
2. in accordance with paragraph 2 sentence 1, insofar as they regulate the carriage of animals that are intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes.

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§ 3

It is forbidden,

1. Except in emergencies, to demand services from an animal which it is obviously not up to due to its condition or which are obviously beyond its strength,
- 1a. to demand performance from an animal that has undergone interventions and treatments that conceal a performance-reducing physical condition that it is unable to cope with due to its physical condition,
- 1b. measures on an animal in training or at sporting competitions or similar events which are associated with considerable pain, suffering or damage and which can affect the performance of animals, as well as using doping substances on an animal at sporting competitions or similar events,
2. to sell or buy a frail, sick, aborted or old animal kept in the house, on the farm or otherwise in the care of humans, for which continued life is associated with unresolvable pain or suffering, for a purpose other than immediate painless killing; this does not apply to the direct delivery of a sick animal to a person or facility that requires a permit under Section 8 subsection 1 sentence 1 and, if it is a vertebrate, if necessary a permit under regulations that are based on Section 9 subsection 3 Numbers 1 and 2 have been issued for experiments on such animals,
3. to release or leave an animal kept in the house, company or otherwise in the care of humans in order to get rid of it or to evade the obligation to keep or look after it,
4. release or introduce into the wild a bred or reared animal of a wild species that is not prepared for the species-appropriate food intake required for survival in the intended habitat and is not adapted to the climate; the provisions of hunting law and nature conservation law remain unaffected,

5. to educate or train an animal if this involves significant pain, suffering or harm to the animal,
6. to use an animal for a filming, display, advertisement or similar event, insofar as this involves pain, suffering or harm to the animal,
7. to train or test an animal on another living animal for sharpness,
- 8th. chasing an animal on another animal, unless this is required by the principles of fair hunting,
- 8a. train or train an animal to behave in such an aggressive manner that this behavior
 - a) causes him or her pain, suffering or harm; or
 - b) causes pain or avoidable suffering or harm to itself or a conspecific in the context of any species-appropriate contact with conspecifics, or
 - c) allows his keeping only under conditions that cause him pain or avoidable suffering or harm,
9. to feed an animal by force, unless this is necessary for health reasons,
10. giving food to an animal that causes significant pain, suffering or harm to the animal,
11. Use any device that uses direct current to significantly restrict an animal's species-appropriate behavior, including movement, or force it to move, thereby causing significant pain, suffering, or harm to the animal, except as permitted by federal or state law ,
12. offer an animal as a prize or reward in a competition, sweepstakes, sweepstakes or similar event;
13. to use an animal for one's own sexual acts or to train or make it available for the sexual acts of third parties, thereby forcing behavior contrary to species.

Sentence 1 number 12 does not apply if the animal is advertised at an event specified in sentence 1 number 12, at which it can be expected that the participants in the event will be able to ensure compliance with the requirements of Section 2 as future animal owners if they win.

Third Section Killing of Animals

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§ 4

(1) A vertebrate may only be killed with effective elimination of pain (anaesthesia) in a state of insensibility or otherwise, to the extent that this is reasonable under the given circumstances, only while avoiding pain. If the killing of a vertebrate without anesthesia is permissible within the framework of hunting in a manner appropriate to the environment or on the basis of other legal provisions, or if it is carried out within the framework of permissible pest control measures, the killing may only be carried out if this does not result in more than unavoidable pain. Only those who have the necessary knowledge and skills may kill a vertebrate.

(1a) Persons who professionally or commercially regularly stun or kill vertebrate animals for the purpose of killing them must provide the competent authority with proof of their expertise. If poultry is stunned or killed in the course of an activity pursuant to sentence 1 in the presence of a supervisor for the purpose of killing, then not only the person stunning or killing the animals but also the supervisor must provide proof of expertise. If, as part of an activity pursuant to sentence 1, fish are stunned or killed in the presence of a supervisor for the purpose of killing, it is sufficient for the supervisor to provide proof of expertise. Sentences 1 to 3 do not apply to stunning for the purpose of killing and the killing of vertebrates intended for use in animal experiments or whose organs or tissues are intended

(2) Section 4a applies to the slaughter of a warm-blooded animal.

(3) For the killing of vertebrates solely in order to use their organs or tissues for scientific purposes, Section 7a subsection 2 number 1 shall apply accordingly. Dogs, cats and primates may only be killed for scientific purposes if they have been bred either for such a purpose or for use in animal experiments. Deviating from sentence 2, the competent authority may, insofar as it is compatible with the protection of the animals, authorize the killing of animals that have not been bred in accordance with sentence 2, insofar as

1. animals bred in accordance with sentence 2 with the characteristics required for the respective purpose are not available or
2. the respective scientific purposes require the use of animals that have not been bred in accordance with sentence 2.

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§ 4a

(1) A warm-blooded animal may only be slaughtered if it has been stunned for the purpose of slaughter before the start of bleeding.

(2) Contrary to paragraph 1, no anesthetic is required if

1. it is not possible in the case of emergency slaughter under the given circumstances,
2. the competent authority has granted an exemption for slaughter without stunning (slaughter); it may only grant exceptional approval to the extent that it is necessary to meet the needs of members of certain religious communities within the scope of this Act, for whom mandatory provisions of their religious community prescribe slaughter or prohibit the consumption of meat from non-slaughtered animals or
3. this is determined as an exception by ordinance according to § 4b No. 3.

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§ 4b

The Federal Ministry is authorized for the purposes of §§ 4 and 4a by statutory order with the consent of the Bundesrat

1.
 - a) to regulate the slaughter of fish and other cold-blooded animals,
 - b) to regulate, prescribe, permit or prohibit certain types of killing and stunning methods,
 - c) to regulate in more detail the conditions under which slaughtering within the meaning of Section 4a (2) No. 2 may be carried out,
 - d) to issue more detailed regulations on the type and scope of the knowledge and skills required to stun or kill vertebrates and on the procedure for proving them,

- e) to determine non-commercial activities that require the acquisition of a certificate of competence for killing vertebrates,
to ensure that no more than unavoidable pain is inflicted on the animals,
 - 2. to regulate the slaughtering of animals in more detail within the framework of the provisions of the European Convention of May 10, 1979 on the Protection of Animals for Slaughter (Federal Law Gazette 1983 II p. 770),
 - 3. to determine exceptions to the stunning requirement for the slaughter of poultry.
- Statutory ordinances pursuant to sentence 1 number 1 letters b and d require
- 1. insofar as they concern stunning or killing using dangerous substances or mixtures within the meaning of the Chemicals Act or related requirements for acquiring a certificate of expertise, the agreement of the Federal Ministries for Economic Affairs and Energy and for the Environment, Nature Conservation and Nuclear Safety,
 - 2. insofar as they concern the stunning or killing of animals that are intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes, or related requirements for acquiring a certificate of competence, the consent of the Federal Ministry of Education and Research.

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§ 4c

(1) It is forbidden to kill chicks of domestic fowl of the species *Gallus gallus*.

(2) The ban does not apply

- 1. in case a kill the chick
 - a) has been prescribed or ordered in accordance with animal health regulations or
 - b) is necessary in individual cases for reasons of animal welfare,
- 2. for unhatchable chicks,
- 3. for poussins according to Article 1 number 1 letter a of Commission Regulation (EC) No. 543/2008 of 16 June 2008 with implementing provisions for Council Regulation (EC) No. 1234/2007 with regard to the marketing standards for poultry meat (OJ L 157 17.6.2008, p. 46; L 8 of 13.1.2009, p. 33), last amended by Regulation (EU) No. 519/2013 (OJ L 158 of 10.6.2013, p. 74). is and
- 4. for chick,
 - a) which are intended for use in animal experiments or
 - b) whose tissues or organs are intended to be used for scientific purposes.

Fourth section Procedures on animals

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§ 5

(1) An operation involving pain may not be performed on a vertebrate without anesthetic. A veterinarian should stun warm-blooded vertebrates, amphibians and reptiles. This does not apply if the anesthetic is used exclusively by external application of a veterinary medicinal product that is approved under pharmaceutical regulations to achieve local pain relief and is suitable for the purpose of carrying out the respective intervention according to the state of the art in science and technology. This also does not apply to an intervention within the meaning of Section 6 paragraph 1 sentence 2 number 2a, insofar as the anesthetic is carried out by a veterinary medicinal product without impairing the state of perception and sensitivity, with the exception of the sensation of pain, which is approved according to pharmaceutical regulations for eliminating pain during this procedure. The competent authority may permit exceptions to sentence 2 for stunning with stunning cartridges, provided a justified reason can be proven. If an anesthetic is not necessary according to paragraphs 2, 3 and 4 No. 1, all possibilities to reduce the pain or suffering of the animals are to be exhausted.

(2) An anesthetic is not required,

- 1. if, in the case of comparable interventions on humans, anesthesia is generally not used or the pain associated with the intervention is less than the impairment of the animal's condition associated with anesthesia,
- 2. if the anesthetic does not seem feasible in individual cases according to the veterinarian's judgement.

(3) Stunning is also not required

- 1. for the castration of male cattle, sheep and goats under four weeks old, provided that there are no findings that deviate from the normal anatomical condition,
- 1a. (dropped out)
- 2. for dehorning or preventing the growth of horns in bovine animals less than six weeks old,
- 3. for trimming the tails of piglets under four days old and lambs under eight days old,
- 4. for trimming the tails of lambs under eight days old using elastic rings,
- 5. for grinding down the canine teeth of piglets under eight days old, provided this is essential to protect the mother animal or the littermates,
- 6. for weaning the clawed last phalanx of broiler chicks that are to be used as breeding cocks during the first day of life,
- 7. for marking
 - a) by implanted electronic transponder,
 - b) of mammals other than pigs, sheep, goats and rabbits by ear or thigh tattooing within the first two weeks of life,
 - c) of pigs, sheep, goats and rabbits by ear tattooing,
 - d) of pigs by punches,
 - e) of farm animals by ear tag or wing tag and
 - f) of rodents intended for use in animal experiments by ear tattooing, ear tagging, ear piercing or ear scoring.

