Animal welfare during transport

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EU proposes new rules on protecting animals during transport including imports

Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005

Update

This proposed Regulation aims to reinforce existing animal welfare rules during transport. Whereas the current rules (Regulation 1/2005) do not apply to live animals imported into the EU from non-EU countries, the proposed rules will also apply to imported animals.

The European Commission's proposal sets out detailed requirements on all aspects of animal welfare during transport, including the fitness of animals for transport, the quality and safety of vehicles and equipment, time limits for journeys, temperatures, feeding and watering, and space allowances.

The proposed rules will require non-EU transporters of animals to apply for an authorisation to transport animals. Non-EU competent authorities will be required to certify that journey plans for animals meet conditions that are at least equivalent to those required by the proposed Regulation.

Feedback on this proposal closed on 12 April 2024.

Impacted products

Sheep, goats, horses, cattle, pigs, poultry, rabbits, cervids (deer), fish, cephalopods (squid, octopus, etc.), decapods (crustaceans)

What is changing?

The EU's rules aimed at protecting animals during transport are currently set out in Regulation 1/2005. This new proposal aims to reinforce those requirements and extend their scope to include:

- live animals imported from non-EU countries (as well as those exported from the EU)

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- additional species such as fish, cephalopods (squid, octopus), and decapods (crustaceans).

Key obligations

Key obligations for the transport of animals from non-EU countries to the EU within the proposed Regulation (Arts. 5 and 35) are as follows.

For businesses:

- Transporters of animals must have authorisation from one EU Member State to transport animals to the EU.
- From the place of departure to the destination, transporters must ensure that the conditions in which animals are transported are at least equivalent to those set out in the Regulation.
- Transporters must complete a journey log in the EU's online TRACES certification system, specifying the place, date, and time of departure from the non-EU country.

For non-EU competent authorities:

- The health certificate accompanying animals exported to the EU must include an attestation (formal statement) from the competent authority at the place of departure that the journey plan is at least equivalent to the requirements in the Regulation.
- For long journeys, the competent authority at the place of departure must review the journey log prior to departure and approve it in the TRACES system.

Responsibilities

Annex I to the Regulation specifies the responsibilities of those involved in transporting animals, as summarised in Table 1.

Authorisations

To be able to transport animals to the EU, the organiser must receive authorisation from one EU Member State (there is no need to apply to multiple Member States). The organiser must be represented by a legal entity in that EU Member State: that is, they must either have their own office in that country, or give a mandate to an operator or organisation in that country to represent them. They must also be able to demonstrate that they can fulfil their responsibilities (Art. 14). Authorisations are valid for 5 years. To transport large animals by road, rail, or sea, an additional certificate of approval is required (Arts. 12, 13).

Requirements for animal welfare during transport

Annex I to the Regulation sets out detailed requirements for all aspects of the welfare of animals during transport, as summarised in Table 2. Requirements can vary according to species.

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It should be noted that the proposal also covers exports to non-EU countries, and transport of cats and dogs; this trade falls outside the scope of AGRINFO.

Why?

Repeated breaches of existing animal welfare rules (Regulation 1/2005) have been widely publicised in the media and led to much public debate. Both the European Parliament and the Council have called on the Commission to revise the EU legislation. The Commission responded with a Fitness Check Roadmap for animal welfare legislation. It regards stricter animal welfare standards as one of the sustainable agricultural practices necessary to achieve the objectives of the Farm to Fork Strategy.

Timeline

The Commission proposal was communicated to the European Parliament and Council (co-legislators) on 7 December 2023. It will be discussed and amended before adoption by the European Council (made up of the EU Member States) and the European Parliament. If institutions broadly agree on the proposal, this process is usually completed within 18 months. If there is significant disagreement, the process can last up to 40 months.

The Regulation will apply 2 years after it is adopted and published, with a longer transition period likely for certain requirements.

What are the major implications for exporting countries?

