*To:*

- The German Federal Chamber of Veterinary Surgeons
- The Federal Association of Practising Veterinary Surgeons
- The Federal Association of Official Veterinary Surgeons
- The German Veterinary Medical Association
- The Veterinary Association for Animal Welfare
- Task Force for Healthy Dog Breeding (TGH)
- Working Group on Animal Welfare of the Federal State Working Group on Consumer Protection
- Animal Welfare Commissioner of the Federal Government, Ms Silvia Breher
- Team QUEN (Qualzucht-Evidenz-Netzwerk)

*Senders:*

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- Dr. Anna Laukner
- Prof. Dr. Beryl Eusemann-Keller
- Dr. Mariana Peer
- Dr. Daniela Rickert
- Dr. Julia Stubenbord
- Prof. Dr. Lars FH Theyse, Ph.D.
- Prof. Dr. Christa Thöne-Reineke
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***Open Letter***

July 1st, 2026

# How much animal suffering may be tolerated for the preservation of a breed's appearance?

***Breed preservation versus canine health: A professional and legal conflict analysis based on the new guidelines of the Taskforce for Healthy Dog Breeding (TGH). What position should the veterinary profession take in this discussion?***

Dear President of the Federal Chamber of Veterinary Practicians (BTK), Dr Vogel,

Dear President of the Federal Association of Practising Veterinarians e.V. (bpt), Dr Moder,

Dear President of the Federal Association of Official Veterinarians e.V. (BbT), Dr Bothmann,

Dear President of the German Veterinary Medical Society e.V. (DVG), Professor Dr Dr h.c. mult. Martin Kramer,

Dear Executive Board of the Veterinary Association for Animal Protection e.V. (TVT),

Dear members of the Task Force for Healthy Dog Breeding (TGH)

and of the Animal Protection Working Group (AGT) of the State Working Group on Consumer Protection,

Dear Animal Protection Commissioner of the Federal Government, Ms Breher,

Dear team at QUEN,

A conflict is currently brewing within the veterinary profession over how to deal with sick and defective breeding stock, a conflict which is likely to have serious consequences. At the same time, some members of the breeders´ community are attempting to exert a massive influence at the expense of animal welfare. Outwardly, it appears that some veterinarians risk to become mere instruments for breeding goals that unequivocally entail animal suffering. Yet, for the only adequate course of action in this matter, the President of the Federal Chamber of Veterinary Practicians, Dr Holger Vogel, titled his contribution in the *German Veterinary Gazette* (Deutsches Tierärzteblatt, 74, 5/2026, p. 656) "*Animal welfare must be actively promoted from within the profession*". This is true: it must not be actively shaped from outside into the profession, as it seems increasingly to be the case at present. In the context of breeding that systematically produces sick or defective animals, it is imperative and urgent that the veterinary profession adopts such an intrinsically motivated and outwardly positioned stance.

This open letter identifies a current cause, provides the necessary background, and offers specific proposals.


***Summary***

Essentially, the issue is deciding how much animal health we, as veterinarians, are willing to sacrifice in order to preserve traditional breed standards — with dogs as an example here — and breed structures. Currently, we see a wide spectrum of breeding practices, ranging from the extensive preservation of traditional but disease-prone breed standards on one end to the absolute prioritization of health over established breed "cultures" on the other. In this regard, the German Animal Welfare Act (TierSchG) takes a clear and explicit stance, standing 100% on the side of animal health, without providing any legal scope for taking breed-specific interests into account in breeding or legal decisions. The Animal Welfare Act (TierSchG) is based on our pathocentric animal ethics, which is committed solely to the individual animal capable of suffering. According to this approach, breed standards, breeding traditions, and gene pools — which can be easily expanded through various measures — are not worthy of protection. From an animal welfare perspective, the new guidelines issued by the Task Force for Healthy Dog Breeding (TGH) regarding the breeding management of dachshund paralysis and brachycephaly must therefore be viewed with the utmost skepticism. Each person will make their own judgment here, guided solely by their own conscience. For the veterinary community, however, there is an urgent need to take action to adopt as unified a position as possible in this highly contentious area — one that is legally compliant, in line with the current state of scientific knowledge, ethically sound, free of ideology, and, ultimately, committed to animal welfare. Constructive proposals on this matter are offered at the end of this open letter.

### *Current Relevance and Urgency*

In recent years, differing interpretations within the veterinary community regarding the proper enforcement of legal standards in animal welfare have come to a head, specifically concerning Section 11b of the Animal Welfare Act (TierSchG, prohibition on cruel breeding practices) and Section 10 of the Animal Welfare Dog Ordinance (TierSchHuV, prohibition on exhibiting dogs with characteristics resulting from cruel breeding practices). As a result, this has already led to significant conflicts, including court proceedings, which have been stressful for all parties involved. Some even fear that this issue could cause a rift within the veterinary community. While objective discourse and differing, personal assessments are regularly valuable and desirable elements of our professional work, when scientific evidence is used only selectively — or legal frameworks are simply ignored — due to conflicts of interest, the only solution is to focus on the core issues. Or, to put it another way: Where is the elephant in the room?

