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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Regulation on the protection of animals during transport and related operations - Summary of public feedback received after adoption of the proposal

Delegations will find attached, for information, a letter by the European Commission's Director General for Health and Food Safety to the Deputy Permanent Representative of Hungary to the EU with a summary of the public feedback received after the adoption of the proposal for a Regulation on the protection of animals during transport and related operations.



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

The Director-General

Brussels, 8 July 2024
SANTE/G3/PGG/iv(2024) 5826218

Subject: Analysis of the public feedback on a Proposal for a Regulation on the protection of animals during transport

Excellency,

From 8 December 2023 to 12 April 2024 the Commission carried out a public feedback exercise on a Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport.

In total, 5482 open feedback comments and 303 supporting documents were received through the call for feedback. Please find attached for your information a summary of the feedback received during this period. The same letter is being sent to the European Parliament.

Feedback received is published on the Commission's "Have your say" [portal](#).

Yours sincerely,


[e-signed]

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 Electronically signed on 26/07/2024 12:02 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121

Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations: summary of the public feedback received after the adoption of the Commission Proposal

Disclaimer: The contributions received represent the views of individual stakeholders and do not represent the official position of the Commission or its services.

1. FEEDBACK ON COMMISSION PROPOSAL FOR NEW RULES ON THE PROTECTION OF ANIMALS DURING TRANSPORT AND RELATED OPERATION

On 7 December 2023, the Commission adopted a proposal for new rules on the welfare of animals during transport.

The Commission proposal seeks to contribute to sustainable agricultural and food production by ensuring a higher level of animal welfare, and avoiding distortions on the internal market, thereby contributing to a shift towards an economically, environmentally, and socially sustainable food system. For this reason, this proposal introduces measures which favour slaughter of animals locally, thus replacing transport of live animals with transport of carcasses and meat. In doing so, these measures will help strengthening the principle of short supply chains while protecting animals by preventing long transports to slaughter.

The proposal is based on the latest scientific evidence and addresses societal demands for better conditions for the transport of animals. It introduces new rules on journey times, authorisations for organisers, transport in high and low temperatures, space allowances, import and export of live animals and rules on the protection of aquatic animals. In addition, it will make rules easier to enforce, in particular through digitalisation.

As part of the Commission's better regulation agenda, legislative proposals and accompanying impact assessments, which are put forward to the EU Parliament and Council, are opened for public feedback once they have been adopted by the Commission.

This letter summarizes the feedback on this Commission proposal submitted by citizens and stakeholders, through the Commission's 'Have your say' webpage, from the 8th of December 2023 to the 12th of April 2024.

2. BASIC BACKGROUND INFORMATION ON RESPONDENTS PROVIDING FEEDBACK

The complete feedback and statistics can be found in the 'Have your Say' portal https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13613-Animal-welfare-protection-of-animals-during-transport/feedback_en?p_id=32438558

A total of 5482 contributions were received. After an analysis carried out by Commission Services, a total of 5047 were retained for the analysis. 87 contributions were considered as successive and complementary input, and therefore analysed but not counted as new individual comments.¹

¹ This concerns 78 EU citizens, 4 business associations, 3 NGOs and 2 companies/business organisations.

Finally, 348 contributions were identified as part of 11 campaigns. Most of the campaign respondents were based in Spain (35%, 122 instances), Germany (23%, 81 instances), France (17%, 58 instances), and Italy (14%, 49 instances).

The first campaign had 52 respondents, all from Spain.² The second campaign had 30 respondents, all Spanish citizens. The third campaign had 28 respondents, all from Spain.³ The fourth campaign had 19 responses, mostly from France (89%, 17 instances).⁴ The fifth campaign had 15 responses, mostly from France (73%, 11 instances).⁵ The sixth campaign had 32 responses, mostly from France (93%, 30 instances).⁶ The seventh campaign had 44 respondents, all German citizens. The eighth campaign included 39 feedbacks, mostly from Germany (95%, 37 instances).⁷ The ninth campaign had 29 respondents, all from Spain.⁸ The tenth campaign had 11 responses, all from Spain.⁹ The eleventh campaign had 49 responses, all from Italian citizens.

