



A New Vision for the Protection of Animal during Transport

Abstract:

The EU has a large population of farm animals. In 2018, EU herds counted 87 million bovine animals, 147 million pigs, some 100 million sheep and goats, 290 million laying hens as well as other types of animals, from rabbits to horses. Most of these animals are transported during their lifetime. In most cases, it is primarily domestic transport, i.e. transport from the farm to the slaughterhouse or from one farm to another for production reasons (such as calves transported to cattle-fattening farms). In some cases, live animals are transported from farm to market to farm for trading reasons. This happens in both intra-EU trade and with EU imports and exports to or from third countries, with the EU being the main exporter and the distances travelled can vary a lot.

renew europe.

About Renew Europe Group

The Renew Europe Group is a coalition of progressives, liberals, democrats and reformists, that make up the largest centrist group in the history of the European Parliament. Brought to you from the European Liberal Forum, this new reference series aims to disseminate Renew Europe Group positions to the wider liberal family, policymakers and industry stakeholders, civil society and the general public. While, at the same time, the position papers will raise awareness on a number of issues and policy sectors, from sustainability and climate change, to democracy and the rule of law, human rights and fair competition.

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Introduction

The EU has a large population of farm animals. In 2018, EU herds counted 87 million bovine animals, 147 million pigs, some 100 million sheep and goats, 290 million laying hens as well as other types of animals, from rabbits to horses. Most of these animals are transported during their lifetime. In most cases, it is primarily domestic transport, i.e. transport from the farm to the slaughterhouse or from one farm to another for production reasons (such as calves transported to cattle-fattening farms). In some cases, live animals are transported from farm to market to farm for trading reasons. This happens in both intra-EU trade and with EU imports and exports to or from third countries, with the EU being the main exporter and the distances travelled can vary a lot.

Approximately 3.5 million sheep and goats, 4.3 million head of cattle, 33.4 million pigs, and 1000 million poultry were traded alive between EU countries in 2018. Belgium, Ireland, Greece, Spain, France, and Italy exchanged more than 1.8 million head of cattle. The reason behind over 70 % of animal transfers within the EU was the production cycle, in the case of cattle and pigs, and slaughtering, in the case of sheep and goats. The import and export of live animals with third countries represents less than 10 % of intra-EU trade.

The value of intra-EU trade in live animals was €8.6 billion in 2018. Bovine animals, pigs and poultry made up the majority of this volume. The value of EU trade in live animals with countries outside the EU was much lower, and amounted to less than €3 billion in 2018. Bovine animals, poultry, sheep and goats resulted the highest values in EU third party exports of live animals for food production.

The European Union through Article 13 TFEU and the Protocol on Protection and Welfare of Animals annexed to the Treaty recognises animals as sentient beings deserving protection and respect for their welfare. Moreover, the Protocol obliges the European Institutions and the EU Member States to pay “full regard to the welfare requirements of animals [...] when formulating and implementing the Community’s agriculture, transport, internal market and research policies”.

Protection of animals during transport has always been one of the major areas of concern in animal welfare. From the first Community Directive in this area adopted in 1977, EU animal welfare legislation has slowly evolved on the basis of sound scientific knowledge, improving the quality of animals’ lives in accordance with citizens’ expectations and market demands. At the same time, statistics show that EU citizens have an increased interest in food production processes leading to a change in consumption habits favouring systems with higher animal welfare standards and a lower environmental footprint.

Transport of live animals is currently regulated by Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations. It covers the transport of live animals (mammals, birds, reptiles, amphibians and

fish) taking place in connection with an economic activity, both within the EU and when entering or leaving the Union.

The Regulation attempted to safeguard animal welfare by improving the enforcement of animal transport rules in the EU. It identified the chain of involvement in animal transport defining “who is responsible for what”, with the intention of improving enforcement, and established stricter rules for journeys of more than eight hours, including a substantial upgrading of vehicle standards.

The European Court of Justice clarified in 2015 that Regulation 1/2005 not only applies to transport of live vertebrate animals within the territory of the European Union, but also to journeys which have their point of departure within the EU and their destination in a third country¹.

Since its adoption, Regulation (EC) No 1/2005 has been in the spotlight due to the poor and insufficient implementation and enforcement in certain Member States; elements that are key to achieving the Regulation’s main objective - improving animal welfare during transport.

Therefore, any future revision of Regulation (EC) No 1/2005 should build upon the positive measures already put in place and should be based on scientific evidence concerning the optimal journey time and transport conditions for all species as well as comprehensive rules for all groups of animals transported, taking into consideration the European Parliament resolution of 14 February 2019² and the EFSA recommendations for a comprehensive review in its 2011 opinion “Scientific Opinion Concerning the Welfare of Animals during Transport”³.

