



EUROPEAN COMMISSION  
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL  
Directorate D - Animal Health and Welfare  
Director

**SANCO**

26. 02. 2008

Brussels,  
SANCO D2 BL/nl D(2008) 420095

Dear Mr. Pilz,


I am glad to be able to tell you that the Commission has now finalised its legal evaluation concerning the applicability of Council Regulation (EC) No 1/2005 to circuses as raised in your letter of 10 October 2007.

In the opinion of the Commission it can be argued that, despite the wording of Council Regulation (EC) No 1/2005, and in order to ensure the consistency of the Regulation with Art. 37 of the EC Treaty, circus animals do not fall within the scope of that Regulation.

The Commission has already informed the competent authorities of the Member States of the outcome of its legal evaluation during a meeting on animal transport in Brussels.

However, I would like to remind you that it is ultimately for the European Court of Justice to give binding legal interpretations of Community law.

Yours sincerely,



Bernard Van Goethem

Mr Urs Pilz  
President ECA  
De Lagune 24  
NL-3823 TS AMERSFOORT