The campaigns show a divide among stakeholders, with differing opinions on the level of regulation needed to balance animal welfare with economic and environmental concerns.

On one hand, some of the campaigns express concerns that the proposal would harm the livestock sector, particularly in southern Europe, and compromise animal welfare without achieving the intended goals. The comments argue that the proposal's journey time limits, temperature restrictions, and space allowance requirements would have negative economic and environmental impacts.

On the other hand, other campaigns call for stricter measures to protect animal welfare, including a ban on live animal exports to third countries, stricter journey times, and specific temperature controls. They advocate for replacing live animal transportation with meat, carcasses, or genetic material transportation and improving animal protection regulations, with a focus on prioritizing animal welfare over economic interests.

The contributions retained for the analysis were submitted from a variety of respondents, including EU citizens (91%, 4,614 instances), business associations (2.5%, 127 instances), companies/business organisations (2%, 100 instances), non-governmental organisations (NGOs) (1.45%, 73 instances), other institutions (1.2%, 62 instances), non-EU citizens (0.8%, 40 instances), trade unions (0.3%, 13 instances), public authorities (0.2%, 8 instances), academic/research institutions (0.1%, 6 instances), environmental organisations (0.06%, 3 instances), and consumer organisations (0.02%, 1 instance).

² The respondents were 47 EU citizens, 2 companies/business organisations, 2 other institutions, 1 business association.

³ The respondents were 21 EU citizens, 6 companies/business organisations, and 1 other institution.

⁴ The respondents were 18 EU citizens and 1 other institution.

⁵ The respondents were all EU citizens.

⁶ The respondents were 31 EU citizens and 1 non-EU citizen.

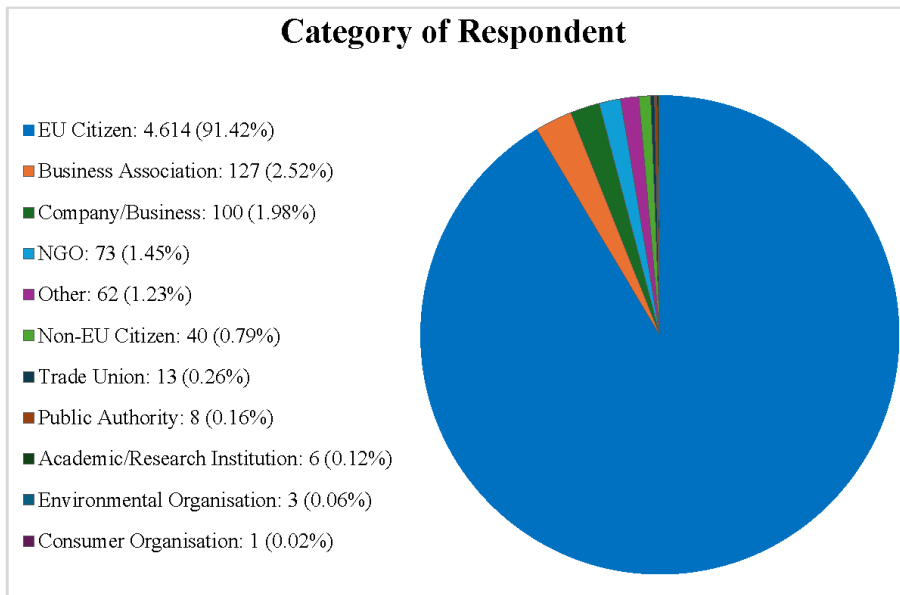
⁷ The responses were from 38 EU citizens and 1 non-EU citizen.

