Council of the European Union

Brussels, 26 June 2025
(OR. en)

10918/25

Interinstitutional File: 2023/0448(COD)

LIMITE

VETER 69
AGRI 312
AGRILEG 106
CODEC 912

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NOTE

From:	Presidency
To:	Delegations
No. Cion doc.:	16405/23 + ADD 1
Subject:	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 – *Presidency text on Chapter III and Annex I*

With a view to the Working Party on Animal and Veterinary Questions (Animal Welfare) on 8-9 July 2025, delegations will find in annex the Presidency texts of the following parts of the Regulation:

Annex I: Chapter III of the Regulation;
Annex II: Annex I of the Regulation.

Changes with respect to the Commission proposal have been marked **with bold and underline** for new insertions and ~~strikethrough~~ for new deletions.

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CHAPTER III

MEANS OF TRANSPORT AND CONTAINERS

Article 11

*General rules on means of transport **and containers***

1. No person shall transport **terrestrial or aquatic** animals by road or by rail for ~~a~~ **any** long journey **and short journey to third countries** unless the means of transport **or, as applicable, the container for large animals**[1] has been inspected and approved in accordance with Article 12 **and 12a**.

1a. No person shall transport poultry, other than day-old chicks, and weaned farmed lagomorphs in containers unless the containers comply with the requirements laid down in points 1 and 4 of Chapter II of Annex I and points 2, 3 and 5 of Chapter VI[2]**.**

2. No person shall transport animals by livestock vessel for more than ~~10~~ **13** nautical miles from a Union port unless the livestock vessel has been inspected and approved in accordance with Article 13 **and 13a**.

~~3. Paragraphs 1 and 2 shall apply to containers used in transport by road, rail or by container vessel of terrestrial animals other than domestic birds and rabbits.~~

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1 **The definition of container for large animals is modified as follows:**
21. 'container for large animals' means a container used for transport of terrestrial animals other than **dogs, cats, poultry and farmed lagomorphs** ~~domestic birds and rabbits~~ on means of transport by road, rail or **on** container vessels;

2 **Proposed amendments to Chapters II and VI of Annex I of the Regulation are presented in Annex II of this document.**

4. ~~Animals may only be transported by aircrafts belonging to carriers that are members of the International Air Transport Association~~[3].

5. ~~Animals may only be transported by roll-on-roll-off vessel if the requirements set out in point 3 of Chapter II of Annex 1 are met~~.[4]

Article 12

Application for c*ertificate of approval of means of transport by road or rail and of containers for large animals*

1. **In order for a means of transport by road or rail and containers for large animals to be used for transport of animals as referred to in paragraph 1 of Article 11,** ~~The transporter~~ the **owner of the means of transport or container for large animals** shall submit an application for a certificate of approval ~~of a means of transport of animals by road or rail for long journeys or of containers for large animals,~~ to the competent authority ~~in TRACES~~ using the form ~~set out~~ in Section 5 of Annex V. **The owner shall apply for an approval of a means of transport or a container for large animals to no more than one competent authority, in no more than one Member State.**

2. ~~The competent authority shall grant a certificate of approval of the means of transport to the transporter in TRACES using the form set out in Section 5 of Annex V, provided it complies with the following conditions:~~

~~(a) the means of transport is not the subject of an application submitted to, or a certificate of approval granted by, or the rejection of an application decided by another competent authority in the same or another Member State;~~

~~(b) the means of transport has been inspected by the competent authority and found to complies with the requirements of Chapters II and VI of Annex I applicable to the design, the construction and the maintenance of means of transport by road used for long journeys.~~

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[3] **A Presidency draft text concerning air transport will be circulated at a later point.**

[4] **The requirements of point 3 of Chapter II of Annex I have been transferred to Article 19a. Paragraph 1 of that Article will be amended so it only applies to the transport of terrestrial animals. For the transport of aquatic animals by ro-ro vessels, there is no need for requirements for the ro-ro vessel itself. Point I of Annex II will be amended so it only applies for road vehicles.**

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3. The competent authority shall record any rejection of an application for a certificate of approval in TRACES and the reasons for its decision.