(4) The Federal Ministry is authorized by statutory order with the consent of the Federal Council

1. to exempt further measures beyond paragraph 3 from the obligation to anaesthetize, insofar as this is compatible with § 1,
2. to prescribe, permit or prohibit procedures and methods for carrying out measures pursuant to paragraph 3 and on the basis of a statutory order pursuant to number 1, insofar as this is necessary to protect the animals.

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§ 6

(1) The complete or partial amputation of body parts or the complete or partial removal or destruction of organs or tissues of a vertebrate is prohibited. The ban does not apply if

1. the intervention on a case-by-case basis
 - a) is required according to veterinary indication or
 - b) in the case of dogs to be led for hunting purposes, this is essential for the intended use of the animal and there are no veterinary concerns to the contrary,
- 1a. a labeling prescribed according to species protection regulations is carried out,
- 1b. horses are marked by thigh branding,
2. a case of § 5 para. 3 no. 1 or 7 exists,
- 2a. male pigs under eight days old are castrated,
3. a case of § 5 para. 3 nos. 2 to 6 exists and the intervention in the individual case is indispensable for the intended use of the animal for its protection or for the protection of other animals,
4. the complete or partial removal of organs or tissues is necessary in order to transplant the organs or tissues, to create cultures or to examine isolated organs, tissues or cells for purposes other than scientific purposes,
5. sterilization is carried out to prevent uncontrolled reproduction or - insofar as there are no veterinary concerns - for further use or keeping of the animal.

Interventions according to sentence 2 numbers 1 and 5 are to be carried out by a veterinarian; in the case of an intervention according to sentence 2 number 2a, this also applies if there are findings that deviate from the normal anatomical condition. interventions after

1. sentence 2 numbers 1a, 1b, 2 and 3,
2. Number 2a, which are not to be carried out by a veterinarian, as well as
3. paragraph 3

may also be carried out by another person who has the necessary knowledge and skills. Following the castration of a pig over seven days old, painkillers including anesthetics are to be administered to the animal.

(1a) For the interventions according to paragraph 1 sentence 2 number 4 apply

1. § 7 paragraph 1 sentence 2 number 1, sentence 3 and 4, § 7a paragraph 2 number 1, 4 and 5 and § 9 paragraph 5 sentence 1, each also in connection with § 9 paragraph 6 sentence 1, as well as
2. Provisions in ordinances that are based on the
 - a) § 7 paragraph 3 or
 - b) § 9 paragraph 1, 2 and 3 number 2, paragraph 4 sentence 1 number 3 and sentence 2 and paragraph 5 sentence 2, each also in connection with paragraph 6 sentence 2,
 have been enacted, insofar as this is provided for in an ordinance issued by the Federal Ministry with the consent of the Bundesrat,

accordingly. Anyone who wants to carry out an intervention in accordance with paragraph 1 sentence 2 number 4 must notify the competent authority of the intervention no later than two weeks before it begins. The deadline does not have to be observed if immediate performance of the intervention is required in emergencies; the notification must be made up immediately. The period specified in sentence 2 can be extended by the competent authority to up to four weeks if necessary. The advertisement must state:

1. the purpose of the intervention,
2. the type and number of animals intended for the intervention,
3. the type and implementation of the procedure including the anesthetic,
4. Place, start and expected duration of the project,
5. Name, address and specialist knowledge of the responsible manager of the project and his deputy as well as the person carrying out the work and the people who are eligible for the follow-up treatment,
6. the justification for the intervention.

(2) It is forbidden to use elastic rings when amputating or castrating; this does not apply in the case of Paragraph 3 No. 3 or Section 5 Paragraph 3 No. 4.

(3) Deviating from paragraph 1 sentence 1, the competent authority

1. trimming the beak tips of laying hens in chicks under ten days old,
2. trimming the tips of the beaks of commercial poultry that does not fall under number 1,
3. the shortening of the connective tissue end of the tail of male calves under three months old using elastic rings

allow. Permission may only be granted if it can be credibly demonstrated that the intervention is essential for the protection of the animals with regard to the intended use. The permit must be limited and, in the case of number 1, must contain provisions on the type, scope and time of the intervention and the person carrying it out.

(4) The Federal Ministry is authorized to prescribe the permanent marking of animals on which no obvious interventions have been carried out by statutory order with the consent of the Bundesrat, if this is necessary for the protection of the animals.

(5) In the case of paragraph 1 sentence 2 number 3, the competent authority must be shown on request that the intervention is essential for the intended use.

(6) The Federal Ministry is authorized to authorize an ordinance with the consent of the Federal Council for interventions within the meaning of subsection 1 sentence 2 number 2a, in derogation of Section 5 subsection 1 sentence 2, that the stunning may be carried out by certain other persons, insofar as it is compatible with the protection of animals is compatible. The statutory ordinance pursuant to sentence 1 shall regulate the requirements under which these persons may carry out the stunning; in particular

1. Procedures and methods, including drugs and devices, are prescribed or prohibited for carrying out the anesthetic and the intervention in accordance with sentence 1,
2. it should be provided that the person who carries out the stunning has the necessary reliability and the necessary knowledge and skills for this activity and has to prove this, and
3. more detailed regulations on the type and scope of the knowledge and skills required under number 2 are issued and requirements for the proof and maintenance of the required knowledge and skills are specified and the procedure for proof is regulated.

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§ 6a

The provisions of this section do not apply to animal experiments according to Section 7 paragraph 2 sentence 1, also in conjunction with sentence 2.

Fifth section animal experiments

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§ 7

(1) The provisions of this section serve to protect animals that are intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes. are for this

1. Animal testing with regard to
 - a) the pain, suffering and harm inflicted on the animals,
 - b) the number of animals used
 - c) the species-specific ability of the animals used to suffer from the effects of the experiment, limited to what is necessary and
2. to improve the husbandry, breeding and care of animals intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes, so that these animals are only stressed to the extent necessary for the use is essential for scientific purposes.

The obligation to limit animal experiments to what is absolutely necessary in accordance with sentence 2 number 1 letters a and c also includes the obligation to improve the methods used in animal experiments. Animal experiments may only be planned and carried out by people who have the necessary knowledge and skills. § 1 remains unaffected.

(2) Animal experiments within the meaning of this Act are interventions or treatments for experimental purposes

1. on animals if they can cause pain, suffering or harm to these animals,
2. to animals that may result in animals being born or hatched, suffering pain, suffering or harm, or
3. on the genetic material of animals if they can be associated with pain, suffering or damage for the genetically modified animals or their carrier animals.

Interventions or treatments that are not used for experimental purposes are also considered to be animal experiments

1. which are carried out for the production, extraction, storage or multiplication of substances, products or organisms,
2. through which organs or tissues are removed in whole or in part for scientific purposes
 - a) to transplant the organs or tissues,
 - b) to create cultures or
 - c) examine isolated organs, tissues or cells
3. which are carried out for training, further education or further training purposes,

if one of the conditions specified in sentence 1 numbers 1 to 3 is met. Does not count as animal testing

1. the killing of an animal, insofar as the killing is carried out solely for the purpose of using the organs or tissues of the animal for scientific purposes,
2. an intervention or treatment on a livestock, the or the
 - a) is carried out in a holding as part of the agricultural activity and
 - b) is not done for scientific purposes, or
3. a veterinary clinical trial required for the authorization of a veterinary medicinal product.

(2a) In order to avoid duplicate or repeat experiments, data from animal experiments obtained in other Member States of the European Union (Member States) using methods recognized under Union law are to be recognised. This does not apply if further animal experiments have to be carried out to protect public health, safety or the environment with regard to the data specified in sentence 1.

(3) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to regulate the further details of the requirements pursuant to subsection 1 sentence 2 number 2 by statutory order with the consent of the Bundesrat.

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§ 7a

(1) Animal experiments may only be carried out if they are essential for one of the following purposes:

1. basic research,
2. other research with any of the following objectives:
 - a) prevention, detection or treatment of disease, ailment, bodily injury or physical ailment in humans or animals,
 - b) detecting or influencing physiological states or functions in humans or animals,
 - c) promoting animal welfare or improving the husbandry conditions of farm animals,

3. protection of the environment in the interests of human or animal health or welfare,
4. Development and manufacture as well as testing of the quality, effectiveness or safety of medicinal products, foodstuffs, animal feed or other substances or products with one of the objectives specified in number 2 letters a to c or number 3,
5. Testing of substances or products for their effectiveness against animal pests,
6. research for the conservation of species,
7. education, training or further education,
- 8th. forensic examinations.

Animal experiments for training, further education or further training according to sentence 1 number 7 may only be carried out

1. at a university, another scientific institution or a hospital or
2. within the framework of training, further education or further training for healing or auxiliary healing professions or scientific auxiliary professions.

(2) When deciding whether an animal experiment is essential and when conducting animal experiments, the following principles must be observed:

1. The current state of scientific knowledge is to be taken as a basis.
2. It must be checked whether the purpose pursued cannot be achieved by other methods or procedures. In particular, it must be checked whether another method or test strategy that does not require the use of a live animal and that is recognized under Union law is available to achieve the result sought with the animal test.
3. Experiments on vertebrates or cephalopods may only be carried out if the anticipated pain, suffering or harm to the animals is ethically justifiable with regard to the purpose of the experiment.
4. Pain, suffering or harm may be inflicted on the animals only to the extent necessary for the purpose pursued; in particular, they may not be added for reasons of labor, time or cost savings.
5. Experiments on animals whose species-specific ability to suffer from the effects of the experiment is more developed may only be carried out if animals whose ability of this kind is less developed are not sufficient for the intended purpose.

(3) Animal experiments for the development or testing of weapons, ammunition and related equipment are prohibited.

(4) Animal experiments for the development of tobacco products, detergents and cosmetics are strictly prohibited. The Federal Ministry is authorized to determine exceptions by statutory order with the consent of the Bundesrat, insofar as this is necessary in order to

1. to ward off specific health hazards and the necessary new knowledge cannot be obtained in any other way, or
2. implement legal acts of the European Community or the European Union.

(5) An animal experiment is considered completed when

1. no further observations are to be made for the animal experiment or,
2. if genetically modified, new animal lines are used,
 - a) no further observations are to be made of the offspring and
 - b) Progeny are no longer expected to experience pain, suffering, or permanent harm as a result of the biotechnical or genetic modifications.