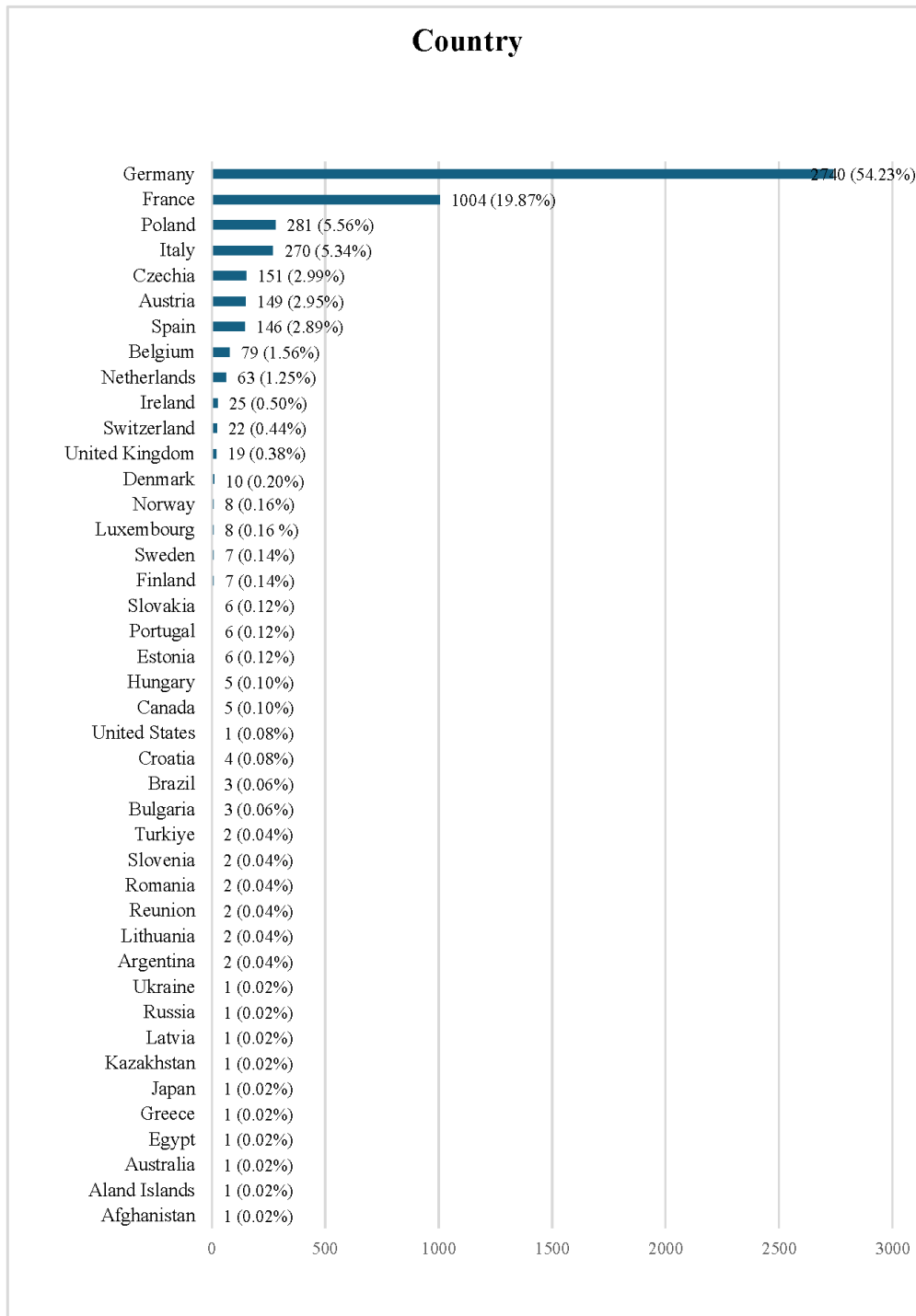
⁸ The responses were from 28 EU citizens and 1 company/business organisation.