The certificate of approval shall be valid for a period of not more than 5 years from the date of issue.

4. One month before the expiry of the certificate of approval provided for in paragraph 2, the transporter may apply for a renewal in TRACES in accordance with the requirements in paragraphs 1 and 2.

5. The transporter shall notify the competent authority of any modification, refit or impairment of the means of transport that may affect the welfare of the transported animals, the means of transport within 5 days of such modification, refit or impairment.

6. If a means of transport no longer meets the conditions provided for in paragraph 2, the competent authority shall order the suspension of the certificate in accordance with Article 138(2), point (j), of Regulation (EU) 2017/625 and record the suspension in TRACES.

The competent authority shall provide the transporter with a written statement indicating the reasons for the suspension and recommendations to address the deficiencies found.

The competent authority shall lift the suspension if the transporter provides evidence that they have corrected the deficiencies on which the suspension of their certificate is based.

If the transporter has not corrected the deficiencies within 1 month of the suspension, the competent authority shall withdraw the certificate.

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Article 12a

Grant, rejection, renewal, suspension and withdrawal of the certificate for approval of the means of transport by road or rail and the containers for large animals

1. In order to be approved, the means of transport by road or rail or the container for large animals shall comply with the following:

(i) in case of transport of terrestrial animals, the requirements of points 1.1, 1.2, 1.4, 2.1, 2.2, 2.5, 4.1 and 4.3 of Chapter II of Annex I and Chapter VI of Annex I, except for points 2 and 3.1 thereof;

(ii) in the case of transport of aquatic animals, the requirement of point 1 of Annex II.

2. The competent authority shall grant a certificate of approval of the means of transport by road or rail or the container for large animals using the form in Section 5 of Annex V, provided that it has carried out an inspection of the means of transport or the container showing that the conditions set out in paragraph 1 of this Article are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

3. The certificate of approval provided for in paragraph 2 shall specify the scope in terms of species and categories of animals covered.

The owner of the means of transport by road or rail or the container for large animals may submit an application to request an amendment of the scope of the certificate of approval to the competent authority that granted that approval. In such a case, paragraphs 1 and 2 shall apply *mutatis mutandis*.

The certificate of approval shall be valid for a period of not more than 10 years from the date of issue, independently of any amendment.

4. The owner of the means of transport by road or rail or the container for large animals shall notify the competent authority that granted the certificate of approval of any change in the information provided in the application no later than [10] working days from the date the change took place.

5. The owner of the means of transport by road or rail or the container for large animals shall notify the competent authority that granted the certificate of approval in case of any modification, refit or impairment of the means of transport or of the container for large animals that may affect the welfare of the transported animals, no later than [5] working days from the date the change took place, indicating the nature of the change made.

The competent authority shall decide within 5 days whether a new inspection of the means of transport or the container is needed and inform the owner of that decision. Any new inspection shall be carried out within [10] days of sending that information.

The means of transport or the container for large animals shall not be used from the date the change took place until the competent authority has approved the change or has informed the owner that no approval is needed.

6. Three months before the expiry of the certificate of approval, the owner of the means of transport by road or rail or of the container for large animals may apply for a renewal. An application for renewal shall be subject to the conditions set out in Article 12.

The competent authority shall grant the renewal provided that it has carried out an inspection of the means of transport by road or rail or the container for large animals showing that the conditions set out in paragraph 1 of this Article are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

7. The competent authority that granted the certificate of approval shall suspend it without delay if there is evidence, which may be evidence provided by a competent authority of another Member State, that the means of transport or the container no longer meets the conditions provided for in paragraph 1.

The competent authority shall record the suspension and the reasons for it without delay.

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The competent authority shall lift the suspension if the owner provides evidence that they have corrected the deficiencies on which the suspension of their certificate is based.

The competent authority shall record the lifting of the suspension and the reasons for it without delay.

8. If the owner has not corrected the deficiencies within three months of the suspension, the competent authority shall withdraw the certificate. The competent authority shall record the withdrawal and the reasons for it without delay.