### *A Brief Overview of the Conflict*

With regard to combating the breeding of diseased and defective animals, there is, for a wide range of issues, largely sufficient scientific knowledge and other expert evidence. It is not uncommon, however, for some stakeholders in this context to argue for the need for scientific action, an argument that appears to be based solely on a personal rejection of the existing body of data — which is entirely sufficient but inconvenient for their own assessment. But veterinarians are well-versed in science.

The proper interpretation and application of laws and regulations are also among the core competencies of veterinary medicine. Nevertheless, both scientific evidence and laws and regulations are interpreted with a high degree of flexibility and creativity in order to preserve traditional breed standards. Some stakeholders cite the lack of detail in the wording of laws and regulations as the cause of the tensions, while others see a pronounced willingness among some of those affected to *"effectively disregard the applicable law in this area—a phenomenon I have rarely encountered in this form in any other area of law,"* as the dean of a German law school recently remarked. Upon closer examination, while the conflicts—including conflicts of interest—arising from the matter at hand may not be easy to resolve, they can be sorted by argument and examined for their logical soundness and conformity with the law and established principles of our animal welfare ethics. Ultimately, upholding our veterinary values and obligations, as well as preventing a division within the veterinary profession, are worthwhile goals for all of us.

**The crucial question is:**

**How much animal welfare are we willing to sacrifice in order to preserve traditional breed characteristics?**

***The Pathos of the Initial Situation***

The background to this is the fact—which is undisputed by all—that numerous dog breeds exhibit characteristics, some of which are breed-specific, that lead to an increased risk of pain, suffering, or injury. The elements of the offenses under § 11b of the Animal Protection Act (TierSchG, the so-called “prohibition on cruel breeding”) and § 10 of the Animal Protection Regulations (TierSchHuV) (prohibition on exhibiting dogs with traits resulting from cruel breeding) are, in many cases, unquestionably met here. In some breeds, a high proportion of animals are affected by these traits, whether phenotypically, genotypically, or both. While such traits can often be easily identified and excluded from breeding, which could eliminate the suffering once and for all, at the same time, many of these breeds are already experiencing a critical depletion of their gene pool, or such a depletion would be expected if a substantial proportion of the breed’s members—as carriers of the undesirable trait—were excluded from breeding. This would increase the risk of the emergence of new hereditary diseases as well as the spread of other, pre-existing hereditary diseases within the breed.

> What's needed is smart conflict management, not mutual mudslinging.

In the current debate, a compromise is sometimes proposed that weighs the breeding-out of individual defective alleles or other traits against potential side effects on the gene pool. If preserving an established breed standard is given the highest priority—or at least a substantial one—this argument seems reasonable. Alternatively, there are always various ways to expand the gene pool. These include breeding dogs of the same breed that lack pedigree papers, as well as carefully controlled crossbreeding with other breed varieties, other breeds, or mixed-breed dogs as part of crossbreeding programs. This would allow all animals carrying the defective trait to be excluded without any “side effects” on the gene pool. If the trait were widespread within a breed, this approach would also be possible, albeit with some compromises regarding the preservation of the breed’s traditional characteristics.

Among breeders in Germany and internationally, both approaches—along with various intermediate forms—are supported by advocates and put into practice. **But what criteria should be applied when weighing the welfare of the breed against the welfare of the individual animal?** To what extent can a defective trait be prevalent in a breed before it can no longer be eliminated, and what degree of “dilution” of a traditional breed standard is acceptable in crossbreeding?

***The answer can be found in the German Animal Welfare Act, which is firmly grounded in our pathocentric animal ethics***

The Animal Protection Act (TierSchG), specifically Section 11b, provides a clear and unambiguous answer in this regard. Both this provision and the relevant—including new!—European legal standards protect only the individual animal, including individual animals that will be born in the future as a result of breeding. No exceptions to the ban on breeding that poses an increased risk of disease for the next generation are provided

for in cases where such a ban would adversely affect breed characteristics, a breed's gene pool, or breeding traditions. Consequential risks arising from a further reduction in genetic diversity are also irrelevant here, as they can be addressed by other means. One does not need to be a lawyer to recognize beyond a doubt that the prohibition on breeding animals for disease under Section 11b of the Animal Protection Act (TierSchG) applies absolutely, without any consideration or room for compromise in favor of breed preservation or the gene pool as a fictitious concept. **Unlike Sections 1 and 17 of the Act, Section 11b does not contain an exception—which many interpret as a carte blanche or "ethical loophole"—in cases where there is a "reasonable cause."**

> The conflict is akin to a struggle over authority between two value systems that are deeply rooted in our society but are clearly incompatible.

Individual breeds, their appearance, their nature, the concept of a breed, and related virtual constructs such as a gene pool are not, as such, protected under animal welfare law, private law, or by patents,[1] and therefore do not constitute values that are worthy of or eligible for consideration in a balancing of interests. The background to the Animal Protection Act is the pathocentric principle of animal ethics established in today's society, according to which only those who can feel and suffer are worthy of protection. Entire breeds, as abstract, human constructs, cannot suffer. Similarly, the state of health of a breed—"breed health"—which, strictly speaking, does not actually exist as a state of health in the true sense of the term (i.e., the state of a sentient individual)—does not constitute a legal concept under German or European law. However, these principles are in direct conflict with the interests and activities of some traditional breeders and breeding associations, for whom "their" breeds represent valuable worldviews—even core business models—comparable to brands.[2] Economic interests are in no way to be criticized, but should be disclosed in this context as a potential conflict of interest.