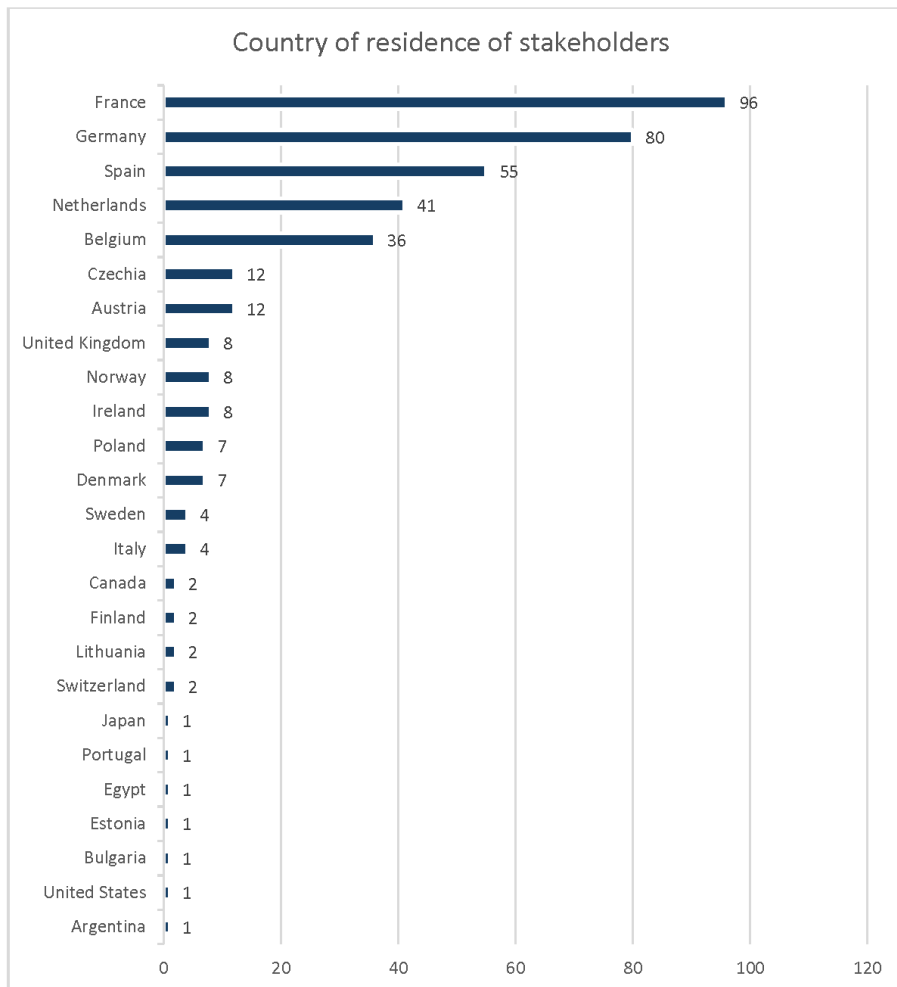
⁹ The respondents were from 7 EU citizens, 2 companies/business organisations, 1 business association, and 1 other institution.

99% of the respondents (387 instances) are based in the European Union (EU 27), with most of them located in Germany (54%, 2740 instances), France (20%, 1004 instances), Poland (5.6%, 281 instances), and Italy (5.3%, 270 instances). 1.4% of the respondents (70 instances) were from outside the EU, with most of them based in Switzerland (0.4 %, 22 instances) and the United Kingdom (0.4 %, 19 instances).

In the graphs below, the distribution of contributions is reported by category of respondent and by country.







The largest number of stakeholder contributions came from France, Germany, Spain and the Netherlands. The comments from European umbrella organisations account for the significant number of contributions from Belgium.

3. SUMMARY OF CITIZENS' RESPONSES

The opinions received from citizens reflected an overwhelming support for the aim of improving the welfare of animals during transport. For many citizens, stricter rules are needed.

A significant number of citizens expressed strong concerns regarding the welfare of animals during transport, particularly emphasizing the need for a ban on long-distance and sea transport due to the associated stress and potential mistreatment of animals. Citizens supported a shift towards local slaughter and the transport of meat and carcasses as more humane alternatives. Many citizens advocated a ban on the export of live animals to third countries. There was a clear call for improved conditions during transport, including adequate space, ventilation, and consistent access to food and water, alongside a reduction in transport times to minimize animal suffering. A recurring theme in the feedback from citizens was the welfare of unweaned and vulnerable animals, with calls for a ban on their transport. Temperature regulation within transport vehicles was highlighted as a critical issue, with citizens demanding strict controls to protect animals from extreme weather conditions. The mistreatment of animals during transport, including the use of electric prods, was strongly condemned. Citizens considered the transition periods in the proposal as too long. Specific concerns were raised with respect to the welfare of poultry and rabbits, with calls to further limit their transport times.