9. In case the application is rejected or the approval is withdrawn, the owner of the means of tranport by road or rail or of the contrainer for large animals may submit a new application provided that the reasons for the rejection or for the withdrawal have been addressed.[5]

Article 13

***Application for** certificate of approval of **a** livestock vessel~~s~~*

1. The ~~transporter~~**owner of the livestock vessel** shall submit an application for a certificate of approval of ~~a~~ **the** livestock vessel for the transport of animals to the competent authority ~~in TRACES~~ using the form ~~set out~~ in Section 6 of Annex V.**The owner shall apply for a certificate of approval to no more than one competent authority, in no more than one Member State.**

1b. The application shall include the following ~~documents~~:

(a) a document containing the ~~applicant and~~ livestock vessel details, including **the year of completion,** conversion date when applicable, **and the** plan of **the** vessel ~~with~~ **indicating the following:**

(i) layout, **dimension and capacity** of pens, **including ceiling height and position of drinkers, and position and dimensions of hospital pens**;

(ii) dimension and capacity of storage for feed, water and bedding;

(iii) location of sensors for [humidity] and temperature;

5 This paragraph will be added also in Articles 6 and 9.

(iv) lighting, water drainage, firefighting and ventilation systems[6];

(b) a document describing how the systems listed in point (a) operate and how the power sources are capable of providing enough energy to support those systems~~.~~**;**

(c) [a Certificate of Classification of the livestock vessel issued by an organisation recognised and authorised in accordance with Regulation (EC) No 391/2009 and Directive 2009/15/EC];

(d) documentation that the vessel will operate its first journey from the Member State where the application is submitted.

~~2. The competent authority shall grant a certificate of approval of the livestock vessel in TRACES using the form set out in Section 6 of Annex V, provided that it complies with the following conditions:~~

~~(a) the vessel will operate its first journey from the Member State where the application is submitted;~~

~~(b) the vessel is not the subject of an application submitted to, or a certificate of approval granted by or the rejection of an application decided by, another competent authority in the same Member State or in another Member State;~~

~~(c) the vessel has been inspected by the competent authority and found to comply with the requirements of Chapter II and Chapter IV of Annex I applicable to the construction and equipment for livestock vessels;~~

~~(d) the vessel flies a flag with a flag performance rating of white or grey according to the Paris Memorandum of Understanding on port State control.~~

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[6] **The requirements corresponding to points (i) to (iii) to be added to Chapter IV of Annex I of the Regulation are presented in Annex II of this document.**

The approval of the livestock vessel shall be suspended unless an official veterinarian has carried out official controls on board of the livestock vessel during the entire first voyage of the vessel following approval and prior to the renewal of such approval, and those controls demonstrated that the construction and equipment of the livestock vessel are not detrimental to the welfare of the animals on board, or effective corrective measures have been taken.

3. The competent authority shall record any rejection of an application for approval in TRACES and the reasons for its decision.

The certificate of approval shall be valid for a period of not more than 5 years from the date of issue.

4. One month before the expiry of the certificate of approval of the livestock vessel provided for in paragraph 2, the transporter may apply for a renewal of the certificate in TRACES in accordance with the requirements in paragraphs 1 and 2.

5. The transporter shall notify the relevant competent authority of any modification, refit or impairment of the vessel that may affect the welfare of the transported animals within 5 days of such modification, refit or impairment or if the requirement in paragraph 2, point (d) is no longer met.

6. If the vessel no longer meets the conditions provided for in paragraph 2, the competent authority shall order the suspension of the certificate in accordance with Article 138(2), point (j), of Regulation (EU) 2017/625 and record the suspension in TRACES.

The competent authority shall provide the transporter with a written statement indicating the reasons for the suspension and recommendations to address the deficiencies found.

The competent authority shall lift the suspension if the transporter provides evidence that they have corrected the deficiencies on which the suspension of their certificate is based.

If the transporter has not corrected the deficiencies within one month of the suspension, the competent authority shall withdraw the certificate.