Incidentally, the **Code of Ethics for German Veterinarians** is just as clear on this point as the Animal Welfare Act; according to it, our profession condemns any form of animal breeding that causes pain, suffering, or distress.[3]

> The concept of breed does not need to be abolished in order to breed healthier dogs again, because we can modify breeds. For many breeds, scientifically based alternatives that comply with animal welfare standards are possible. Crucial to the implementation of these changes is a revised understanding of the concept of breed, which has always been subject to dynamic adjustments since its inception. We have entered a new era in which scientific progress and contemporary ethical standards make a **health-oriented reorientation of the concept of breed the only viable option**.

***The current issue: Guidelines issued by the newly formed Task Force for Healthy Dog Breeding (TGH) that are problematic in some respects***

The recently established TGH has published guidelines on “Healthy Dog Breeding and Dog Health,” which are available on the TGH website.[4] The guideline on “Chondrodysplasia, chondrodystrophy, and hereditary increased risk of intervertebral disc disease” (version April 1, 2026) recommends, as a measure to combat dachshund paralysis, the exclusion from breeding of dachshunds with five or more radiographically detectable intervertebral disc calcifications, regardless of the CDDY genotype.[5] Accordingly, all dachshunds with up to four calcified intervertebral discs should continue to be used as breeding stock. One of the reasons given for this recommendation is that this approach—unlike the option of excluding carriers of the pathogenic mutation—would protect the breed’s gene pool from becoming depleted.

The following commentary on this breeding recommendation does not apply specifically to the Dachshund breed, but—given its potential as a model—also applies to many other breeds in which excluding a common trait that poses a health risk from the breeding program, while maintaining strict breed purity, would result in a depletion of the gene pool. If the TGH breeding recommendations for dachshunds were to be regarded—where possible—as a model for healthy and legally compliant dog breeding and were to remain unchallenged or at least uncommented upon, this could, in the opinion of some representatives of the veterinary authorities, have disastrous consequences for the official enforcement of Section 11b of the Animal Welfare Act (TierSchG), even with regard to other breeds.

"Dachshund paralysis" is one of the most severe, painful, and common hereditary diseases in dogs. About one in five dachshunds experiences at least one clinically significant episode during its lifetime as a result of a genetically caused intervertebral disc disease, which places a heavy burden on the animals and requires significant care from their owners. The cost of treatment and subsequent physical therapy typically ranges from about 5,000 to 7,000 €. Statistically speaking, approximately one dog from virtually every litter of this breed is affected at some point in its life, and some are affected multiple times. For quite a few of these patients, the disease is fatal, usually resulting in euthanasia following treatment failure and a poor prognosis. The responsible pathogenic mutation has been known since 2017 [7] and can be detected through testing of individual animals. According to current scientific knowledge, their exclusion from breeding would completely eradicate this condition. There is no other known way to achieve this goal. Unfortunately, this mutation is very widespread in this popular dog breed, which is almost symbolic of Germany, so that even with incomplete penetrance of the trait, the breed is considered to be significantly and systematically predisposed to this clinical condition (statistically, there is a roughly 20% risk of developing the disease for every dachshund across the breed, with variations among the different varieties).[6]

This compilation contains a number of uncomfortable truths for dog breed enthusiasts. Far more uncomfortable, however, are the considerable pain and suffering endured by the affected dogs, as well as the severe strain placed on their owners.

Specifically, the TGH guideline containing recommendations for the breeding management of dachshund paralysis is considered problematic from an animal welfare perspective in the following respects:

1. From a veterinary and animal welfare perspective, every single case of intervertebral disc calcification that occurs in this context undoubtedly constitutes a **heritable damage**. This form of dystrophic calcification is the result of necrotic tissue loss, i.e., tissue death.[8] Accordingly, the responsible, pathogenic, monogenic CDDY mutation[7] leads to serious structural and functional damage to the tissue in dachshunds and some other chondrodystrophic dog breeds, even at a very young age. These result from chemical and ultrastructural compositions of the nucleus pulposus that differ from those of healthy animals or intervertebral discs, causing it to degenerate prematurely, undergo frustran-metaplastic structural aberrations, become necrotic (die off), undergoes dystrophic calcification (deposits mineral salts), and tends toward a slow or sudden—sometimes explosive—prolapse of the damaged tissue through the compromised annulus fibrosus into the spinal canal. The functional damage lies in the reduced load-bearing capacity or functional ability of the damaged intervertebral disc when subjected to normal daily stresses. Mild, recurring, or severe, persistent compression—ranging from mildly painful to causing nerve tissue necrosis—are common consequences that can lead to paraplegia due to destruction of the spinal cord. The causal chain is considered scientifically established, with sufficient clinical data on risks and incidence rates. The damage resulting from hereditary chondrodystrophy (CDDY) is therefore already evident in the form of early-onset intervertebral disc degeneration—visible on X-rays in the terminal stage as calcification—and not merely in the form of paraplegia.
2. The guideline recommends continuing to use dachshunds with up to four calcified intervertebral discs for breeding.[5] However, this would likely lead to a significantly increased risk of pain, suffering, or injury in future generations: In the study by Bruun et al. (2020), even a single calcified intervertebral disc increased the risk of a herniated disc or back pain in dachshunds to 8.3%, compared to a 0% risk in dachshunds without disc calcification.[9] Accordingly, only the absence of any intervertebral disc calcifications—as expected from breeding practices—can protect against pain, suffering, or damage, both as a result of herniated discs and all other possible clinical consequences.