4. SUMMARY OF STAKEHOLDERS' RESPONSES

The stakeholders who submitted their feedback represent a variety of industries and interests ranging from agri-food businesses, farmers and veterinarian organisations to public authorities and NGOs.

Most of the points raised by stakeholders focused on the following aspects of the proposal:

- Scope and definitions
- Journey times
- Temperatures
- Transport to and from third countries
- Digitalisation
- Additional issues

Each of these issues is examined in more detail below.

4.1. SCOPE AND DEFINITIONS (ARTICLES 1-3)

In general, industry and farmers organisations considered the scope of the proposal too broad, whereas NGOs believed that it should be extended to transport in additional circumstances.

There were many comments from the horse breeding sector requesting an exemption for breeding horses and horses going to auctions, like the exemption for horses transported for competitions

and sporting events. On the other hand, a number of NGOs commented that the exemption for sport, cultural and circus related transport should be removed or narrowed in scope. Veterinarian representatives also opposed this exemption. There were also calls for hunting activities to be exempt on the basis that they relate to cultural traditions of certain Member States. NGOs requested an extension of the scope of the proposal to include specific provisions on wild/exotic species (both in zoos and pet trade).

Farmers drew attention to the fact that they often borrow a neighbour's vehicle to transport their own animals and considered that this transport should also be exempt from the proposal. The 50 kms limit for transporting one's own animals was considered too short by many industry and farmers organisations, particularly in the context of aquaculture, where distances within one farm are long; they proposed a limit of 100 kms instead.

There were a variety of comments on the exemption of ornamental fish from certain provisions of the proposal, with some industry stakeholders welcoming the exemptions and others calling for them to be broader. NGOs were opposed to these exemptions. Some stakeholders linked to the fish, crustaceans and shellfish business requested clarification of the meaning of the exemption for direct deliveries of aquatic animals to food business supplying the final consumer.

A range of stakeholders commented on some of the definitions in the proposal. Stakeholders representing a variety of interests including NGOs, veterinarians, farmers and some businesses called for a clear definition of economic activity. Industry stakeholders were critical of both the 100 kms limit for an assembly centre to qualify as a place of departure and the mandatory one week stay at the place of destination. Many industry and farmers representatives were opposed to loading and unloading counting as journey time. Finally, both NGOs and veterinarian organisations called for a definition of transport to slaughter.

4.2. JOURNEY TIMES (ARTICLES 27 TO 30)

Stakeholders expressed a wide range of opinions with respect to the rules on journey times. Industry representatives were concerned about the feasibility of the proposed limits, particularly for long-distance transports.

One of the main concerns voiced by industry and farmers was the fact that shorter journey times do not take account of geographical differences between Member States, with some bigger Member States having much longer transport times to reach destinations. Industry representatives feared that their businesses would be seriously affected by the reduction in opportunities to transport animals to destinations chosen for economic reasons.

Another key criticism was the inclusion of loading and unloading times in the journey, as this could lead to rushed operations, increased stress for animals, and negative impacts on businesses, especially in remote areas where access to slaughterhouses is limited. Some stakeholders suggested an extension from 9 to 12 hours to accommodate the needs of remote slaughterhouses.

In contrast, most NGOs advocated for stricter journey time limits, proposing significant reductions in transport times and species-specific journey time limits. More specifically, there were calls for

limiting journeys to 8 hours for cattle, pigs, and sheep, independently of whether they are being transported for slaughter, and 4 hours for poultry, rabbits, and vulnerable animals.

Additionally, there were concerns about the suitability of journey time rules for breeding animals, particularly horses, which require specially adapted transport and have a high biosecurity status. In this light, there are concerns about the risk of disease transmission if stops during the journey become mandatory. There are also calls for a ban on transporting unweaned animals, with an exception for foals.

Finally, veterinary associations emphasized the importance of proper record-keeping and suggested that journey logs should be retained for an extended period. They also concurred with NGOs when arguing that time at sea and time in an aircraft should be included in the total journey time to ensure a comprehensive approach to animal welfare during transport.

