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From: Presidency  
To: Delegations

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Subject: AOB item for the meeting of the "Agriculture and Fisheries" Council of  
22 and 23 June 2026:  
Regulation on the protection of animals during transport and related  
operations: state of play  
*- Information from the Presidency*

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On 7 December 2023, the European Commission presented a proposal for a new Regulation on the protection of animals during transport and related operations. The proposed Regulation would repeal the current Regulation on animal transport which dates back from more than 20 years ago<sup>1</sup> and it aims to address the latest scientific evidence regarding animal welfare, technological developments and consumer and citizen expectations. The proposal also aims to simplify the requirements concerning animal transport and thereby make them easier for operators to comply with and for authorities to enforce.

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<sup>1</sup> 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 OJ L3 5.1.2005, p. 1–44.

In the European Parliament, the joint Committee on Agriculture and Rural Development (AGRI)<sup>2</sup> and on Transport and Tourism (TRAN)<sup>3</sup> has been appointed as the committee responsible for the proposal and the Committee on Fisheries (PECH)<sup>4</sup> as a committee for opinion. The draft report by the co-rapporteurs was issued on 3 March 2025. The Joint Committee has not yet voted on the amendments proposed to the report.

The European Economic and Social Committee (EESC) adopted its opinion on the proposal on 31 May 2024. The European Data Protection Supervisor provided an opinion on 5 March 2024.

Building on the work done under the previous Presidencies<sup>5</sup> and with the aim of advancing the work at technical level as far as possible, the Cyprus Presidency held three two-day meetings of the Working Party on Animals and Veterinary Questions (Animal Welfare and Husbandry) focusing on parts of the proposal that had not yet been examined in detail by the Working Party. The parts examined include the Annexes to the Regulation concerning the technical rules for the transport of terrestrial animals (Chapters II, III, IV and VI of Annex I) and the specific conditions for the transport of aquatic animals (Annex II), as well as the articles of the Regulation concerning the transport of terrestrial and aquatic animals to or from third countries (Chapter VII), the obligations of Competent Authorities (Articles 39 to 41 in Chapter VIII), measures and penalties (Chapter IX) and procedural provisions, other provisions and transitional and final provisions (Chapters X to XII).

For each of those parts, the Presidency presented drafting suggestions addressing comments from delegations, including consequential amendments to other parts of the text in order to ensure consistency.

An overarching aim of the Presidency has been to identify enforceable and proportionate provisions which improve the welfare of animals during transport and related operations without adding excessive administrative or economic burden and to streamline the allocation of obligations and responsibilities among the various actors involved.

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<sup>2</sup> Rapporteur: Mr Daniel BUDA (EPP, Romania).

<sup>3</sup> Rapporteur: Ms Tilly METZ (Greens/EFA, Luxembourg).

<sup>4</sup> Rapporteur: Ms Isabella LÖVIN (Greens/EFA, Sweden).

<sup>5</sup> The outcomes of work by the Belgian, Hungarian, Polish and Danish Presidencies have been presented to the Council of Agriculture and Fisheries in documents 11420/24, 17056/24, 9581/25 + COR 1 and 16443/25, respectively.

The Presidency has introduced a series of amendments providing stronger safeguards and clearer, more detailed rules for the protection of animals, with the aim of improving clarity, proportionality and enforceability, while also streamlining the provisions, clarifying their scope and reducing duplication. The specific aims of the proposed changes include the following<sup>6</sup>:

- Regarding technical rules for the transport of terrestrial animals (Chapters II, III, IV and VI of Annex I and consequential changes to the relevant Articles), the Presidency suggestions concern the provisions for the means of transport and containers including additional provisions for livestock vessels and container vessels, provisions for transport practices and additional provisions for long journeys of terrestrial animals by road, rail and sea. Their primary goals are to improve the legal coherence of the proposed provisions by clearly separating structural design rules from operational tasks, to enhance their practical enforceability by defining exact parameters to help competent authorities to enforce them and to enhance welfare of animals by minimizing stress during transport.

The provisions on the design, construction and maintenance of means of transport and containers have been clarified and strengthened. Among other elements, the updated rules reinforce requirements on the ventilation of both vehicles and vessels, require roofs or coverings for vehicles, clarify lighting requirements and provisions on feeding and watering equipment, and establish minimum ceiling heights for different species. For livestock vessels, additional safeguards have been introduced to ensure the structural integrity of pen rails and decks, enhanced monitoring of environmental parameters, adequacy of facilities for sick or injured animals and improved arrangements for the provision of feed, water and bedding.