> The German Animal Welfare Act strictly prohibits the production of further offspring with hereditary pain, suffering, or impairments and does not allow for the option of merely “reducing” the proportion of such animals.

3. The guideline recommends continuing to use dachshunds with up to four calcified intervertebral discs for breeding, as a higher number would increase the risk of clinically significant intervertebral disc herniations.[5] However, to the best of our knowledge, the heritability of the number of calcified intervertebral discs has not yet been scientifically and rigorously investigated. Thus, it would be impossible to predict how many calcified intervertebral discs the offspring of two dachshunds—each with, for example, three calcified intervertebral discs—would have. Their

number could also be well over five, meaning that the effect postulated here—a reduction in the risk of dachshund paralysis—is absolutely unpredictable. Are the authors of the guideline aware of any such robust studies, which are an important prerequisite for predicting the desired effect?

*Note added on July 21st by ADG: This question had been solved by the work of Jensen and Christensen (J. Vet. Med. A 47, 331-340, 2000), clearly showing poor heritability of the number of calcified discs in dachshunds. In essence, although heritability of 0.6 / 0.87 had been observed in that study, virtually all numbers of calcified discs can be expected to appear in offspring from parents possessing virtually all numbers themselves.*

4. Implementing these recommendations would—when considered in relation to the dachshund population—lead, with a very high statistical probability, to numerous and significant cases of **hereditary pain, suffering, or harm in subsequent generations**. According to an expert opinion by Hamburg-based legal scholar Prof. Dr. Thomas Cirsovius, this would constitute a violation of § 11b of the Animal Welfare Act (TierSchG), because even when breeding over several generations to produce offspring that can live free of pain or suffering, no hereditary pain, suffering, or harm may occur in the intermediate generations.[10] According to the expert opinion, veterinarians may also face legal action for violations, based on an administrative offense or even a criminal offense. Although the Cirsovius expert opinion has been criticized from the perspective of breeding and association policy, it has not—as far as can be determined—been substantively refuted from a legal standpoint to date.

   Furthermore, based on the current state of scientific knowledge, the recommendation proposed by the authors of the guideline is unsuitable for effectively and completely eliminating the disease, neither in the short nor long term. This would be incompatible with the German Animal Welfare Act.

5. Furthermore, the breeding practice proposed by the TGH (see items 1 through 3 on this list) would violate the provisions of the Code of Ethics for German Veterinarians with regard to “intermediate generations” and, in all likelihood, on a permanent basis as well:

> Quote: “*We veterinarians bear responsibility for the health of animals and humans and … condemn any form of animal breeding that causes or contributes to pain, suffering, and distress, and are committed to preventive education as well as to identifying and preventing such developments*.” (Code of Ethics for Veterinarians in Germany, Section 2.5) [3]

6. The statement in the guideline (quote): “*In any case, however, it should be noted that intervertebral disc disease is not a (monogenic) hereditary disorder and therefore cannot be assessed as such*.”[5] can likely be considered misleading in this context, as it could give the impression that the cause of the disease is polygenic, similar to hip dysplasia in other dog breeds. The latter cannot be attributed to a single genetic defect that can be eliminated through testing and selective breeding, in stark contrast to CDDY in dachshunds. In the context of this supposedly health-oriented guideline, it would have been more appropriate, accurate, and

comprehensive to point out that CDDY-associated intervertebral disc calcification—and thus the increased risk of paraplegia in dachshunds—**is attributable[7] to a single pathogenic mutation on chromosome 12**, which plays a dominant role in causing paraplegia with incomplete penetrance under the influence of as-yet-unknown genetic modulators and some known environmental factors. At this point in the guideline, it would have been crucial to include the information that testing for and breeding out this primary risk factor can reliably and sustainably prevent this condition in future generations. This raises the question of why this is being kept secret here and what the motive behind it is.

7. In several places, the guideline inexplicably cites a need for research on topics that, in fact, can generally be considered scientifically well-established with regard to the issue at hand, but which might be inconvenient for the guideline's overall tone—which, reading between the lines, appears to prioritize "breed protection over animal welfare." It states: "*Targeted genomic and clinical studies of sufficiently large populations of the respective dog breeds are necessary in order to be able to assess the significance of this allele on a scientifically and clinically sound basis.*"[5] That may be true for other breeds, but for dachshunds—which are the focus of this discussion—the causal relationships established since at least 2017 [7] have been more than sufficiently documented in numerous publications to justify taking breeding measures to reliably prevent animal suffering.

