



Parliamentary questions

30 November 2011

P-009807/2011

Answer given by Mr Potočník on behalf of the Commission

The Commission is aware that a killer whale was rescued by the Dutch authorities in the course of 2010 and that they intend to transfer this specimen into the Loro Parque, a dolphinarium in Tenerife (Spain) which is already hosting killer whales.

EU rules governing import, export and intra-EU trade in wildlife specimens (Council Regulation (EC) No 338/97⁽¹⁾) prohibit the use of orcas for commercial purposes within the EU.

The authorities of Spain and Netherlands are in charge of the implementation of this legislation. It is up to them to assess on a case-by-case basis whether the activities in question are of a predominantly commercial nature.

In this instance, the Commission has been informed that the Dutch authorities consulted with the Spanish authorities who indicated that the transfer into the Loro Parque would be in line with the requirements of Council Regulation (EC) No 338/97.

The Commission was also informed that release to the wild was not possible, as the chances of survival would be limited, and that neither was it possible to keep the animal in the Netherlands as no appropriate facilities were available.

(1) OJ L 61, 3.3.1997.

OJ C 168 E, 14/06/2012