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<sup>6</sup> More detailed information on the proposed changes and their rationale is presented in the Presidency Flash notes WK 2267/2026, WK 5350/2026 and WK 7875/2026.

- Regarding specific conditions for the transport of aquatic animals (Annex II and consequential changes to the relevant Articles), the Presidency aligned the structure of Annex II with that of Annex I concerning terrestrial animals by creating specific Chapters. It also presented a number of detailed requirements with the aim to make the provisions more precise and clearer and thus easier to apply and to enforce, and to specify the scope regarding certain means of transport and certain live stages of aquatic animals in the interest of clarity and proportionality. Among other elements, the text was amended to provide enhanced standards for assessing fitness for transport and introduces stricter handling procedures to minimize stress and injury. The requirements for transport containers and equipment are now more detailed, providing better protection for animals, while water quality monitoring has been refined to focus on key parameters, with clearer guidance on when monitoring of the parameters should take place. It also included provisions concerning additional types of transport that were not included in the original proposal such as transport in well-boats, in bags with water and in containers and not immersed in water. Noting that scientific knowledge and practical experience concerning welfare of aquatic animals during transport and related operations are developing, the Presidency proposed to empower the Commission to update by delegated acts the technical rules when new species-specific scientific evidence becomes available, supported in this task by advice from the European Food Safety Authority ('EFSA') and the European Union reference centres for animal welfare.
- The provisions included in the contingency plan (Annex Va) were strengthened with the addition for arrangements for replacing water, when necessary for long journeys of aquatic animals and for terrestrial animals, additional feed and water provisions to ensure animal welfare if contingency supplies on livestock and container vessels are insufficient.
- Regarding obligations prior to transport (Chapter IV) and during transport (Chapter V), the Presidency has proposed clarifications to the provisions concerning the transport documentation.

- Regarding the transport of terrestrial and aquatic animals to or from third countries (Chapter VII) the Presidency introduced a series of amendments aimed at ensuring the welfare of animals during their transport to or from third countries. The suggested changes include provisions which:
  - reinforce the accountability of the organiser for the entire duration of the journey;
  - optimise the procedures for controls, including the assessment of the transport through on-site checks within a third country by a conformity assessment body engaged by the organiser following the instruction by the competent authority on the basis of a risk assessment; and
  - specify the procedure for the inclusion in a Commission list of control posts located in third countries.
- Regarding obligations of Competent Authorities (Articles 39 to 41 in Chapter VIII), the Presidency, clarified and strengthened the inspection procedure of livestock vessels.
- Regarding measures and penalties to ensure compliance (Chapter IX), the Presidency proposed to reduce and simplify the parameters to be taken into account by Member States when determining financial penalties in order to facilitate their practical implementation and to reduce administrative burden. In the same vein, it deleted redundant requirements and suggested tying minimum financial penalties to financial gain rather than the value of consignment and introducing quantitative thresholds for defining serious infringements, tasking the Commission to establish the methodology for defining the financial gain by implementing acts to be adopted by the entry into application of the Regulation.
- Regarding infringements that should be considered as serious in all Member States, it introduced precise quantitative thresholds in order to facilitate their determination and to increase the level of harmonisation across the Union.

- Regarding procedural provisions, other provisions and transitional and final provisions (Chapter X to XII), the Presidency extended the scope of the report on the state of animal welfare in transport that the Commission is expected to publish at 5 year intervals to cover also transport between the Union and third countries, and to require from Member States to provide additional data for reporting purposes only where such data are not already available through other reporting obligations. Moreover, the text has been amended to include, in addition to EFSA, the European Union Reference Centres for Animal Welfare as sources to be consulted when new scientific evidence becomes available, in support of the empowerment for the Commission to adopt delegated acts updating the technical rules set out in Annexes I, II and Va.

The Presidency also worked on the allocation of obligations and responsibilities among the various actors involved in the transport process and related operations, creating two tables mapping the allocation of obligations and responsibilities in relation to Annexes I and II<sup>7</sup>. These tables are a useful tool for future Presidencies and Delegations for further work on the text.

While some aspects still require further reflection by the Delegations, the Presidency considers that its proposals, notably those concerning the Annexes, were generally very well received and will form a solid basis for finalising the technical discussions on this important file.

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<sup>7</sup> These tables are set out as Annexes to the Presidency Flash notes WK 7875/2026 and WK 2667/2026, respectively