   Similarly, it is presented as a point of contention "*to what extent the risk increases in the presence of one or two copies of the CDDY allele, and whether, in particular, the heterozygous presence of a single copy of the CDDY allele alone should already be considered a relevant risk indicator (Bruun et al., 2020; Sullivan et al., 2025)*." This statement may come as a surprise to the reader, since the dominant nature of the pathogenic CDDY mutation in relation to herniated discs—with the incomplete penetrance described above—has already been demonstrated in numerous other publications since 2017,[7,11] although not in the two cited in the guideline in this regard.

> "*I can't explain to my students how some breeders of traditional breeds can prioritize their breed standards over the health of their animals and still consider themselves animal lovers*." Achim Gruber

This TGH guideline should also be evaluated in light of a recent expert opinion prepared as part of proceedings before the **Hanover Administrative Court**. In that case, the court upheld the legality of an official ban on breeding Shar Pei dogs, in part due to the presence of the hereditary condition Shar Pei fever (Shar Pei Autoinflammatory Disease, SPAID).[12] The frequency of the causative pathogenic mutation in the population—with the expected consequence of pain and suffering in the next generation—combined with the threat of a depletion of the gene pool should the mutation be eliminated, reveals clear parallels to the CDDY gene defect in dachshunds. Admittedly, SPAID in the Shar Pei and CDDY in the dachshund are, from a clinical perspective, completely different

diseases. However, there are broad parallels with regard to the nature of their genetic causes (a monogenic risk factor with incomplete dominance or penetrance),[7,11,15] as well as their population-genetic and legal implications for breeding. The reasoning behind the ruling states, among other arguments:

- Page 7/13: "… *Breeding animals that appear healthy but carry risk genes generally constitutes a violation of § 11b(1) of the Animal Welfare Act (TierSchG) (see Hirt/Maisack/Moritz/Felde, Animal Welfare Act, 4th ed. 2023, margin notes 21c and 21d on § 11b of the Animal Welfare Act (TierSchG)*."
- Page 8/13: The expert opinion states, "… *in summary, that in the case of breeding … it is highly probable that some of the offspring will carry the disease-causing … allele and will therefore be at increased risk of developing … symptoms. This fulfills the criteria for the existence of breeding for the purpose of inflicting suffering." "In light of the available molecular, functional, and clinical data, it is strongly recommended—from both an animal welfare and a breeding perspective—that such matings be specifically avoided."*

This open letter is not just about the dachshund, but about general principles that, when applied to other health issues, apply to many dog breeds. It addresses the core of the debate on cruel breeding practices.

- *Page 10/13: "In response to the plaintiff's argument that excluding homozygous or heterozygous allele carriers would lead to an unjustified reduction in the breeding population and increase the risk of inbreeding, the expert explained that, from a genetic perspective, maintaining variability is indeed an important breeding goal and should, in principle, be supported to prevent inbreeding. Nevertheless, the deliberate breeding of heterozygous carriers of an allele associated with a painful condition cannot be considered consistent with animal welfare. The preservation of genetic diversity should not come at the expense of animal health. A responsible breeding strategy for reducing inbreeding without mating carriers of the trait would therefore involve a controlled expansion of the breeding base through targeted outcrossing with healthy N/N animals. Such measures would offer the opportunity to preserve genetic diversity while minimizing the risk to affected offspring. Inbreeding analyses could be used to support this effort and ensure balanced breeding plans that comply with animal welfare standards."* The court found these arguments to be sound and reasonable and therefore concurred with them.
- Similar to the case of CDDY in dachshunds, an increased (quote) "…*probability of disease in heterozygous dogs compared to the wild-type N/N was calculated, indicating a significantly increased risk, which is unacceptable. It is true that the clinical manifestation of pathological changes is influenced by variable penetrance and severity, which can result in clinical symptoms not appearing equally or clearly in all carrier animals. These individual differences in the expression of the trait may depend on external factors such as the environment, lifestyle, diet, stress, and other conditions; research on this topic is currently ongoing. However, the gene mutation itself is encoded in the DNA and cannot be corrected by these effects. The predisposition of E. and F. (*= the affected dogs in this case, authors' note*) to SPAID*

*and its possible transmission is therefore scientifically established; whether and to what extent heterozygous offspring in particular exhibit clinical symptoms of SPAID, may also depend on external factors that, however, have not yet been conclusively researched and therefore cannot be predicted or ruled out; there remains an unacceptable, sufficient probability that the presumed animal suffering will occur in the offspring and thus that the breeding practice constitutes cruel breeding (see Dresden Administrative Court, Decision of Dec. 21, 2020, Case No. 6 L 646/20, unpublished, cited in Hirt/Maisack/Moritz/Felde, Animal Protection Act, 4th ed. 2023, margin note 6 on § 11b TierSchG). Even if Dog F. (*= the affected dog in this case, authors' note*) remains free of (noticeable) clinical symptoms, there is certainly a 50% risk of passing on the defective allele even when mated with an N/N male, and thus an unacceptable probability that offspring may develop SPAID."*

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Of course, one cannot lump all breeds and their problems together. However, there are fundamental commonalities in comparable causal, (population) genetic, and pathophysiological relationships, which justify recommendations that apply across breeds.