(6) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, by statutory order with the consent of the Bundesrat

1. provisions of this law or
2. Statutory ordinances issued on the basis of this law for the implementation, approval and notification of animal experiments

to tests on animals at a developmental stage before birth or hatching, where this is necessary for the protection of those animals because of their ability to feel pain or suffering or to suffer harm and for the implementation of legal acts of the European Union.

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§ 8th

(1) Whoever wants to carry out experiments on vertebrates or cephalopods requires the approval of the experimental project by the competent authority. The approval of an experimental project is to be granted after examination by the competent authority if

1. it is justified from a scientific or educational point of view that
 - a) the requirements of § 7a paragraph 1 and 2 numbers 1 to 3 are met,
 - b) the desired result is not sufficiently known despite exhausting the available information possibilities or the verification of a sufficiently known result by means of a double or repeat attempt is essential,
2. the responsible manager of the experimental project and his deputy have the necessary professional qualifications, in particular with regard to the supervision of animal experiments and there are no facts that give rise to doubts about their reliability,
3. the necessary premises, facilities and other material resources meet the requirements set out in an ordinance issued on the basis of Section 9 (4) sentence 1 number 1,
4. the personnel and organizational requirements for carrying out the animal experiments, including the activity of the animal welfare officer, are in place,
5. the husbandry of the animals meets the requirements of Section 2 and the requirements laid down in a statutory ordinance issued on the basis of Section 2a subsection 1 numbers 1 to 4, also in conjunction with Section 11 subsection 3, or Section 2a subsection 2 sentence 1 and their medical supply is ensured,
6. compliance with the provisions of Section 7 subsection 1 sentence 2 number 1 and sentence 3 and Section 7a subsection 2 number 4 and 5 can be expected,
7. the observance of
 - a) expertise requirements,
 - b) regulations on pain relief and stunning of animals,
 - c) regulations on the reuse of animals,
 - d) prohibitions and restrictions on use,

- e) regulations to avoid pain, suffering and harm after the purpose of the animal experiment has been achieved,
- f) Provisions to prevent the death of an animal under the exposure of the experiment or to avoid pain and suffering when an animal dies, and
- G) regulations on the procedure after the end of the animal experiment, which are based on Section 2a subsection 1 number 5 or Section 4b sentence 1 number 1 letter b, in each case also in conjunction with Section 11 subsection 3, or Section 9 subsections 1 to 3 and 4 sentence 1 number 2 or 3 or Sentence 2 of the statutory ordinance issued can be expected

7a. the animal experiment can be expected to be as environmentally friendly as possible and

8th. the keeping of records according to Section 9 Paragraph 5 Sentence 1 in connection with the requirements laid down in an ordinance issued on the basis of Section 9 Paragraph 5 Sentence 2 can be expected.

The competent authority carries out the examination with the level of detail that is appropriate for the type of test project.

(2) If approval is granted by a university or other institution, the persons who carry out the animal experiments must be employed by the institution or authorized to use the institution with the consent of the responsible manager.

(3) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue regulations by statutory order with the approval of the Bundesrat

1. the form and content of the application for a license pursuant to subsection 1 sentence 1 and the persons entitled to apply,
2. the approval process including its duration,
3. the content of the approval notice,
4. the procedure in the event of subsequent changes to the essential facts on which the approval is based, including the obligation to notify or approve such changes,
5. the limitation of permits or the extension of the validity period of permits and
6. the right to revoke permits.

(4) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to provide by ordinance with the consent of the Bundesrat that animal experiments are classified with regard to their degree of severity in accordance with Article 15 paragraph 1 of Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 for the protection of animals used for scientific purposes (OJ L 276 of 20.10.2010, p. 33) and to regulate the procedure and content of the classification and the relevant cooperation obligations of the applicant, insofar as this is required to implement legal acts of the European Union.

(5) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to provide by ordinance with the approval of the Bundesrat that experimental projects are subjected to a retrospective assessment by the competent authority, and the procedure and content of the assessment as well as the relevant obligations to cooperate of the applicant, insofar as this is necessary to improve the protection of animals in animal experiments and to implement legal acts of the European Union.

(6) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to provide by ordinance with the consent of the Bundesrat that the competent authorities transmit summaries of approved experimental projects for publication, the information about

1. the goals of the experimental project including the expected benefit,
2. the number, type and expected pain, suffering and harm of the animals to be used and
3. the fulfillment of the requirements of Section 7 subsection 1 sentence 2 number 1 and sentence 3 and Section 7a subsection 2 number 2, 4 and 5

and to regulate the form of the summaries and the procedure for their publication, insofar as this is necessary to improve the protection of animals in animal experiments and to implement legal acts of the European Union. The ordinance may also provide that

1. the summaries are published by the Federal Institute for Risk Assessment and
2. the Federal Institute for Risk Assessment forwards the summaries to the European Commission for publication.

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§ 8a

(1) Approval is granted in a simplified approval procedure if the experimental project pursuant to Section 8 subsection 1 sentence 1 is a project

1. which is exclusively concerned with animal experiments, the implementation of which is expressly stated
 - a) is prescribed by law or regulation, by the pharmacopoeia or by a directly applicable legal act of the European Community or the European Union,
 - b) is provided for in a general administrative regulation issued by the Federal Government or a Federal Ministry or
 - c) on the basis of a law or a legal ordinance or a directly applicable legal act of the European Community or the European Union is ordered by the authorities or by a court or is required in individual cases as a prerequisite for an official decision,
2. which is exclusively concerned with animal experiments, which are carried out as vaccinations, blood tests or other diagnostic measures on animals according to methods that have already been tested and
 - a) the detection of disease, ailment, physical damage or physical ailments in humans or animals or
 - b) the testing of sera, blood preparations, vaccines, antigens or test allergens as part of approval procedures or batch testing
 serve, or
3. which exclusively deals with animal experiments according to § 7 paragraph 2 sentence 2 number 1 or 2, which are carried out according to already tried and tested methods
 - a) for the production, extraction, storage or multiplication of substances, products or organisms or
 - b) for diagnostic purposes
 be made.

Approval in the cases of sentence 1 shall be deemed to have been granted if

1. the examination carried out by the competent authority has shown that the requirements of Section 8 paragraph 1 sentence 2 number 1, 3, 5, 6 and 7 letters b to g and number 7a are met,
2. the competent authority has made a determination regarding the implementation of the retrospective assessment in accordance with an ordinance issued on the basis of Section 8 (5),
3. the competent authority has not made a final decision on the application for approval within the period specified in an ordinance issued on the basis of Section 8 (3) and
4. the competent authority has informed the applicant that the requirements pursuant to number 1 and the determination pursuant to number 2 are met.

If the applicant carries out a test project on the basis of the approval according to sentence 2, he must ensure compliance with these requirements with regard to the further requirements of Section 8 subsection 1 sentence 2 that go beyond sentence 2 number 1.

(2) Paragraph 1 does not apply to experimental projects,

1. in which primates are used or
2. the subject of animal experiments is classified as "severe" in accordance with Article 15 paragraph 1 in conjunction with Annex VIII of Directive 2010/63/EU.

(3) Anyone who wants to carry out an experimental project in which decapods are used must notify the competent authority of the experimental project.

(4) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue an ordinance with the consent of the Bundesrat that experiments on invertebrates other than cephalopods and decapods are to be reported to the competent authority, insofar as these animals have a species-specific capability of suffering the effects of the experiment and it is necessary for their protection.

(5) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue regulations by statutory order with the approval of the Bundesrat

1. the form and content of the notification pursuant to paragraph 3,
2. the notification procedure in accordance with paragraph 3, including the deadlines applicable to the notification,
3. the point in time from or up to which the execution of notified experimental projects is permitted in accordance with paragraph 3, and
4. the procedure in the event of subsequent changes to the facts communicated as part of the notification pursuant to paragraph 3.

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§ 9

(1) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue statutory ordinances with the consent of the Bundesrat on the type and scope of the knowledge and skills required of persons who plan or carry out, in particular the biological, veterinary, legal and ethical knowledge and the skills with regard to the performance of animal experiments, and to specify requirements for the proof and maintenance of the necessary knowledge and skills; the ordinance may also require that records be kept of the measures taken for the purpose of maintaining knowledge and skills,

(2) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, by statutory order with the consent of the Bundesrat

1. to prescribe the stunning of animals used in animal experiments, including the knowledge and skills required for this purpose, or the use of analgesics or methods on these animals and
2. to prohibit or restrict the administration of drugs that prevent or impair the expression of pain.

(3) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research and, insofar as species protection concerns are affected, the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, by statutory order with the consent of the Bundesrat, to carry out tests for the implementation of legal acts of the European Union

1. on primates,
2. on animals of a certain origin,
3. who are particularly distressing

to prohibit or restrict, in particular to make it dependent on approval or the fulfillment of further requirements going beyond Section 8 subsection 1 sentence 2 numbers 2 to 8.

(4) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research and, insofar as species protection concerns are affected, the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, by statutory order with the consent of the Bundesrat, to impose requirements

1. Premises, facilities and objects intended for carrying out animal experiments,
2. the capture of wild animals for the purpose of their use in animal experiments, including the subsequent treatment of the animals and the knowledge and skills required for this and
3. the reuse of animals in animal experiments

to set. The Federal Ministry is also authorized, in agreement with the Federal Ministry of Education and Research and, insofar as species protection concerns are affected, the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, by statutory order with the consent of the Federal Council, to treat an animal used in an animal experiment after the end of the animal experiment to regulate and thereby

1. to provide that the animal is to be presented to a veterinarian,
2. to provide that the animal is to be killed under certain conditions, and
3. Specifying requirements for the further husbandry and medical care of the animal.

(5) Records must be kept of the animal experiments. The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to regulate the details of the type and scope of the records pursuant to sentence 1 by statutory order with the consent of the Federal Council; it can stipulate that the records are to be kept and presented to the competent authority on request.