7. The Commission is empowered to adopt implementing acts in accordance with Article 49 regarding:

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~~(a) the establishment of an electronic database for the recording of inspections on livestock vessels for the purposes of this Article and the official controls performed under Regulation (EU) 2017/625;~~

~~(b) the composition of the teams of inspectors to perform the inspections referred to in paragraph 1;~~

~~(c) detailed rules concerning the presence of an official veterinarian on board for the purpose of approving a livestock vessel.~~

Article 13a

Grant, rejection, renewal, suspension and withdrawal of certificates of approval of livestock vessels

1. In order to be approved for the first journey, the livestock vessel shall:

(a) comply with the requirements of points 1.1, 1.2 and 1.4 Chapter II and Chapter IV of Annex I; and

(b) fly the flag of a State that appears on the high or medium performance list, adopted in accordance with the Paris Memorandum of Understanding on port State control.

2. During the first journey, the owner shall ensure that an official veterinarian or a veterinarian recognised by the competent authority, to which the application referred to in Article 13 was submitted, is on board of the livestock vessel during [the entire leg] of the journey of the sea. The veterinarian shall check that the accomodation, equipment and the handling of the animals on board are not detrimental to the welfare of the animals and shall complete a report on the checks performed.

3. In order for the livestock vessel to be approved for further journeys, in addition to meeting the conditions referred to in paragraph 1, the owner shall provide evidence that the veterinarian referred to in paragraph 2 did not identify deficiencies detrimental to the welfare of the animals on board or that effective corrective measures have been taken.

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4. **The competent authority shall grant a certificate of approval of the livestock vessel using the form in Section 6 of Annex V, provided that it has carried out an inspection of the livestock vessel showing that the conditions set out in paragraph 1, and paragraph 3 respectively, are met**[7]**.**

In case of rejection, the competent authority shall record the reasons for the rejection without delay.

5. **The certificate of approval provided for in paragraph 4 shall specify the scope in terms of species and categories of animals transported.**

The owner of the livestock vessel may submit an application to request an amendment of the scope of the certificate of approval to the competent authority that granted that approval. In such a case, paragraphs 1 and 4 shall apply *mutatis mutandis*

The certificate of approval shall be valid for a period of not more than 5 years from the date of issue, independently of any amendment.

6. **The owner of the livestock vessel shall notify the competent authority that granted the certificate of approval of any change in the information provided in the application no later than [10] working days from the date the change took place.**

7. **The owner shall notify the competent authority that granted the certificate of approval in case of any modification, refit or impairment of the livestock vessel, that may affect the welfare of the transported animals, no later than [5] working days from the date the change took place.**

The competent authority shall decide within 5 days whether a new inspection of the livestock vessel is needed and inform the owner of that decision. Any new inspection shall be carried out within [10] days of that information.

The livestock vessel shall not be used from the date the change took place until the competent authority has approved the change or has informed the owner that no approval is needed.

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[7] **The form in Section 6 of Annex V will need to be amended accordingly.**

8. **Three months before the expiry of the certificate of approval the owner of the livestock vessel may apply for a renewal. An application for renewal shall contain evidence that the conditions set out in Article 13 are met.**

The competent authority shall grant the renewal provided that the conditions set out in paragraphs 1 and 3 of this Article are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

9. **The competent authority that granted the certificate of approval shall suspend it without delay if there is evidence that the livestock vessel no longer meets the conditions provided for in paragraph 1, which may be the evidence provided by a competent authority of another Member State.**

The competent authority shall lift the suspension if the owner provides evidence that they have corrected the deficiencies on which the suspension of their certificate is based.

The competent authority shall record the lifting of the suspension and the reasons for it without delay.

10. **If the owner has not corrected the deficiencies within three months of the suspension, the competent authority shall withdraw the certificate. The competent authority shall record the withdrawal and the reasons for it without delay.**

11. **In case the application is rejected or the approval is withdrawn, the owner of the livestock vessel may submit a new application provided the reasons for the rejection or the withdrawal have been addressed.**

12. **The Commission is empowered to adopt implementing acts in accordance with Article 49 regarding:**

(a) the establishment of an electronic database for the recording of inspections on livestock vessels[8];

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8 The following text will be added to the new Article in Chapter XI as referred to in footnote 1 in Document 6626/1/25 REV1 (*Revised Presidency text on Chapter II)*: "In addition, the national database shall automatically retrieve from TRACES information that is relevant for the processing of the applications."