- In its reasoning for the judgment—as other courts had done previously—the Administrative Court of Hanover accepted the reliability of the QUEN database (= Qualzucht-Evidenz-Netzwerk) as an expert opinion (pp. 7, 8/13), specifically with regard to the health risks associated with the Shar Pei breed.[12,13]

### *The Current Issue, Part 2: TGH Guideline on the Breeding of Brachycephalic Dog Breeds Raises Animal Welfare Concerns*

Another TGH guideline titled "Principles of Dog Breeding" (version April 1, 2026) contains numerous sound and appropriate recommendations regarding general, breed-neutral practices. Surprisingly, it also includes a very concrete recommendation regarding a very specific set of health issues. For instance, to prevent the consequences of the health-compromising phenotypic extreme of brachycephaly (= short-headedness) through breeding practices, the document refers to the so-called Cambridge Test.[14] However, this test is highly controversial among veterinarians regarding its suitability for preventing the widespread pain, suffering, or harm caused by extreme brachycephaly in dogs.

The Cambridge test is typically administered in young adulthood, often before age-related changes exacerbate the manifestations of the trait that predisposes individuals to various diseases. However, one distinctive feature of the diseases and conditions caused by this is that many of them become more prevalent with age or do not appear until later in life, meaning that this test does not realistically reflect the actual course of the disease and therefore cannot be used for effective breeding control. Furthermore, the test—which focuses primarily on measuring respiratory impairment—takes little or no account of the many other health risks caused by extreme brachycephaly and the associated anatomical developmental abnormalities, such as periodontal disease, skin and ear infections, eye diseases, or eye prolapse, changes to the palate, throat, or

windpipe; reflux-related inflammation of the esophagus and stomach, and cardiovascular problems caused by chronic strain.

Decisions based on the results of comprehensive veterinary examinations—even in older dogs—would be far more effective in preventing the range of health issues through selective breeding. Many consider the so-called traffic-light system to be an alternative decision-making criterion that is highly practical and addresses many other health risks caused by extreme short-headedness. Under this approach—which was introduced in the Netherlands in 2019 and subsequently adopted elsewhere—a minimum nose length permissible for breeding is set at one-third of the head length. As a result—unlike with the Cambridge test—many other disproportionate anatomical abnormalities in the animals are corrected to proportions that are more natural and typical of the species.

The recommendation regarding the Cambridge test in this TGH guideline, much like the recommendations for managing CDDY in dachshunds, suggests that the TGH prioritizes breed-defining but disease-prone traits over animal health and aims to remove as few affected animals as possible from the breeding program in the affected breeds.

### *Who has the authority to interpret these standards?*

Some members of the veterinary community have expressed concerns that, based on its self-chosen name, the TGH might claim veterinary authority to interpret the standards for “healthy dog breeding” or that such authority might be attributed to it by third parties. These concerns must be rejected for various professional reasons, including:

1. As far as can be determined, the group does not include any veterinary specialists in the key areas of animal welfare or public veterinary health. Yet it is precisely this certified expertise that is indispensable when veterinarians make breeding recommendations, as breeding touches on many aspects—and, particularly in the current debate, on laws and their practical implementation by veterinary authorities. Our profession can take pride in its expertise, which—not only in court—can claim authority in interpretation as being competent, free of ideology, and above suspicion of lobbying. (*Note: Lobbying in and of itself is, of course, in no way objectionable, but it must be consistently disclosed*.)
2. Key recommendations made by the group disregard current law, going far beyond what could be considered a margin of discretion for personal interpretation (see detailed discussion above).
3. The guidelines, which appear to be supported by all members of the TGH, clearly prioritize the preservation of breed standards associated with suffering over animal welfare. This stance certainly cannot—and this requires no further explanation—be regarded as consistent with the views of the German veterinary community.
4. One cannot help but get the impression that there is a VDH (German Kennel Club) -aligned bias in the selection of TGH members. Although the group includes proven, highly reputable experts in their respective fields, many other equally reputable experts who have in the past expressed views not in line with the VDH (German Kennel Club) were not consulted or otherwise taken into account when the TGH

was formed. However, this impression should in no way give rise to doubts about the freedom and independence of individual members.

The TGH, which is affiliated with the VDH (German Kennel Club), cannot be regarded as representative of the German veterinary community.

***Constructive Recommendations***

Our esteemed BTK President, Dr. Holger Vogel, titled an article in the *Deutsches Tierärzteblatt* (74, 5/2026, p. 656) “Animal welfare must be actively shaped by the veterinary profession.” In light of the context outlined above, this call deserves our full support, starting with the German Veterinary Chamber and ALL state veterinary chambers. But what might such a framework look like if the goal is health-oriented and legally compliant dog breeding, and what kind of framework could serve as a representation of a consensus—or as another “guideline”—for the veterinary community?

1. Following the example of the **2019 Jena Declaration**[16] issued by Friedrich Schiller University in Jena regarding the scientifically and ethically sound handling of the concept of “breed” in humans, there would be a “**Declaration by the German Veterinary Community**” that sets forth historical, scientific, and legal principles regarding the understanding of breed in animals—initially focusing on dogs, if necessary—from the perspective of animal health. The key points for this can be easily derived from the model professional code of conduct and our code of ethics, supplemented by scientifically grounded assessments and recommendations, similar to those in the Jena Declaration, although, of course, with entirely different content and core demands.