(6) The head of the experimental project or, if he is unavailable, his deputy is responsible for compliance

1. of the regulations
 - a) Article 7 paragraph 1 sentence 2 number 1 and sentence 3, Article 7a paragraph 2 number 1, 4 and 5 and Article 9 paragraph 5 sentence 1 and

b) of Section 7 Paragraph 1 Clause 4 and

2. the provisions of the ordinances issued on the basis of paragraphs 1 to 5 ensure. The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to regulate the details of the obligation under sentence 1 by statutory order with the consent of the Bundesrat.

Sixth Section Animal Welfare Officers

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§ 10

(1) Establishments and establishments in which vertebrates or cephalopods,

1. intended to be used in animal experiments, or
2. whose organs or tissues are intended to be used for scientific purposes,

kept or used must have animal welfare officers and, insofar as this is stipulated in an ordinance issued by the Federal Ministry in agreement with the Federal Ministry of Education and Research with the consent of the Bundesrat, other persons who are obliged to a special degree respect the protection of animals. Sentence 1 also applies to facilities and businesses in which the animals mentioned there are bred or kept for the purpose of being sold to third parties. institutions and companies,

1. in which vertebrates are killed for scientific purposes in accordance with Article 4 Paragraph 3, or
2. in which interventions pursuant to Section 6 subsection 1 sentence 2 number 4 are carried out,

must also have animal welfare officers according to sentence 1.

(2) The animal welfare officers and other persons perform their duties in particular by advising the facility or company for which they work and the persons employed there, and by issuing statements. The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to regulate the details of the animal welfare officers and other persons by ordinance with the consent of the Federal Council and thereby regulations on

1. the procedure of your appointment,
2. their expertise,
3. their tasks and obligations, in particular with regard to ensuring that animals are kept, killed and used in a competent and animal-friendly manner, and
4. internal measures and precautions to ensure effective performance of the tasks and obligations specified in number 3

to enact. The Federal Ministry can

1. determine that the animal welfare officers and other persons work together in committees,
2. regulate the details of the tasks and the composition, including the management, of the committees according to number 1 and
3. prescribe that records of the activities of the committees pursuant to number 1 are to be made, kept and submitted to the competent authority on request.

Seventh Section Breeding, keeping animals, trading in animals

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§ 11

(1) Who

1. vertebrates or cephalopods,
 - a) intended to be used in animal experiments, or
 - b) whose organs or tissues are intended to be used for scientific purposes,
 breed or keep, in each case also for the purpose of selling these animals to third parties, or use,
2. breed or keep vertebrates for the purposes specified in Section 6 subsection 1 sentence 2 number 4,
3. keeping animals in an animal shelter or similar facility,
4. keep animals in a zoo or other facility where animals are kept and displayed,
5. Bring or import vertebrates that are not farm animals into Germany for the purpose of delivery for a fee or other consideration, or arrange for the delivery of such animals that are to be or have been brought or imported into Germany for a fee or other consideration,
6. train dogs for third parties for protection purposes or maintain facilities for this purpose,
7. conduct animal exchanges for the purpose of exchanging or selling animals by third parties or
- 8th. commercial, except in the cases of number 1,
 - a) breed or keep vertebrates, other than farm animals and game in enclosures,
 - b) trade in vertebrates,
 - c) maintain a riding or driving business,
 - d) display animals or make them available for such purposes,
 - e) Control Vertebrates as Pests or
 - f) train dogs for third parties or guide the training of dogs by the pet owner

requires permission from the competent authority. For the display of animals at different locations, permission pursuant to sentence 1 number 4 or pursuant to sentence 1 number 8 letter d may only be granted insofar as the animals do not belong to a species whose display at different locations is prohibited on the basis of an ordinance pursuant to subsection 4 is.

(2) The Federal Ministry is authorized by statutory order with the consent of the Bundesrat in the cases of paragraph 1 sentence 1

1. details of the form and content of the application for a license pursuant to subsection 1 sentence 1,
2. the conditions and the procedure for granting the permit,
3. the content of the permit, in the case of paragraph 1 sentence 1 number 1 only insofar as this is necessary for the implementation of legal acts of the European Union, as well as
4. the procedure in the event of subsequent changes to the facts essential to the granting of the permit, including the obligation to notify such changes,

to settle. Statutory ordinances pursuant to sentence 1 require the consent of the Federal Ministry of Education and Research insofar as they relate to the breeding or keeping of animals pursuant to subsection 1 sentence 1 number 1 or 2.

(3) Statutory ordinances pursuant to Section 2a subsection 1 or Section 4b may, insofar as this is necessary for the implementation of legal acts of the European Union, contain requirements for the keeping of animals pursuant to subsection 1 sentence 1 number 1 or for killing that go beyond the requirements specified there of animals according to paragraph 1 sentence 1 number 1 are prescribed, in particular

1. Requirements for internal processes for the purpose of avoiding, identifying and eliminating defects,
2. Measures for the purpose of accustoming and training such animals with regard to their husbandry and use and
3. requirements for acquiring and maintaining the knowledge and skills required for care and killing; it can also be stipulated that records of the measures taken for the purpose of acquiring and maintaining the knowledge and skills are to be made, kept and presented to the competent authority on request.

(4) The Federal Ministry is authorized to restrict or prohibit the display of animals of wild species at different locations by ordinance, with the consent of the Bundesrat, insofar as the animals of the respective species at different locations are only kept under considerable pain, suffering or damage or are changing locations can only be carried with considerable pain, suffering or injury. A legal ordinance according to sentence 1

1. may only be waived if the significant pain, suffering or damage referred to in sentence 1 cannot be effectively counteracted by other regulations, in particular those with requirements for the keeping or transport of the animals,
2. must provide that animals kept at the time of the enactment of the regulation are only covered by the ban if there is no way to reduce the significant pain, suffering or harm in these animals to an acceptable level.

(5) The exercise of the activity according to paragraph 1 sentence 1 may only be started after the license has been granted. The competent authority decides in writing or electronically on the application for a permit within a period of four months from receipt of the application. The period specified in sentence 2 can be extended by up to two months by the competent authority, insofar as the scope and the difficulty of the examination of the existence of the prerequisites for the license justify this. The applicant is to be informed of the extension of the deadline before the expiry of the deadline specified in sentence 2, stating the reasons. When calculating the deadline, the times are not taken into account during which the applicant has not complied with the requirements of an ordinance issued on the basis of paragraph 2 sentence 1 number 1 despite a written or electronic request from the authority. The competent authority should prohibit those who do not have the license from exercising the activity.

(6) Anyone wishing to keep game in enclosures on a commercial basis must notify the competent authority four weeks before starting the activity. The Federal Ministry is authorized by statutory order with the consent of the Federal Council

1. the form and content of the advertisement,
2. the conditions under which the activity can be prohibited according to sentence 1, and
3. the procedure in the event of subsequent changes to the facts reported

to settle.

(7) The competent authority may also prevent the activity prohibited under subsection 5 sentence 6 or on the basis of an ordinance pursuant to subsection 6 sentence 2 number 2 by closing the operating or business premises.

(8) Anyone who keeps livestock for commercial purposes must ensure that the requirements of Section 2 are complied with by carrying out internal checks. In particular, he has to collect and evaluate suitable animal-related characteristics (animal welfare indicators) for the purpose of his assessment that the requirements of § 2 are met.

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§ 11a

(1) Who

1. carries out an activity that requires a license pursuant to Section 11 subsection 1 sentence 1 number 1 or
2. breeds or keeps vertebrates for the purposes specified in Section 6 subsection 1 sentence 2 number 4 or trades in such vertebrates,

must keep records of the origin and whereabouts of the animals and, in the case of dogs, cats and primates, of the husbandry and use of the animals. This does not apply if there are corresponding recording obligations based on hunting or nature conservation regulations.

(2) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue statutory regulations with the consent of the Bundesrat on the type, form and scope of the records pursuant to subsection 1. It can determine that

1. the recordings are to be made at a specific point in time,
2. to keep the records and to present them to the competent authority upon request,
3. the recordings or their content are to be passed on to third parties and
4. Records based on other legal provisions shall apply as records pursuant to sentence 1.

(3) Anyone who dogs, cats or primates,

1. intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes, or
2. which are intended for use for one of the purposes specified in Section 6 subsection 1 sentence 2 number 4,

breeds, must mark them for the purpose of establishing the identity of the respective animal. Other labeling requirements remain unaffected. The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, by ordinance with the consent of the Federal Council

1. to enact regulations on the manner and point in time of labeling in accordance with sentence 1 and to provide that this is to be carried out under official supervision, and
2. to prescribe that in the event of the acquisition of dogs, cats or primates for the purposes specified in sentence 1 number 1 or 2, the purchaser is obliged to label them in accordance with sentence 1 and has to provide proof that the animals were bred for the stated purposes acts.

(4) Vertebrates other than horses, cattle, pigs, sheep, goats, chickens, pigeons, turkeys, ducks, geese and fish, with the exception of zebrafish

1. for use in animal experiments,
2. for the purpose stated in § 4 paragraph 3 or
3. for the purposes specified in Section 6 paragraph 1 sentence 2 number 4

imported from third countries only with the approval of the competent authority. The permit shall be granted if it can be proven that the animals in question were bred for one of the purposes specified in sentence 1 numbers 1 to 3. Otherwise, approval can only be granted to the extent that

1. animals bred in accordance with sentence 2 with the characteristics required for the respective purpose are not available or
2. the respective purpose requires the use of animals that have not been bred in accordance with sentence 2.

Other import regulations remain unaffected.

(5) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research and, insofar as species protection issues are affected, the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, by statutory order with the consent of the Bundesrat, in the case of animals intended for use in animal experiments or whose organs or tissues were intended to be used for scientific purposes, but for which this provision no longer applies, to prohibit the permanent accommodation outside of a company or facility pursuant to Section 10 subsection 1 sentence 1 or 2 or the release of such animals, or to restrict.

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§ 11b

(1) It shall be prohibited to breed vertebrates or to modify them through biotechnical measures if, in the case of breeding, breeding knowledge or, in the case of modification, knowledge relating to changes through biotechnical measures, it is to be expected that as a result of the breeding or modification

1. in the offspring, the biotechnically modified animals themselves or their offspring, hereditary body parts or organs are missing or unsuitable for the appropriate use or are reshaped and pain, suffering or damage occurs as a result or
2. in the offspring
 - a) hereditary behavioral disorders associated with diseases occur,
 - b) any species-appropriate contact with conspecifics causes pain or avoidable suffering or harm to themselves or a conspecific; or
 - c) keeping is only possible with pain or avoidable suffering or leads to damage.