(b) the composition of the teams of inspectors to perform the inspections referred to in paragraph 2;

(c) detailed rules concerning the presence of an official veterinarian or veterinarian recognised by the competent authority on board for the purpose of approving a livestock vessel.

(d) the model of the report referred to in paragraph 2 of Article 13a.

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ANNEX II

Changes to be introduced in Annex I of the Regulation:

1) In point 1.1. of Chapter II, the following will be added:

"Points (f) and (i) shall not apply to containers used for transport of poultry and weaned farmed lagomorphs."

2) A new point 1.6 will be added in Chapter II:

"1.6. Containers loaded with animals, that are placed one on top of the other, shall have the necessary strength and stability, and instructions concerning the maximum stacking height or weight shall be available."

3) Point 4.3 of Chapter II will be amended as follows:

"4.3. Containers **or stacks of containers** of more than 50 kg shall be equipped with a sufficient number of adequately designed, positioned and maintained securing points enabling them to be securely fastened to the means of transport where they are to be loaded."

4) The following requirements will be added in Chapter IV:

- **each deck of the livestock vessel shall have a hospital pen with dimensions adapted to the species of animal transported**
- **Each pen shall have drinkers adapted to the species of animal transported**
- **The ceiling height of each pen shall be adapted to the species of animal transported**
- **Each deck shall have humidity and temperature sensors**
- **Storage for feed and bedding shall be appropriate to meet the requirements laid down in Chapter VI taking into account the maximum number and the type of animals to be transported as well as the maximum duration of the intended journeys.**

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5) The heading of Chapter VI will be amended as follows:

"ADDITIONAL PROVISIONS FOR LONG JOURNEYS OF <u>TERRESTRIAL ANIMALS"</u> ~~DOMESTIC EQUIDAE AND DOMESTIC ANIMALS OF BOVINE, OVINE, CAPRINE, PORCINE SPECIES, CATS AND DOGS"~~

6) Point 2 of Chapter VI will be amended as follows:

<u>"Domestic Equidae and domestic animals of bovine, ovine, caprine, porcine species, dog and cats</u> ~~Animals~~ shall be provided with appropriate bedding or equivalent material which guarantees their comfort appropriate to the species, the number of animals being transported, the journey time, and the weather. This material has to ensure absorption of urine and faeces so that animals remain clean and dry during the entire journey."

7) The heading of point 3 of Chapter VI will be amended as follows:

"3. Feed <u>for terrestrial animals other than poultry and lagomorphs</u>"

8) A new point 3a will be added as follows:

<u>"3a. Feed for poultry other than day-old chicks and for weaned farmed lagomorphs</u>

<u>In case feed for poultry other than day-old chicks and weaned farmed lagomorphs is required in accordance with Article 27(3(d) and (e)), feed shall be provided in accordance with the following conditions:</u>

a) **<u>It shall be available in all containers at the start of the journey;</u>**

b) **<u>Space shall be provided within each container for the feed or feeding system;</u>**

c) **<u>The floor or the feeding equipment shall be constructed to ensure that the feed is contained;</u>**

d) **<u>The construction of the container shall allow each animal in the container to have access to feed."</u>**

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9) The heading of point 5 of Chapter VI will be amended as follows:

"Water supply for transport by road, rail or in containers for large animals <u>and for poultry and lagomorphs</u>"

10) New points 5.1a and 5.1b will be added in Chapter VI:

<u>"5.1a. In case fresh water is used for the hydration of poultry other than day-old chicks or for the hydration of weaned farmed lagomorphs, the system used to provide such animals with water shall comply with the following conditions:</u>

a) <u>It shall be installed and connected to all containers before the start of the journey;</u>

b) <u>It shall be easy to clean and disinfect;</u>

c) <u>Each animal in the container shall have access to water.</u>

<u>5.1b. In case hydrogel is used for the hydration of poultry other than day-old chicks or weaned farmed lagomorphs, the container shall comply with the following conditions:</u>

a) <u>Space shall be provided within each container for the hydrogel;</u>

b) <u>The flooring shall be constructed to ensure that the hydrogel is contained;</u>

c) <u>Each animal shall have access to the hydrogel."</u>

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