   Once again: The concept of breeds does not need to be abolished in order to drastically improve the genetic health of dogs. **But we must redefine purebreds**. There are plenty of ways to do this that can be outlined in such a declaration. Any subordination of the views of the German veterinary community to those of national or international breeding associations—which are motivated by other interests—must be categorically ruled out.

2. An article in the ***Deutsches Tierärzteblatt*** (German Veterinary Gazette) that would remain relevant for the long term—and that would be authored by as many experts as possible from the various relevant fields—could serve this purpose. Broad consensus among the authors on all relevant points and a certain degree of representativeness of the German veterinary community would be important prerequisites.

3. If such a consensus cannot be reached, *back-to-back* articles in the *Deutsches Tierärzteblatt* (German Veterinary Gazette) would certainly be a good way to publicly present the various—and possibly conflicting—viewpoints and recommendations. Such “*pros and cons*” articles are common practice in many media outlets and are typically based on a core question or hypothesis, which would

be easy to formulate in this context. Such a multifaceted presentation—which is neither exhaustive nor representative of the veterinary profession—would allow the public to form its own, well-informed opinion in the spirit of "good democratic practice.".

4. Time and again, we hear the accusation that the veterinary profession does not do enough to combat breeding practices that result in disease and physical defects, since it stands to gain significantly from them financially. The second part of this argument cannot be dismissed, and for this reason as well, veterinarians must take a firm public stand against efforts to preserve breeding practices that cause suffering. This also includes educating the public—especially dog buyers—so that there is no demand in the first place for breeds that are likely to end up in veterinary practices and clinics in above-average numbers. The French Bulldog, for example, is just one of many current examples of a stark contradiction between popularity and an extreme, breeding-related burden of disease.[17,18,19] After all, education and preventive counseling are among our core veterinary responsibilities. These areas can certainly be greatly expanded, not only in our daily work but especially through a highly visible public stance taken by our veterinary representative and governing organizations.

> Consumer preferences and society's perception of breeds are malleable. Only well-informed citizens can make responsible decisions. Production is driven solely by market demand, and this presents a key challenge for the veterinary profession.

5. Any potential **conflicts of interest** should be disclosed in all statements, recommendations, and consultations. In the context of the issue addressed here, this includes, for example, financial or other benefits derived from activities in breeding, association work, lobbying, or paid consulting, as well as other circumstances that could potentially influence one's professional impartiality. Clear guidelines already exist in many institutions—such as universities, companies, and the political sphere—regarding this issue. Conflicts of interest and other forms of bias are known to influence the subjective assessment of animals bred to be sick or defective.[20-23]

6. The undersigned request that the DVG organize a **conference on this topic**, ideally with the goal of producing a position paper from the German veterinary community addressing the conflicts raised in this open letter. Contributions to this effort should come from experts within the veterinary profession—including representatives of animal welfare organizations and public veterinary services—as well as experts in genetics and legal specialists.

   Furthermore, we would like to encourage the DVG to offer **more continuing education courses** on this topic for the entire veterinary community.

7. Finally, the signatories see a high degree of urgency in **revising Section 11b of the Animal Protection Act (TierSchG)** or adding provisions to the current law that would facilitate practical enforcement and limit the currently excessive discretionary

power. The amendment planned for 2024—which has not been pursued since then—already contained some valuable elements in this regard, but would need to be further optimized. Essential measures in this regard would include, for example, a ban on the import and trade of animals with hereditary pain, suffering, or impairments. This appeal is directed at policymakers, represented by the Federal Government's Animal Welfare Commissioner, Ms. Breher, who is named as the recipient of this letter.

There is no doubt that Germany is far from having found an adequate path toward health-oriented breeding, especially when compared to other European countries. We lack even the basic foundations for this. The TGH guidelines point us in the wrong direction, as they prioritize preserving breed characteristics at the expense of health. This approach would clearly be unlawful and unethical. We veterinarians should—as uniformly as possible—take a well-informed, animal-welfare-oriented, and legally compliant stance and provide guidance to society.

With thanks and warm, collegial regards

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Achim Gruber has published several specialist and educational books and book chapters on this topic (“Enchained Companions”, “The Cuddling Pet Drama”, “General Pathology for Veterinary Medicine”, “Special Pathology for Veterinary Medicine”, and others) and is a member of a pedigree dog breed society. Anna Laukner has authored a popular-science book (“The Genetics of Dog Coat Colour”) and various advisory guides on dogs, and is a member of numerous veterinary, cynological, and animal breeding organisations and associations, including a pedigree dog breed society. Sibylle Wenzel has published a specialist book on this topic (“The Role of Animal Physiology and Ethology as a Basis for Animal Welfare and Animal Welfare Legal Proceedings”). Several of the authors also undertake voluntary professional advisory roles in various organisations.