(2) The competent authority may order vertebrates to be rendered infertile if knowledge from breeding or knowledge relating to changes caused by biotechnical measures give rise to the expectation that their offspring will show disorders or changes within the meaning of subsection 1.

(3) Paragraphs 1 and 2 shall not apply to vertebrates which have been modified by breeding or biotechnical measures and which are necessary for scientific purposes.

(4) The Federal Ministry is authorized by statutory order with the consent of the Federal Council

1. to determine in more detail the hereditary changes and behavioral disorders according to paragraph 1,
2. to prohibit or restrict breeding with vertebrates of certain species, breeds and lines if this breeding can lead to violations of paragraph 1.

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Section 11c

Vertebrates may not be given to children or young people up to the age of 16 without the consent of their legal guardians.

Eighth section prohibition on movement, traffic and storage

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§ 12

(1) Vertebrate animals on which damage can be determined, which can be assumed to have been caused by acts contrary to animal welfare, may not be kept or exhibited insofar as this is determined by ordinances pursuant to paragraph 2 number 4 or 5.

(2) The Federal Ministry is authorized, by statutory order with the consent of the Bundesrat, to the extent necessary for the protection of the animals,

1. to make the movement of animals or products of animal origin from a country that does not belong to the European Union into Germany (import) dependent on compliance with minimum requirements with regard to animal husbandry or the killing of animals and on a corresponding certificate and their content, regulate form, issue and storage,
2. to make the import of certain animals dependent on a permit,
3. to prohibit the movement of certain animals from the country to another state,
4. to prohibit the bringing of vertebrates into Germany or the keeping, in particular the exhibition of vertebrates in Germany, if the animals have been amputated in violation of animal welfare or the animals have hereditary physical defects, behavioral disorders or increased aggression within the meaning of Section 11b subsection 1 number 1 or 2 letter a or insofar as a fact according to § 11b paragraph 1 number 2 letter b or c is fulfilled,
5. to prohibit the keeping of vertebrates on which damage can be determined, which can be assumed to have been inflicted on the animals by acts contrary to animal welfare, if the animals can only survive with suffering,
6. to prescribe that animals or products of animal origin may only be imported or exported via certain customs offices with assigned monitoring offices, which the Federal Office of Consumer Protection and Food Safety, in agreement with the Federal Ministry of Finance, has published in the Federal Gazette; the Federal Ministry of Finance can transfer the granting of the agreement to the General Customs Directorate.

An ordinance pursuant to sentence 1 nos. 1 to 5 cannot be issued if this conflicts with Union law or obligations under international law.

Ninth section

Other provisions for the protection of animals

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§ 13

(1) It shall be prohibited to use any device or substance for the purpose of catching, repelling or scaring away vertebrate animals if this involves a risk of avoidable pain, suffering or harm to vertebrate animals; this does not apply to the use of devices or substances that are permitted on the basis of other legal provisions. Provisions of hunting law, nature conservation law, plant protection law and epidemic law remain unaffected.

(2) The Federal Ministry is authorized to issue statutory ordinances with the approval of the Bundesrat for the protection of wildlife, which protect wildlife from avoidable pain or damage caused by agricultural or forestry work.

(3) The Federal Ministry is authorized, in agreement with the Federal Ministry for Economic Affairs and Energy and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, by statutory order with the consent of the Bundesrat, to the extent necessary for the protection of animals, the keeping of wild animals, to prohibit or restrict the trade in such animals and to import or export them from within the country to a state that does not belong to the European Union (export), or to make them dependent on a permit. As a prerequisite for approval, the following can be demanded in particular: that the applicant possesses and proves the reliability and technical knowledge and skills required for the respective activity and that the animals are fed, cared for and housed in accordance with the requirements of Section 2. The ordinance can also specify requirements for proof of the required reliability and the required technical knowledge and skills according to sentence 2 and the procedure for proof can be regulated.

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§ 13a

(1) In order to improve animal welfare, the Federal Ministry is authorized to issue statutory ordinances with the consent of the Bundesrat, which stipulate requirements for voluntary test procedures that demonstrate that mass-produced stall systems and stall equipment for keeping livestock and the stunning devices and systems used during slaughter exceed the requirements of this law and the minimum requirements of the statutory ordinances issued on the basis of this law. In particular, it has to define the criteria, procedures and scope of the voluntary test procedures as well as requirements for the expertise of the experts working within the framework of such test procedures.

(2) The Federal Ministry is authorized to make the placing on the market and use of mass-produced stall equipment for keeping farm animals dependent on approval or type approval by means of a statutory order with the consent of the Bundesrat to promote animal welfare. In the ordinance according to sentence 1

1. the detailed requirements for the approval or type approval and their withdrawal, revocation or suspension, their publication and the approval procedure, in particular the type, content and scope of the documents to be submitted or evidence to be provided,
2. the limitation of the approval or type approval,
3. the consequences of a cancellation or limitation of an approval or a type approval with regard to the further placing on the market or the further use of stable equipment that has been placed on the market,
4. the labeling of the stable facilities and the enclosing of instructions for use and their minimum content for the purpose of the intended and proper use of the stable facilities,
5. Requirements for the intended and proper use of stable facilities,
6. the recognition and participation of public or private law institutions in the granting of approval or type approval, including the procedure, are regulated,
7. the recognition of mass-produced barn equipment that has undergone a procedure corresponding to approval or type approval in another Member State, Turkey or an EFTA state that has signed the EEA Agreement,

be managed. In the case of a regulation according to sentence 2 number 7, the recognition can be made dependent in particular on the properties of the serially manufactured stable equipment being equivalent to the requirements of a statutory ordinance according to sentence 2 number 1 to 4.

(3) The Federal Agency for Agriculture and Food is responsible for issuing approvals or type approvals. In the ordinance pursuant to paragraph 2 sentence 1, the procedure for cooperation between the authority responsible pursuant to sentence 1 and the authorities responsible for monitoring in the federal states is to be regulated.

(4) The Federal Ministry is authorized to transfer the tasks and powers of the competent authority pursuant to subsection (3) to a legal entity under private law in whole or in part by means of an ordinance that does not require the consent of the Bundesrat. The transfer of tasks is only permissible if the legal entity offers the necessary guarantee for the fulfillment of the tasks under this Act. A legal entity provides the necessary guarantee if

1. the persons who, according to the law, the articles of association or the articles of association, are responsible for the management and representation of the legal person, are reliable and technically suitable,
2. it has the equipment and organization necessary to fulfill its tasks.

The professional suitability within the meaning of sentence 3 number 1 is given in particular if the persons have successfully completed vocational training in the field of agricultural science - specializing in animal production, veterinary medicine or biology - specializing in zoology. The Federal Ministry can reserve the right to approve the articles of incorporation or the articles of incorporation and amendments thereto by means of a statutory ordinance pursuant to sentence 1.

(5) The Federal Ministry is authorized to issue statutory ordinances with the consent of the Bundesrat, to the extent necessary for the protection of animals, to make the placing on the market and use of mass-produced stunning devices or stunning systems used in slaughter dependent on the devices or systems being approved or correspond to a type approval, as well as to regulate the detailed requirements for the granting of the approval or type approval and the approval procedure. In the ordinance according to sentence 1, the type, content and scope of the documents to be submitted or the evidence to be provided can be specified in more detail.

(6) Paragraphs 1 and 5 shall not apply to placing on the market for the purpose of being brought to another Member State or exported to a third country.

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§ 13b

The state governments are empowered to define certain areas by ordinance for the protection of wild cats in which

1. any significant pain, suffering or harm experienced by those cats is due to the high numbers of those animals in the area concerned, and
2. by reducing the number of these cats within the area, their pain, suffering or harm can be reduced.

The areas are to be demarcated in the ordinance and the measures required to reduce the number of free-living cats are to be taken. In particular, in the ordinance

1. the uncontrolled free run of reproductive cats in the respective area is prohibited or restricted as well as
2. labeling and registration of the cats kept there, which can have uncontrolled free run, is mandatory

become. A regulation according to sentence 3 number 1 is only permissible if other measures, in particular those directly related to the free-living cats, are not sufficient. The state governments can transfer their authorization to other authorities by statutory order.

Tenth Section Implementation of the Law

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§ 14

(1) The Federal Ministry of Finance and the customs offices designated by it are involved in monitoring the import and export of animals. The above authorities can

1. stop animals and their means of transport, containers, loading and packaging equipment for monitoring during import,
2. notify the competent authorities of suspected violations of prohibitions and restrictions of this law or of the statutory ordinances issued under this law, which arises during the check-in,
3. in the cases of number 2, order that the animals are presented to the competent authority at the expense and risk of the person entitled to dispose of them.

(2) The Federal Ministry of Finance, in agreement with the Federal Ministry, regulates the details of the procedure according to paragraph 1 by statutory order without the consent of the Bundesrat and other documents and to tolerate inspections.

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§ 15

(1) The implementation of this Act, the statutory ordinances issued on the basis of this Act and the directly applicable legal acts of the European Community or the European Union within the scope of this Act, subject to Section 13a Paragraph 3, also in connection with a statutory ordinance pursuant to its paragraph 4, the authorities responsible under state law. The authorities responsible according to state law each appoint one or more commissions to support the responsible authorities

1. the decision on the approval of experimental projects and
2. the evaluation of notified changes to approved experimental projects, insofar as this is provided for in an ordinance pursuant to paragraph 4.

The commissions appointed in accordance with sentence 2 support the competent authorities in the areas specified in Article 38 paragraph 3 of Directive 2010/63/EU.

(2) Within the framework of the implementation of this Act or the statutory ordinances issued on the basis of this Act, the competent authorities should involve the official veterinarian as an expert.