The proposal applies EU animal welfare requirements to imported animals for the first time.

Organisers/transporters of animals

For non-EU countries exporting live animals to the EU, the proposed new rules would require organisers/transporters of animals to:

- register their businesses in one EU Member State
- apply for authorisation to transport the animals and, where relevant, apply for certificates approving the means of transport (road, rail, or sea vessels)
- evaluate current transport practices and ensure that conditions are at least equivalent to those set out in the new Regulation
- prepare for additional administrative responsibilities associated with completing journey logs in TRACES

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- organise the training of all responsible persons involved in animal transport (keepers, organisers, transporters, drivers, attendants, animal welfare officers)
- coordinate with local competent authorities on the certification of control posts where animals are rested during the journey
- equipment and vehicles potentially may need to be adapted or replaced. For example, trucks with one deck could not be used for exports to the EU due to new height requirements
- practices may need to change to extend the time period animals stay at the place of departure prior to transport.

Competent authorities

Non-EU competent authorities would need to:

- train staff to evaluate and certify journey plans
- organise the administration of attestations that must be included in official health certificates accompanying animals exported to the EU
- ensure that control posts in non-EU countries where animals are rested during the journey meet the requirements of the Regulation, and are certified and approved by the European Commission.

Recommended Actions

Transporters and competent authorities should assess the potential impacts of these proposed requirements on existing arrangements for transporting animals.

Feedback on this proposal closed on 12 April 2024 (see Animal welfare – protection of animals during transport). This feedback will be summarised by the Commission and presented to the European Parliament and European Council to feed into the legislative debate.

Although these new rules will not apply until 2028 at the earliest, transporters of animals should start to review existing practices and consider potential strategies for key aspects that may not be compatible with the proposed requirements.

Background

The current legislation on the protection of animals during transport was adopted in 2004 (Regulation 1/2005).

In the framework of the Farm to Fork Strategy, the EU announced its intention to align the rules with the latest scientific evidence, broaden their scope, facilitate enforcement, and ultimately

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ensure a higher level of animal welfare.

In October 2022, the European Commission published the results of the Fitness Check of the EU Animal Welfare legislation. This Fitness Check showed that significant developments in science and technology, shifts in societal preferences, and increasing sustainability challenges are not reflected in the current Regulation, and the current rules are difficult to implement and enforce.

An Impact Assessment Report was published alongside this Proposal on 7 December 2023.

In parallel, the World Organisation for Animal Health (WOAH) monitors, develops, and implements animal welfare standards.

Resources

EFSA (2022) More space, lower temperatures, shorter journeys: EFSA recommendations to improve animal welfare during transport [with links to plain language summaries of five EFSA Opinions]. European Food Safety Authority.

European Commission:

- Fitness Check Roadmap: Fitness check of the EU legislation on animal welfare of farmed animals
- Fitness Check of the EU Animal Welfare legislation
- Impact Assessment Report accompanying the document Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005
- Commission proposes new rules to improve animal welfare (press release 2023)
- Protection of animals during transport

European Parliament:

- Committee of Inquiry on the Protection of Animals during Transport
- Report on the investigation of alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union
- European Parliament recommendation of 20 January 2022 to the Council and the Commission following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union

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European Council:

- Council conclusions on animal welfare - an integral part of sustainable animal production

World Organisation for Animal Health (WOAH):

- Monitoring animal welfare standards
- Development of animal welfare standards
- Implementation of animal welfare standards and policies

Sources

Proposal for a Regulation on the protection of animals during transport and related operations

Visit the AGRINFO website to view the latest AGRINFO Update newsletters and search the database.