***References*** (Last accessed date of the internet sources: 01/07/2026)


1 The only irrelevant exception here is the Elo® with trademark protection: https://ezfg.de/der-elo/markenschutz-informationen

2 Heintz, Bettina. "Tiere als „lebende Artefakte“. Die Erfindung des Rassehundes als kulturelle Kategorie und als materielles Objekt" Zeitschrift für Soziologie, vol. 53, no. 3, 2024, pp. 223-242. https://doi.org/10.1515/zfsoz-2024-2023 as well as numerous other publications

3 https://www.bundestieraerztekammer.de/btk/ethik/index.php

4 https://www.tgh-hundegesundheit.de

5 https://www.tgh-hundegesundheit.de/2026/04/02/chondrodysplasie-chondrodystrophie/

6 Numerous references and sources, as listed in Bruun, C. S. et al: (2020). Breeding schemes for intervertebral disc disease in dachshunds: Is disc calcification score preferable to genotyping of the FGF4 retrogene insertion on CFA12? Canine Medicine and Genetics, 7, 18.
As well as Packer et al., (2016): DachsLife 2015: an investigation of lifestyle associations with the risk of intervertebral disc disease in Dachshunds. Canine Genet Epidemiol Nov 5:3:8.23
and DachsLife 2021 Report in
https://www.dachshundhealth.org.uk/_files/ugd/707553_1c95277f2ae74d39af025cf3b46fa4b3.pdf

7 Brown, E. A., Dickinson, P. J., Mansour, T., Sturges, B. K., Aguilar, M., Young, A. E., Korff, C., Lind, J., Ettinger, C. L., Varon, S., Pollard, R., Brown, C. T., Raudsepp, T., & Bannasch, D. L. (2017). FGF4 retrogene on CFA12 is responsible for chondrodystrophy and intervertebral disc disease in dogs. Proceedings of the National Academy of Sciences of the United States of America, 114(43), 11476–11481. https://doi.org/10.1073/pnas.1709082114

8 Andreas Beineke, Marion Hewicker-Trautwein, Robert Klopfleisch: Kapitel 4, Degeneration, Regeneration, Reparation und Wachstumsstörungen. In:

Baumgärtner und Achim D. Gruber (Hrsg.): Allgemeine Pathologie für die Tiermedizin. Thieme, 4. Auflage, 2025. Kapitel 4.1.5, Nekrose, S. 99.

9 Bruun, C. S., Bruun, C., Marx, T., Proschowsky, H. F., & Fredholm, M. (2020). Breeding schemes for intervertebral disc disease in dachshunds: Is disc calcification score preferable to genotyping of the FGF4 retrogene insertion on CFA12? Canine Medicine and Genetics, 7, 18. https://doi.org/10.1186/s40575-020-00096-6

10 https://djgt.de/wp-content/uploads/2021/04/21_04_01_Cirsovius_Gutachten_zu_%C2%A7_11b_TierSchG.pdf

11 Batcher, K., Dickinson, P. J., Giuffrida, M., Sturges, B. K., Vernau, K., Knipe, M., Rasou-liha, S. H., Drögemüller, C., Leeb, T., Maciejczyk, K., et al. (2019). Phenotypic effects of FGF4 retrogenes on intervertebral disc disease in dogs. Genes, 10(6), 435. https://doi.org/10.3390/genes10060435

12 Verwaltungsgericht Hannover, 11 A 5629/23

13 https://qualzucht-datenbank.eu/merkblatt-hund-rasse-shar-pei/

14 https://www.tgh-hundegesundheit.de/wp-content/uploads/2026/05/TGH_Guidelines_2026_DE-1.pdf

15 Metzger et al.: Whole genome sequencing identifies missense mutation in MTBP in Shar-Pei affected with Autoinflammatory Disease (SPAID). BMC Genomics (2017) 18:348 DOI 10.1186/s12864-017-3737-z

16 https://www.uni-jena.de/22120/jenaer-erklaerung

17 Donner et al.: Association of the Disheveled 2 (DVL2) Gene c.2044delC Variant with Increased Risk of Canine Cleft Palate. Anim Genet 2026 Jun;57(3):e70101. doi: 10.1002/age.70101.

18 Hinze et al.: Health status and disease prevalences in French bulldogs in Germany: insights from a survey-based study. Companion Anim Health Genet. 2025 Oct 31;12(1):9. doi: 10.1186/s40575-025-00149-8

19 Niskanen et al.: Canine DVL2 variant contributes to brachycephalic phenotype and caudal vertebral anomalies. Hum Genet. 2021 Nov;140(11):1535-1545. doi: 10.1007/s00439-021-02261-8.

20 Packer RMA et al.: Great expectations, inconvenient truths, and the paradoxes of the dog-owner relationship for owners of brachycephalic dogs. PLoS One. 2019, 14(7): e0219918.

21 Sandoe P et al. (2017): Why do people buy dogs with potential welfare problems related to extreme conformation and inherited disease? A representative study of Danish owners of four small dog breeds. PLoS One., 12: e0172091.

22 Kahneman D. et al., 2023: Noise. Was unsere Entscheidungen verzerrt – und wie wir sie verbessern können. Pantheon Verlag.

23 Bognar Z und Kubinyi E (2023): The brachycephalic paradox: The relationship between attitudes, demography, personality, health awareness, and dog-human eye contact. Applied Animal Behaviour Science, 264, 1–10