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NOTE

From:	Presidency
To:	Delegations
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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 *- Revised Presidency text for the Chapter III and Annex I*

With a view to the Working Party on Animals and Veterinary Questions (Animal Welfare) meeting on 4-5 November 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: Proposed changes to parts of Annex I of the Regulation.

Changes to the Commission text compared to the previous document (10918/25 INIT) are marked as follows:

- new insertions: **bold and underline**
- new deletions: ~~strikethrough~~
- insertions already introduced in the previous document: **bold without underlining**
- deletions already introduced in the previous document: […].

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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 <u>for</u> short journeys <u></u> to third countries** unless the means of transport **or, as applicable, <u>the container for aquatic animals</u>[1] <u>or</u> the container for large animals**[2] 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[3] **<u>of Annex I.</u>**

2. No person shall transport **<u>terrestrial</u>** animals by livestock vessel[4] for more than ~~10~~ **~~13~~ <u>20</u>** nautical miles from a Union port unless the livestock vessel has been inspected and approved in accordance with Article 13 **and 13a**.

<u>2a. No person shall transport large animals by container vessel for more than 20 nautical miles from a Union port unless the container for large animals have been inspected and approved in accordance with Articles 12 and 12a.</u>

~~3. […].~~

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1 **<u>A definition of 'container for aquatic animals' to be added in Article 3.</u>**

2 **The definition of container for large animals is modified as follows:**
21. 'container for large animals' means a container used for transport of **<u>domestic animals of the equine, bovine, porcine, ovine and caprine species and kept cervids and camelids</u>**, ~~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;

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

4 **The definition of 'livestock vessel' will be amended to refer to terrestrial animals other than <u>dogs, cats, poultry and farmed lagomorphs</u>**

4. […][5]

5. […][6]

Article 12

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

1. **In order for a means of transport by road or rail, containers for aquatic animals 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, the container for aquatic animals or the 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, a container for aquatic animals or a container for large animals to no more than one competent authority, in no more than one Member State.**

~~2. […]~~

~~3. […]~~

~~4. […]~~

~~5. […]~~

~~6. […].~~

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

[6] **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.**

Article 12a

Grant, rejection, renewal, suspension and withdrawal of a certificate for approval of a means of transport by road or rail, a container for aquatic animals and a container for large animals

1. In order to be approved, the means of transport by road or rail, the container for aquatic animals 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, the container for aquatic animals or the container for large animals using the form in Section 5 of Annex V[7], 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, the container for aquatic animals 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~~ 5 years from the date of issue, independently of any amendment.

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7 **The template will be updated.**

4. **The owner of the means of transport by road or rail, of the container for aquatic animals or of 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, of the container for aquatic animals or of 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, of the container for aquatic animals 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 working 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] working days of sending that information.**~~

The means of transport, the container for aquatic animals 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, of the container for aquatic animals 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, the container for aquatic animals 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, the container for aquatic animals or the container for large animals no longer meets the conditions provided for in paragraph 1.**

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

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, of the container for aquatic animals or of the container for large animals may submit a new application provided that the reasons for the rejection or for the withdrawal have been addressed.[8]**

Article 13

***Application for a** certificate of approval of **a** livestock vessels*

1. The […] **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 […] using the form […] 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.**

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

~~1b~~ **2.** The application shall include the following […]:

(a) a document containing the […] livestock vessel details, including **the year of completion,** conversion date when applicable, **and the** plan of **the** vessel […] **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;

(iv) lighting, water drainage, firefighting and ventilation systems[9];

(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 showing that the vessel will operate its first journey from the Member State where the application is submitted;

(e) the stability booklet of the vessel.

~~2. […]~~

~~3. […]~~

~~4. […]~~

~~5. […]~~

~~6. […]~~

~~7. […]~~

[9] **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.**

Article 13a[10]

Grant, rejection, renewal, suspension and withdrawal of a certificates of approval of a 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 of the livestock vessel 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 at least half of the leg the entire leg of the journey of the at 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 using the model laid down in accordance with paragraph 12(d).

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.

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[11]**.**

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

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10 **The Chapeau of Article 33(2) will be amended to clarify that the certification body is only present in the part of the journey that takes place in a third country.**

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

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.

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, 2 and 3 of this Article are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

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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~~ shall adopt implementing acts in accordance with Article 49 regarding:**

(a) **the establishment of an EU electronic database for the recording of inspections on livestock vessels and the interoperability between that database and TRACES[12];**

(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;**

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12 **The following text will be added to the new Article in Chapter XI as referred to in footnote 1 in Document 6626/1/25 REV 1 (*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."

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

(e) the deadlines for the application for a certificate of approval of a livestock vessel.

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ANNEX II

Changes to be introduced in Annex I of the Regulation:

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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;**

- **<u>Each pen shall be enclosed by vertical fences or walls.</u>**

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

"ADDITIONAL PROVISIONS FOR LONG JOURNEYS OF TERRESTRIAL ANIMALS" ~~**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:

"~~**Domestic Equidae and domestic animals of bovine, ovine, caprine, porcine species, dog and cats**~~ ~~Animals~~ **<u>Terrestrial animals</u>** 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 for terrestrial animals other than poultry and lagomorphs"

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

"3a. Feed for ~~poultry other than day-old chicks and for~~ weaned farmed lagomorphs and poultry other than day-old chicks

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

a) It shall be available in all containers at the start of the journey;

b) Space shall be provided within each container for the feed or feeding system;

c) The floor or the feeding equipment shall be constructed to ensure that the feed is contained;

d) The construction of the container shall allow each animal in the container to have access to feed."

e) The feed shall be protected from the weather and from contaminants such as dust, fuel, exhaust gases and animal urine and dung.

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