(3) In the area of responsibility of the Federal Ministry of Defense, the implementation of this Act, the legal provisions enacted on the basis of this Act and the directly applicable legal acts of the European Community or the European Union within the scope of this Act are the responsibility of the competent Bundeswehr departments. The Federal Ministry of Defense appoints a commission to support the responsible departments

1. the decision on the approval of experimental projects and
2. the evaluation of notified changes to approved experimental projects, insofar as this is provided for in an ordinance pursuant to paragraph 4.

The commission appointed in accordance with sentence 2 supports the competent departments in the areas specified in Article 38 paragraph 3 of Directive 2010/63/EU.

(4) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue further details on the commissions pursuant to Paragraph 1 Clause 2 and Paragraph 3 Clause 2 with regard to

1. their composition, including the expertise of the members,
2. the process of appointing members; and
3. the submission of statements by the commissions on applications for the approval of experimental projects and notified changes to approved experimental projects, as well as the relevant procedure

to settle. Legal ordinances that regulate the details of the commission pursuant to paragraph 3 sentence 2 also require the consent of the Federal Ministry of Defense.

(5) The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to provide by ordinance with the consent of the Bundesrat that the competent authorities the Federal Ministry, the Federal Office for Consumer Protection and Food Safety or the Federal Institute for Risk Assessment

1. in cases of fundamental importance or
2. in cases where this is necessary to implement Article 43 or 55 of Directive 2010/63/EU,

transmit information on decisions by the competent authorities on the approval of experimental projects or on experimental projects approved by the competent authorities, and in doing so to regulate the details of the form and content as well as the procedure of the transmission. Personal data may not be transmitted. The regulations for the protection of intellectual property and for the protection of trade and business secrets remain unaffected.

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§ 15a

The Federal Institute for Risk Assessment carries out the tasks according to Article 49 of Directive 2010/63/EU. The Federal Ministry is authorized, in agreement with the Federal Ministry of Education and Research, to issue more detailed information on the tasks under Article 49 of Directive 2010/63/EU, including the powers of the Federal Institute for Risk Assessment to deal with

the competent authorities of others Member States and the European Commission, insofar as this is necessary for the implementation of legal acts of the European Union.

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§ 16

(1) Subject to supervision by the competent authority

1. animal husbandry including horse husbandry,
2. facilities where animals are slaughtered,
3. facilities in which
 - a) Vertebrates are used for the purposes specified in Section 6 Paragraph 1 Sentence 2 No. 4 or
 - b) Vertebrates are killed for scientific purposes,
4. Institutions and companies according to § 11 paragraph 1 sentence 1,
5. institutions and companies,
 - a) who transport animals commercially,
 - b) in which animals are fed, cared for or housed during transport,
6. circuses that are not operated commercially,
7. Animal husbandry that requires a permit on the basis of an ordinance issued in accordance with Section 13 (3),
- 8th. Manufacturers, importers and distributors of stable equipment or stunning devices or stunning systems used during slaughter, insofar as these persons have applied for approval or type approval.

The facilities pursuant to sentence 1 number 3 and the facilities and operations pursuant to Section 11 subsection 1 sentence 1 numbers 1 and 2 are checked regularly and to an appropriate extent. The frequency of controls is determined on the basis of a risk analysis. The aspects mentioned in Article 34 paragraph 2 of Directive 2010/63/EU must be taken into account in the risk analysis. In the case of facilities pursuant to Section 11 subsection 1 sentence 1 number 1 in which animals are used in animal experiments, inspections must be carried out annually at at least one third of these facilities. If primates are bred, kept or used in the facilities pursuant to sentence 1 number 3 and in the facilities and operations pursuant to Section 11 subsection 1 sentence 1 numbers 1 and 2, the inspection must be carried out at least once a year. A reasonable proportion of inspections are unannounced.

(1a) Anyone who exhibits animals at different locations pursuant to Section 11 subsection 1 sentence 1 numbers 4 and 8 letter d and pursuant to subsection 1 number 6 must notify the competent authority of the intended place of residence of each change of location in accordance with the sentence at the latest when they leave the previous place of residence 2 to display. The advertisement must state:

1. the species of animals involved,
2. the name of the person responsible for the activity,
3. the rooms and facilities intended for the activity.

(2) Natural and legal persons and unincorporated associations of persons shall, upon request, provide the competent authority with the information required to carry out the tasks assigned to the authority by this Act.

(3) Persons commissioned by the competent authority, as well as experts from the European Commission and other Member States who are accompanying them, may, for the purpose of supervising the persons and institutions referred to in paragraph 1 and within the scope of paragraph 2

1. enter and inspect the property, business premises, farm buildings and means of transport of the person obliged to provide information during business or operating hours and take pictures there for documentation, with the exception of pictures of people,
2. to prevent urgent dangers to public safety and order
 - a) the properties, rooms, buildings and means of transport referred to in number 1 outside the times specified there,
 - b) Living quarters of the person obliged to provide information
 enter, inspect and make image recordings for documentation, with the exception of image recordings of people; the fundamental right to the inviolability of the home (Article 13 of the Basic Law) is restricted insofar as
3. view business records
4. examine animals and take samples, in particular blood, urine, faeces and feed samples,
5. Carry out behavioral observations on animals by means of image or sound recordings.

The person obliged to provide information must support the persons commissioned with monitoring, in particular designate the property, rooms, facilities and means of transport, open rooms, containers and means of transport, provide assistance with the inspection and examination of the individual animals, the animals out to be unloaded from the means of transport and to present the business documents. The persons commissioned with monitoring are authorized to make or request copies or photocopies of documents pursuant to sentence 1 number 3 or printouts or copies of data carriers on which documents pursuant to sentence 1 number 3 are stored. At the request of the competent authority, the person obliged to provide information must present animals kept in living quarters if there is a strong suspicion that

(4) The person obliged to provide information may refuse to provide information on questions the answer to which would expose him or herself or one of the relatives referred to in Section 383 (1) nos. 1 to 3 of the Code of Civil Procedure to the risk of criminal prosecution or proceedings under the Administrative Offenses Act would.

(4a) Who

1. as the operator of a slaughterhouse or as a trader, slaughters an average of at least 50 livestock units per week, or
2. provides workers to feed, stun or bleed animals for slaughter,

shall appoint to the competent authority a person who is authorized to issue instructions and who is responsible for compliance with the requirements of this Act and the statutory ordinances issued on the basis of this Act. Anyone who operates or manages an animal husbandry, facility or business pursuant to paragraph 1 nos. 1, 3, 5 or 6 may be required by the competent authority in individual cases to appoint an authorized, competent person responsible for compliance with the requirements of this Act and the requirements based on it naming regulations. This does not apply to companies that are subject to the permit requirement under Article 11, Paragraph 1.

(5) The Federal Ministry is authorized to regulate the monitoring in more detail by statutory order with the consent of the Bundesrat, insofar as it is necessary for the protection of the animals. In particular, it can

1. carrying out investigations including sampling,
2. the measures to be taken if animal transport does not comply with this law or the statutory ordinances issued on the basis of this law,
3. Details of the acquiescence, support and submission obligations and
4. Obligations to record and retain documents

rules. Statutory ordinances pursuant to sentence 2 number 4 require the consent of the Federal Ministry of Education and Research to the extent that the regulations relate to animals intended for use in animal experiments or whose tissues or organs are intended to be used for scientific purposes.

(6) Personal data may only be collected or used to the extent that the collection or use is necessary to fulfill tasks for which the responsible body is responsible under this Act or under an ordinance issued on the basis of this Act. The Federal Ministry is authorized to regulate the details of data collection and use by statutory order with the consent of the Federal Council. The Federal Ministry is also authorized to regulate the establishment and maintenance of registers by statutory order with the consent of the Bundesrat, from which the competent authorities automate the personal data required for the monitoring of establishments pursuant to Section 11 Paragraph 1 Sentence 1 Number 8 Letter d with changing locations can retrieve.

1. Data for identifying and contacting the holder of the license pursuant to Section 11 subsection 1 sentence 1 number 8 letter d and the person responsible for the activity pursuant to subsection 1a sentence 2 number 2,
2. Data for the identification and accessibility of the business pursuant to paragraph 1 sentence 1 number 4 in conjunction with Section 11 paragraph 1 sentence 1 number 8 letter d and the owner of the business,
3. the content of the permit pursuant to Section 11 subsection 1 sentence 1 number 8 letter d and any ancillary provisions as well as the address of the issuing authority,
4. Results of checks carried out and names of the persons checking,
5. Enforceable orders and measures of administrative coercion issued on the basis of the control as well as an indication of the extent to which these have been complied with and
6. the uncontested rejection of an application for the granting, withdrawal and revocation of a license pursuant to Section 11 subsection 1 sentence 1 number 8 letter d.

Otherwise, Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data, on the free movement of data and on the repeal of Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of May 4th, 2016, p. 1; L 314 of November 22nd, 2016, p. 72; L 127 of May 23rd, 2018, p. 2), the Federal Data Protection Act and the data protection laws of the federal states in the currently applicable version are unaffected.

(6a) The authorities responsible under state law for food monitoring, veterinary drug monitoring and for the collection of data under animal health regulations on the movement of livestock for the notification and registration of livestock holdings transmit the data for monitoring pursuant to Section 15 subsection 1 sentence 1 competent authority, upon request, the data required for the fulfillment of their tasks. The data may be kept for a period of three years. The period begins at the end of the year in which the data was transmitted. After the deadline, the data must be deleted. Storage periods resulting from other legal provisions remain unaffected.

(7) If the competent authority has considerable doubts as to whether, when used as intended, mass-produced stall systems and stall equipment for keeping farm animals and stunning devices and systems used in slaughter meet the requirements of this Act and the statutory ordinances issued on the basis of this Act, the manufacturer or Providers are instructed to provide an expert opinion from an independent expert body or person to be nominated by mutual agreement at their own expense, unless they can refer to the successful completion of a voluntary examination in accordance with an ordinance issued in accordance with Section 13a (1). Sentence 1 does not apply insofar as stall facilities are based on a legal ordinance according to § 13a para.