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Tables & Figures

Table 1
Summary of proposed responsibilities regarding animal welfare during transport

Role	Proposed Reg.	Responsibilities
Organiser: transporter or person/business who contracted the transport of animals	Art. 14	Organisers (who may also be transporters) are responsible for the entire journey and must plan it in a journey log. They must complete and sign the journey log in TRACES. They must ensure that animals are accommodated for at least 1 week prior to departure, guarantee their welfare throughout, and designate a contact person for competent authorities throughout the whole journey.
Transporter	Art. 18	Transporters must ensure that the physical transport of animals complies with requirements in this Regulation.
Driver or attendant	Art. 19	Drivers/attendants must check on animals at least every 4.5 hours to assess their welfare and fitness for transport. They must inform the transporter and organiser in case of any problem.
Animal welfare officer	Art. 21	An animal welfare officer is required for all sea transport. They must check animals at least twice a day, and report on animal welfare to the transporter/organiser. In the case of a serious breach of animal welfare, they must also report to the competent authority at the place of departure.
Keeper: person (apart from the transporter) in charge of handling animals	Arts. 17, 20	Keepers must ensure animals are fit for transport prior to the journey, and record the condition in which animals arrived in TRACES.

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Source: based on Proposal, Annex I

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Table 2
Summary of proposed requirements for animal welfare during transport

Topic	Proposed Reg.	Requirements
Fitness for transport	Art. 4; Annex I, Ch. I	Animals must be fit for transport. Under the proposed criteria the following are not considered fit for transport: • pregnant females after 80% [down from 90%] of gestation period and until 7 days after giving birth • calves less than 5 weeks old [up from 10 days] and weighing less than 50 kg; piglets, lambs, or kids less than 3 weeks; unless transported less than 100 km • rabbits less than 48 hours old.
Means of transport and equipment	Art. 4; Annex I, Ch. II, III, IV	Transport must be suitably adapted for moving animals according to specific requirements for road, rail, and sea. For aircraft, the requirements of the International Air Transport Association apply, including specifications for equipment used to transport animals, loading and unloading of animals, access to air and water.
Definition of journeys	Art. 3, points 8, 12	Revised definitions: • "long journey": 9 hours [up from 8 hours] • "short journey": must not exceed 9 hours.
Time limit for journeys	Arts. 27–30; Annex I, Ch. V	Animals may only be transported for slaughter in short journeys. Transport of animals other than birds/rabbits by road and rail must be limited to 21 hours with at least 1 hour rest after 10 hours. Animals can be transported for a further 21 hours if downloaded to be rested, fed, and watered for 24 hours outside the vehicle. Specific transport times for weaned animals, and domestic birds and rabbits transported in containers.
Quarantine period	Art. 3-2(a); Art. 3-3	Animals must stay 1 week [up from 48 hours] at the place of departure, and 1 week at the place of destination. An assembly centre cannot be used as a place of destination.
Watering and feeding obligations	Annex I, Ch. V, VI	Requirements are the same for road and sea transport, and depend on the species.
Space allowance	Annex I, Ch. VII	Minimum space for each animal is increased (according to weight and species), and is uniform for all means of transport. The aim is to ensure enough space for all animals to be able to stand, lie down, have access to water, and thermoregulate.
Aquatic animals	Annex II	Specific rules on how fish must be handled, loaded, and unloaded; water quantity and quality; and record-keeping. More detailed requirements specific to each aquatic species are expected to be drafted in future following advice from the European Food Safety Authority.
Extreme temperatures	Art. 31 (e.g. Art. 31-2(e))	Specific rules for external temperatures below 0°C or over 25°C: e.g. for high night temperatures (30°C between 21:00 and 10:00) the space allowance for animals must be increased by 20%. No specific rules for species/breeds (except end-of-lay hens cannot be transported below 15°C).
Traceability/ digitalisation	Art. 24	Trucks must be equipped with a positioning system, and some locations must be recorded. All records related to positioning must be kept in a system accessible in TRACES.
Mobile application	Art. 53	The Commission will develop a mobile app facilitating records and administration within 5 years from this Regulation entering into force.

Source: based on Proposal, Annex I

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