A pressing problem for animal welfare during transport is the current practice of successive individual transports, which counteracts efforts from single actors⁴ to comply with European legislation and creates an unlawful competitive advantage for those who ignore EU standards.

1 ECJ case C 424/13 - Article 14(1) of Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 must be interpreted as meaning that, in order for transport involving a long journey for domestic Equidae other than registered Equidae, and domestic animals of bovine, ovine, caprine and porcine species which commences on the territory of the European Union and continues outside that territory to be authorised by the competent authority of the place of departure, the organiser of the journey must submit a journey log which, in the light of the arrangements for the journey as planned, is realistic and indicates that the provisions of that regulation will be complied with, including for the stages of the journey which are to take place in the territory of third countries, that authority being empowered, should that not be the case, to require changes to those arrangements to ensure compliance with those provisions throughout the journey

2 EP resolution of 14 February 2019 on the implementation of Council Regulation (EC) No 1/2005 on the protection of animals during transport within and outside the EU - 2018/2110 (INI)

3 <https://doi.org/10.2903/j.efsa.2011.1966>

4 Including Member States, competent authorities, organisers and other stakeholders.

Renew Europe group calls for

Regulation 1/2005

Leading to persistent and severe animal welfare problems during transport and uneven competition between Member States, and considers that the requirements of the Regulation have not been sufficiently met by all parties; therefore, stresses the need to improve the implementation and enforcement of the current Regulation across the entire Union;

Notes that certain Member States apply more rigorous animal welfare standards during the transportation of live animals, and believes a Union-wide adherence to such increased standards, with appropriate enforcement and sanctioning, would systematically reduce the levels of animal welfare infringements.

Acknowledges that the enforcement of Regulation 1/2005 on transport from EU Member States to third countries has proved to be vastly insufficient; underlines that severe and systemic infringements have been documented for animal transportation to third countries, in particular when the journeys involve maritime transport and that adequate actions should be taken in order to improve said conditions.

Acknowledges that approaches to data collection between Member States differ so widely that it is difficult to carry out a coherent analysis of the implementation of the Regulation. Points out, that data collection is key to assure a complete, consistent and reliable compliance at EU level and calls for the development of a harmonised data collection between EU Member States.

Improving animals transport conditions

The Renew Europe group Calls for a clear focus on improving the conditions in which animals are transported, including unweaned animals, animals at the end of their career and especially animals that are being transported for slaughter, as these are the most vulnerable animals. In this regard:

1. Supports a more efficient, economical and ethical transport system, whenever possible, that favours the transport of semen or embryos instead of breeding stock, and carcasses and meat over animals transiting to slaughter. Believes that animals going to slaughter should not be transported for more than eight hours, and the geographical specificities of some Member States, such as island and remote areas, should be taken into consideration. Firmly encourages alternative strategies, such as building economically viable local slaughter and processing facilities where not available, and where appropriate incentivised and supported by EU funds, as well as legislative initiatives in Member States to facilitate on-farm slaughter.

2. Highlights the particular difficulties and poor conditions during road transport of animals, and therefore calls for:
 - the Member States and the competent authorities to be more rigorous in certification and approval procedures both for vehicles and in granting certificates of compliance to drivers;
 - in particular, a veterinarian to be systematically present at the animal resting points, as well as during loading and unloading of trucks ahead of long distance animal transport operations, so as to make sure transporters are not faced with pressures to disregard rules laid down in the Regulation; notes that these measures entail additional costs for transporters, and therefore should ensure that they be adequately remunerated and supported in the implementation of such measures;
 - the transport operators to promote and ensure the implementation of quality management systems and thorough continuous training of drivers, which is vital for the correct treatment of animals in line with Annex IV of Regulation 1/2005;
3. Highlights the need to improve conditions during maritime transport of animals and calls for:
 - the Member States and the competent authorities to be more rigorous in certification and approval procedures for vessels and to improve checks on animals' health and fitness for travel before each loading; in particular, Member States and competent authorities should ensure that all ports operating animal transport are equipped with adequate resting facilities for animals; in this regard, calls on the Commission to draw up a list of ports with adequate animal inspection facilities, based on information provided by the Member States and appropriate monitoring by the Commission;
 - for a more effective and transparent monitoring system, including access to information collected via the Trade Control and Expert System (TRACES), which should be used for all transport involving maritime travel;
 - a veterinarian to be systematically present during loading and unloading, and/ or a qualified animal technician to be present throughout all sea journeys;
 - the Commission to draw up a European certification scheme for freighters and their crews, ensuring that the former are sufficiently equipped and the latter sufficiently trained for the transport of live animals;
4. calls for the need to ensure a better enforcement focusing on future result-oriented improvements, based on detected challenges, such as extreme weather conditions, temperature limits, resting time and congestion; therefore, emphasises the importance of ensuring:

- Sufficient ventilation and adequate temperature control in all vehicles adapted to extreme weather conditions;
- Appropriate drinking systems;
- Appropriate stocking densities;
- Sufficient and specific minimum headroom;
- Sufficient layers of litter for urinary absorption;
- Development of new feeding mechanisms, such as slow releasing milk formula, to support long distance travel;
- Prevention of disease transmission, having in mind the serious threat of antimicrobial resistance;
- Tools and skills to assist animals giving birth during transportation;
- Prevention of cruel treatment and injury of animals;
- Solutions for unforeseen circumstances, such as traffic jams and extreme weather conditions.

Harmonised system of enforcement

The Renew Europe group calls for a harmonised system of enforcement facilitating enhanced animal welfare standards and conditions for long distance animal transportation which recognises the geographical differences in the EU and which takes into account and safeguards EU operators' competitiveness in this sector as well as employment;

Scientific investigation

The Renew Europe group urges the Commission, based on a rigorous scientific investigation into the impact of transport on animals and an in-depth socio-economic and environmental impact assessment of potential changes to journey times, to introduce, if the scientific evidence supports it, maximum journey time limits for all animal species and ages, and in particular for unweaned animals, taking into account the geographical specificities of certain Member States, such as islands and remote areas;

Enforcement and compliance of the rules

The Renew Europe group recalls the ruling of the European Court of Justice despite the difficulties in challenging enforcement and compliance with the current legislation when the final destination of transportation is in third countries;

therefore, calls on the Commission and the Member States to ensure that the rules that apply within the EU apply to animal transport leaving the Union, as well as to promote animal welfare internationally and conduct initiatives to increase awareness among non-EU countries; calls on the Commission and the Member States to create a positive and regularly updated white list certification procedure of third countries, where export of live farm animals may be authorised, based on an impartial assessment of respect for the rules laid down in the Regulation. Calls on the Commission to address the issue of non-EU countries using their certification to act as transit hubs for transporting animals onwards to non-certified third-countries;

Implementation of the existing legislation

The Renew Europe group therefore calls for increased checks and controls during transport operations within the EU as well as during export operations to third countries, by making full use of all existing digital tools, and a more effective and transparent monitoring system, including access to information collected via the Trade Control and Expert System (TRACES); calls for the implementation of audits and inspections conducted by the Food and Veterinary Office;

Current legislation revision

The Renew Europe group highlights the difficulties in implementing existing legislation and therefore calls for a revision of the existing legislation and further alignment with any other relevant legislation, based on comprehensive science based evidence, a cost-benefit analysis and a comprehensive impact assessment;

Calls on the Commission to extend the list of environmental crimes in order to include the violation of the animal transport legislation resulting in acts of cruelty, serious injury and abandonment;

Highlights the importance of establishing a level playing field for transport operators respecting the provisions of Regulation 1/2005. In this regard, notes the positive measures implemented by transporters in a number of Member States and calls on the Commission, as a guardian of the Treaties, to take action by increasing the frequency of inspections and by initiating infringement procedures against Member States which systematically fail to implement and enforce the Regulation and to ensure the enforcement of effective, proportionate and dissuasive penalties with clear liability rules;

Recalls that a stronger and harmonised enforcement with effective and dissuasive penalties, including the revocation of certification in case of multiple breaches, is central to improving animal welfare during transport.

Upcoming CAP reform

The Renew Europe group calls for the upcoming CAP reform to maintain and reinforce the link between increased CAP payments and improved animal welfare conditions, which fully respect or go beyond the standards set out in Regulation 1/2005.

Transparent and harmonised labelling system

The Renew Europe group calls on the Commission and the Member States to explore the possibility of introducing a transparent and harmonised animal welfare labelling system for animal and animal-derived products, which will also take into account transport and slaughter conditions.

Introduction of dissuasive measures

The Renew Europe group calls for the introduction of dissuasive measures against the abandonment of dead animal bodies in the sea or along transport routes.

Regulation enforcement

The Renew Europe group calls on the Commission to use the EU trade policy as a lever to increase compliance with the Regulation outside the EU, while maintaining the objective of economic growth and job creation in the EU, and guaranteeing that compliance costs do not disproportionately affect EU businesses.

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