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Section 16a

(1) The competent authority shall issue the orders necessary to eliminate identified violations and to prevent future violations. She can in particular

1. order the measures necessary to fulfill the requirements of § 2 in individual cases,
2. an animal which, according to the opinion of the official veterinarian, has been neglected due to failure to meet the requirements of Section 2 or shows serious behavioral disorders, is taken away from the keeper and carefully accommodated elsewhere at the latter's expense until the animal is kept in accordance with the requirements of Section 2 the holder is secured; if the animal cannot be accommodated elsewhere or if, after the competent authority has set a deadline, the keeper cannot ensure that the animal is kept in accordance with the requirements of Section 2, the authority may sell the animal; the authority can have the animal killed at the owner's expense while avoiding pain,
3. anyone who repeatedly or grossly violated the provisions of Section 2, an order pursuant to number 1 or an ordinance pursuant to Section 2a and thereby caused the animals kept or cared for by him or her to be in considerable or prolonged pain or suffering or considerable damage, the keeping or care of animals of any or all species, or make it conditional on obtaining a relevant certificate of competence, where there are facts to suggest that he will continue to commit such offences; upon request, he is to be allowed to keep or look after animals again if the reason for assuming further violations no longer applies,
4. order the cessation of animal experiments that are carried out without the necessary permit or contrary to a prohibition under animal welfare law.

(2) The competent authority prohibits the implementation of a test project to be notified pursuant to Section 8a subsection 3 or an ordinance pursuant to Section 8a subsection 4 or the carrying out of a test project based on a statutory ordinance pursuant to Section 8 subsection 3 number 4 or Section 8a subsection 5 number 4 Changes to an experimental project that are to be reported, insofar as compliance with the provisions of this Act applicable to the conduct of animal experiments and the statutory ordinances issued on the basis of this Act is not ensured and this deficiency has not been remedied within a period set by the competent authority.

(3) The competent authority shall issue the necessary orders to ensure that

1. ordering the cessation of animal experiments, prohibiting the conduct of experimental projects or revoking or withdrawing the authorization of an experimental project does not have an adverse effect on the welfare of the animals used or intended to be used in the animal experiments or experimental projects, and
2. the ban on carrying out an activity pursuant to Section 11 subsection 1 sentence 1 number 1 or the withdrawal or revocation of a permit pursuant to Section 11 subsection 1 sentence 1 number 1 has no negative effects on the welfare of the animals in the establishments serving the respective activity or facilities are held.

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Section 16b

(1) The Federal Ministry shall appoint an Animal Welfare Commission to provide support on animal welfare issues. Before the enactment of statutory orders and general administrative regulations according to this law, the Federal Ministry has to hear the Animal Welfare Commission.

(2) The Federal Ministry is authorized to regulate the details of the composition, appointment of the members, tasks and management of the Animal Welfare Commission by ordinance without the consent of the Bundesrat.

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Section 16c

The Federal Ministry is authorized by statutory order with the consent of the Federal Council

1. Persons, institutions and companies that carry out animal experiments on vertebrates or cephalopods or kill vertebrates for the purposes specified in Section 4 (3), as well as institutions and companies in which vertebrates or cephalopods are bred for the purposes mentioned or kept for sale to third parties, to be obliged to report to the competent authority at certain regular intervals:
 - a) the type, origin and number of animals used in the animal experiments,
 - b) the purpose and nature of the animal experiments or other uses including the degree of severity in accordance with Article 15 paragraph 1 of Directive 2010/63/EU and
 - c) the species, origin and number of animals, including genetically modified animals, which
 - aa) have been bred and killed for use in animal experiments in accordance with Section 7 paragraph 2 or for scientific investigations in accordance with Section 4 paragraph 3 and
 - b) have not been used in such animal testing or for such scientific investigations, and
2. to regulate the procedure for the reports according to number 1 and their transmission from the competent authorities to the Federal Ministry or the Federal Institute for Risk Assessment.

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§ 16d

With the consent of the Bundesrat, the Federal Ministry issues the general administrative regulations that are necessary for the implementation of this law and the statutory ordinances issued on the basis of this law.

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§ 16e

Every four years, the Federal Government submits a report to the German Bundestag on the status of animal welfare developments.

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§ 16f

(1) The Competent Authorities

1. provide the competent authority of another Member State with a reasoned request for information and transmit the necessary documents to enable it to monitor compliance with animal welfare provisions,
2. examine the facts communicated by the requesting authority and inform it of the result of the examination.

(2) The competent authorities shall provide the competent authority of another Member State with the necessary documents, information that is required for monitoring in that Member State, particularly in the event of violations or suspected violations of animal welfare provisions.

(3) The competent authorities may, insofar as this is necessary for the protection of the animals or prescribed by legal acts of the European Community or the European Union, data that they have obtained in the course of the monitoring, the competent authorities of other countries and other Member States, the Federal Ministry, the Federal Office of Consumer Protection and Food Safety and the Commission of the European Community or the European Union.

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§ 16g

(1) The Federal Ministry is responsible for dealing with the competent authorities of other Member States and the European Commission. It can transfer this power to the Federal Office for Consumer Protection and Food Safety by statutory order without the consent of the Bundesrat and to the competent supreme state authorities by statutory order with the consent of the Bundesrat. Furthermore, in individual cases, in consultation with the competent supreme state authority, it can transfer the authority to the latter. The supreme state authorities can transfer the authority according to sentences 2 and 3 to other authorities.

(2) Notwithstanding paragraph 1 sentence 1, in the case of Article 47 paragraph 5 of Directive 2010/63/EU, the Federal Institute for Risk Assessment is responsible for dealing with the competent authorities of other Member States and the European Commission, unless the Federal Ministry decides otherwise in individual cases reserved.

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§ 16h

Sections 16f and 16g apply accordingly to states which - without being member states - are contracting states of the Agreement on the European Economic Area.

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Section 16i

(1) If a measure taken by the competent authority, which relates to the transport of animals from other Member States, is disputed between it and the person entitled to dispose of it, both parties can mutually have the dispute settled by the arbitration award of an expert. The dispute must be submitted to an expert included in a list drawn up by the European Commission within one month of notification of the measure. The expert must submit the report within 72 hours.

(2) The provisions of Sections 1025 to 1065 of the Code of Civil Procedure shall apply accordingly to the arbitration agreement and the arbitration proceedings. Court within the meaning of Section 1062 of the Code of Civil Procedure is the competent administrative court, court within the meaning of Section 1065 of the Code of Civil Procedure is the competent Higher

Administrative Court. Contrary to Section 1059 (3) sentence 1 of the Code of Civil Procedure, the application for annulment must be submitted to the court within one month.

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§ 16j

Administrative procedures according to this law can be processed in the federal states via a uniform body.

Eleventh Section Criminal and Fine Provisions

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§ 17

Anyone who

1. kills or kills a vertebrate without good reason
2. a vertebrate
 - a) from rawness significant pain or suffering or
 - b) prolonged or repetitive significant pain or distress
 inflicts

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§ 18

(1) Any person who intentionally or negligently acts in an administrative offense

1. causes significant pain, suffering or harm to a vertebrate animal he keeps, cares for or is required to care for, without reasonable cause;
2. (dropped out)
3. one
 - a) according to § 2a or § 9 paragraph 2, 3, 4 or 6 sentence 2, each also in connection with § 6 paragraph 1a sentence 1 number 2, or
 - b) according to §§ 4b, 5 paragraph 4, § 6 paragraph 4, § 8a paragraph 4 or 5 number 1, 2, 3 or number 4, § 9 paragraph 1 and 5 sentence 2, also in connection with § 6 paragraph 1a Sentence 1 number 2 or Section 9 subsection 6 sentence 2, Section 10 subsection 2 sentence 2, Section 11 subsection 3, Section 11a subsection 2, 3 sentence 3 or subsection 5, Section 11b subsection 4 number 2, Section 12 subsection 2, Section 13 para. 2 or 3, §§ 13a, 14 para. 2, § 16 para. 5 sentence 1 or § 16c
 violates the statutory ordinance issued, insofar as it refers to this fine provision for a specific fact,
4. violates a prohibition according to § 3 sentence 1,
5. contrary to § 4 paragraph 1 kills a vertebrate,
- 5a. contrary to § 4 paragraph 3 sentence 2 kills a dog, a cat or a primate,
6. contrary to § 4a paragraph 1 slaughters a warm-blooded animal,
7. contrary to Section 5, paragraph 1, sentence 1, performs an operation without anesthesia or, without being a veterinarian, contrary to Section 5, paragraph 1, sentence 2, performs anesthesia,
- 8th. violates a prohibition pursuant to Section 6 (1) sentence 1 or intervenes in violation of Section 6 (1) sentence 3,
9. (dropped out)
- 9a. contrary to § 6 paragraph 1a sentence 2 or sentence 3 second half-sentence not, not correctly, not completely or not timely reported,
10. contrary to § 6 paragraph 2 used elastic rings,
11. carries out animal experiments contrary to § 7a paragraph 3 or 4 sentence 1,
12. carries out experiments on vertebrates without the license required under Section 8 subsection 1 sentence 1,
13. (dropped out)
14. (dropped out)
15. (dropped out)
16. (dropped out)
17. contrary to Section 9 subsection 6 sentence 1 number 1 letter b, also in conjunction with Section 6 subsection 1a sentence 1 number 1, does not ensure that the provision of Section 7 subsection 1 sentence 4 is complied with,
18. (dropped out)
19. (dropped out)
20. carries out an activity without the permit required under Section 11 (1) sentence 1 or violates an enforceable condition associated with such a permit,
- 20a. violates an enforceable order pursuant to Section 11 subsection 5 sentence 6 or Section 16a subsection 1 sentence 2 number 1, 3 or number 4 or subsection 2 or 3,
- 20b. Contrary to Section 11 Paragraph 6 Sentence 1 in conjunction with an ordinance pursuant to Section 11 Paragraph 6 Sentence 2 Number 1, a notification is not made, not made correctly, not completely or not made in time,
21. (dropped out)
- 21a. contrary to § 11a paragraph 4 sentence 1 introduces a vertebrate,
22. breeds vertebrates contrary to § 11b paragraph 1 or changes them through biotechnical measures,

- 23 contrary to § 11c gives a vertebrate to children or young people up to the age of 16,
- 24 (dropped out),
- 25 contrary to § 13 paragraph 1 sentence 1 uses a device or a substance,
- 25a. Contrary to § 16 paragraph 1a sentence 1, a notification is not made, not made correctly, not completely or not made in time,
- 26 contrary to Section 16 (2) does not provide information or provides it incorrectly or incompletely or violates an obligation to tolerate or cooperate in accordance with Section 16 (3) sentence 2, also in conjunction with an ordinance in accordance with Section 16 (5) sentence 2 no. 3 or
- 27 (dropped out).

(2) Anyone who, apart from the cases of subsection 1 number 1, inflicts considerable pain, suffering or damage on an animal without good reason is also breaking the law.

(3) Anyone who acts intentionally or negligently also acts in an administrative offense

- 1. violates a directly applicable provision in legal acts of the European Community or the European Union, the content of which
 - a) Paragraph 1 numbers 4 to 8, 11, 12, 17, 22 and 25 corresponds to the requirement or prohibition specified, insofar as a statutory order pursuant to Section 18a number 1 refers to these fine provisions for a specific fact,
 - b) Paragraph 1 number 9a, 10, 21a, 23 and 25a corresponds to the commandment or prohibition specified, insofar as a statutory ordinance pursuant to § 18a No. 2 refers to this fine provision for a specific offence, or
- 2. violates a directly applicable provision in legal acts of the European Community or the European Union, the content of which corresponds to a regulation to which the provisions in paragraph 1
 - a) No. 3 letter a, insofar as an ordinance pursuant to Section 18a No. 1 refers to this fine provision for a specific fact,
 - b) No. 3 letter b, insofar as an ordinance pursuant to Section 18a No. 2 refers to this fine provision for a specific fact.

(4) In the cases of subsection 1 numbers 1 and 3 letter a, numbers 4 to 8, 11, 12, 17, 20, 20a, 22 and 25, subsection 2 and subsection 3 number 1 letter a and Number 2 letter a with a fine of up to twenty-five thousand euros, in the other cases with a fine of up to five thousand euros.

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Section 18a

The Federal Ministry is authorized, insofar as this is necessary to enforce the legal acts of the European Community or the European Union, to designate the facts by ordinance without the consent of the Bundesrat, which are classified as administrative offenses

- 1. Section 18 (3) no. 1 letter a or no. 2 letter a or
- 2. Section 18 (3) no. 1 letter b or no. 2 letter b

can be prosecuted.

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§ 19

(1) Animals referred to

- 1. a criminal offense under sections 17, 20 subsection 3 or section 20a subsection 3 or
- 2. an administrative offense according to § 18 paragraph 1 number 1 or 3, insofar as the administrative offense is an ordinance according to §§ 2a, 5 paragraph 4, § 9 paragraph 1 to 3, 4 sentence 2 or paragraph 6 sentence 2, § 11b paragraph 4 number 2 or Section 12 paragraph 2 number 4 or 5 relates, number 4, 8, 12, 17, 20a, 21a, 22 or number 23

relates can be confiscated.

(2) Furthermore, animals may be confiscated that are subject to an administrative offence

- 1. according to Section 18 Paragraph 3 No. 1, insofar as the administrative offense relates to a directly applicable provision in legal acts of the European Community or the European Union, the content of which corresponds to one in Section 18 Paragraph 1 Number 4, 8, 12, 17, 21a, 22 or No. 23 designated requirement or prohibition,
- 2. according to Section 18 Paragraph 3 No. 2, insofar as the administrative offense relates to a directly applicable provision in legal acts of the European Community or the European Union, the content of a statutory ordinance according to Sections 2a, 5 Paragraph 4, Section 9 Paragraphs 1 to 4 or paragraph 6 sentence 2, § 11b paragraph 4 number 2 or § 12 paragraph 2 number 4 or 5.

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§ 20

(1) If someone is convicted of an unlawful act pursuant to Section 17 or is not convicted because his or her incapacity has been proven or cannot be ruled out, the court may ban him from keeping or caring for, trading in, or otherwise professionally handling animals of any or of a specific type for a period of one year to five years or forever if there is a risk that he will continue to commit an offense pursuant to Section 17.

(2) The ban takes effect when the judgment or penalty order becomes final. The time during which the offender is held in an institution is not included in the prohibition period. If, after the ban has been ordered, there is reason to believe that there is no longer a risk that the perpetrator will commit illegal acts under Section 17, the court may lift the ban if it lasted at least six months.

(3) Anyone who violates a prohibition pursuant to paragraph 1 shall be punished with imprisonment for up to one year or with a fine.

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Section 20a

(1) If there are urgent reasons for assuming that a ban will be ordered pursuant to Section 20, the judge may issue an order prohibiting the accused from keeping, caring for, trading in, or otherwise professionally handling animals of any or a specific species forbid.

(2) The provisional ban pursuant to subsection 1 shall be lifted if its reason no longer applies or if the court does not order a ban pursuant to Section 20 in the judgment or in the penalty order.

(3) Anyone who violates a prohibition pursuant to paragraph 1 shall be punished with imprisonment for up to one year or with a fine.

Section Twelve Transitional and Final Provisions

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§ 21

(1) Notwithstanding Article 5 paragraph 1 sentence 1, anesthesia is not required for the castration of male pigs under eight days old until December 31, 2020 at the latest, provided there are no findings that deviate from the normal anatomical condition. If an anesthetic according to sentence 1 is not necessary, Section 5 paragraph 1 sentence 6 applies accordingly with the proviso that painkilling veterinary medicinal products in particular are to be used.

(1a) By May 31, 2019, an ordinance of the Federal Ministry pursuant to Section 6 (6) will be forwarded to the German Bundestag. The transmission to the German Bundestag takes place before the transmission to the Bundesrat. The ordinance can be changed or rejected by resolution of the German Bundestag. The decision of the German Bundestag is forwarded to the Federal Ministry. If the German Bundestag has not dealt with it after three session weeks have elapsed since receipt of the ordinance, the unchanged ordinance will be forwarded to the Bundesrat. Insofar as the ordinance is changed due to the resolution of the Bundesrat, it does not need to be sent to the Bundestag again.

(1b) The Federal Ministry shall report by June 30, 2019 and then at least every six months to the competent expert committee of the German Bundestag on the implementation progress in the introduction of alternative procedures and methods for piglet castration without anesthetic. Among other things, the Federal Ministry is to present the status of the drug approval of veterinary medicinal products for the implementation of anesthesia in piglet castration, the state of the art in anesthetic devices, the training material developed and the success of the training.

(2) By December 31, 2018, in derogation of Article 5 Paragraph 1 Clause 1, stunning is not required for marking horses with thigh branding.

(3) (dropped out)

(4) The permit pursuant to Section 11 subsection 1 sentence 1 numbers 1 and 2 applies to those

1. who, on July 12, 2013, is carrying out an activity that requires a license within the meaning of the aforementioned regulations and
2. who, insofar as this is an activity requiring a license under this Act in the version in force until July 13, 2013, has been granted a corresponding license before July 13, 2013,

as provisionally granted. The provisional permit expires

1. if a final permit is not applied for by January 1, 2014, or
2. in the case of a timely application when the decision on the application becomes non-appealable.

(4a) Section 11 subsection 1 sentence 1 number 5 shall apply from August 1, 2014.

(4b) Section 11 subsection 1 number 8 letter f shall apply from August 1, 2014.

(5) Until an ordinance is issued pursuant to Section 11 subsection 2 or 6 sentence 2, Section 11 subsection 1 sentences 2 and 3, subsections 2, 2a, 5 and 6 in the version valid until July 13, 2013 shall continue to apply with the proviso, that

1. those who conduct animal exchanges must also meet the requirements of Section 11 Paragraph 2 Number 1 in the version described above from August 1, 2014 and
2. Anyone who trades in vertebrates, other than farm animals, must ensure from August 1, 2014 that when a vertebrate of a certain species is first handed over to the respective future animal owner, written information about the essential needs of the animal is provided with the animal, in particular with regard to its appropriate nutrition and care as well as behavior-appropriate accommodation and species-appropriate exercise; this does not apply to the issue to the holder of a permit pursuant to Section 11 subsection 1 sentence 1 number 3 letter b in the version referred to above.

Until an ordinance is issued pursuant to Section 11 subsection 2 sentence 1 number 1, within the framework of Section 11 subsection 5 sentence 5 it is to be determined whether the applicant meets the requirements of Section 11 subsection 1 sentences 2 and 3 in the version valid until 13 July 2013 version has complied.

(6) Section 11 (8) shall apply from February 1, 2014.

(6a) The Federal Ministry shall report by March 31, 2023 to the responsible expert committee of the German Bundestag on the status of the development of procedures and methods for gender determination in chicken eggs before the seventh day of incubation.

(7) Subject to sentence 3 and paragraph 8, Sections 5, 6, 7, 7a, 8, 8a, 9, 10, 11, 15, 16, 16a and 18 in each case resulting from Article 1 of the Act on Amendment of the Animal Welfare Act - Protection of Laboratory Animals - of June 18, 2021 (Federal Law Gazette I p. 1828) only to be applied from December 1, 2021. Until the point in time specified in sentence 1, the provisions specified there, which were in force on June 25, 2021, shall continue to apply. Insofar as the provisions of this Act authorize the issuing of ordinances, in deviation from sentence 1, the provisions specified there in the version specified there for the purpose of issuing statutory ordinances are to be applied from June 26, 2021.

(8) In the case of animal experiments according to Section 7 Paragraph 2 Clause 1, also in connection with Clause 2,

1. whose approval was granted before December 1, 2021 or
2. the implementation of which before December 1, 2021 was notified in accordance with the provisions of this Act applicable up to that date and was not objected to by the competent authority,

notwithstanding Sections 7 to 10, the provisions of this Act applicable until December 1, 2021 shall continue to apply until December 1, 2023.

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Section 21a

Statutory ordinances under this law can also be issued to implement legal acts of the European Community or the European Union in the field of animal protection.

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Section 21b

The Federal Ministry is authorized to amend references to regulations in legal acts of the European Community or the European Union in this Act or in statutory ordinances issued on the basis of this Act by statutory order with the consent of the Bundesrat,

insofar as it is necessary to adapt to changes in these regulations.

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Section 21c (repealed)

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§ 22

(Come into effect)

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