4.3 TEMPERATURES (ARTICLE 31)

The feedback on the proposal's rules concerning temperature control elicited the biggest number of responses, highlighting the complexity of the issue.

Many stakeholders expressed the view that geographical differences should be taken into account in the provisions on temperatures. There were objections to the proposal's rule that journey times should not exceed 9 hours when certain temperatures are reached, and the requirement to transport animals only at night if temperatures exceed 30°C particularly from industry representatives in Southern European countries. Stakeholders are concerned about the practical implications of these restrictions, which could affect the transport of animals in regions where high temperatures are common.

Some NGOs and business associations advocated for direct monitoring of temperatures inside animal transport vehicles, as opposed to relying exclusively on predicted weather conditions to mitigate and oversee thermal stress. Some business associations believed that the weather forecast should not be taken into account at all.

Many industry representatives argued that vehicles equipped with climate control features such as air conditioning and heating systems should be permitted to transport animals even in extreme weather conditions, provided that they can maintain a safe and comfortable environment.

The importance of considering the combined effects of temperature and humidity and the effectiveness of ventilation systems were points raised by NGOs. NGOs also recommended temperature limits tailored to different species, basing their requests on EFSA recommendations for different animal species and categories.

4.4 TRANSPORT TO AND FROM THIRD COUNTRIES (ARTICLES 32-35)

Stakeholder feedback on provisions linked to transport to third countries was diverse and highlights the complexity of balancing industry concerns with animal welfare objectives. Many

NGOs have united in their stance, advocating for a ban on exports, particularly to countries deemed "high risk" in terms of animal welfare standards. They emphasized the necessity for stringent controls at control posts in third countries to ensure the humane treatment of animals throughout their journey.

Concurrently, industry stakeholders, with a significant representation from the genetics sector, have expressed concerns that the proposed regulations may introduce challenges to exporting to third countries. These stakeholders explained that they rely on the global trade of high-quality genetic materials to support genetic improvement programs and fear that the new measures could impede such operations. This concern is indicative of the broader industry worry that the rules could be overly restrictive, thus limiting the export of animals to such an extent that they could effectively halt certain trade activities with third countries.

Farmer cooperatives, particularly from Germany, voiced their apprehensions regarding the potential for inconsistent application of export authorizations by different local authorities. They called for a harmonized approach to the renewal of authorizations, which would provide clarity and consistency across the board, ensuring that all parties are subject to the same standards and procedures.

4.5 DIGITALISATION

Many stakeholders voiced general support for the digitalization of procedures for the transport of animals. However, some industry representatives raised a variety of concerns, depending on their specific sector and position. Certain stakeholders are worried about the digital divide that impacts rural areas with poor internet access. There was resistance to the complete phase-out of paper journey logs, which has been a staple in the industry's documentation practices. Technical issues were another concern, with stakeholders apprehensive about potential glitches in the successive updates of the Trade Control and Expert System (TRACES) platform. Moreover, there is reticence within the industry to TRACES being used for documenting animal transports that occur entirely within one Member State's borders.

Considering the transition from paper to digital, stakeholders have doubts about the operational aspects of the shift: respondents were keen to understand how TRACES will evolve to accommodate new requirements. They emphasized the necessity for the system to be fully functional and user-friendly before concluding the transition period. In this context, some companies requested a longer transition period, highlighting concerns about the industry's readiness for a digital leap.

This was in stark contrast to the position of other stakeholders, who displayed a discernible current of optimism regarding the potential of digitalization to bolster enforcement. Positive feedback has emerged from a diverse set of stakeholders, including both NGOs and industry representatives, who are in favour of using TRACES for recording positioning data. They also supported the full digitalization of the journey log, recognizing the advantages it could bring in terms of traceability and compliance.

Additionally, the introduction of a mobile application for TRACES was met with enthusiasm by various stakeholders. This development is seen as a step towards greater accessibility, potentially simplifying the process of adhering to regulations for users on the go. By offering a more user-friendly interface and streamlining the compliance process, the mobile application was perceived as a potential catalyst for smoother implementation of the digitalization provisions.

4.6 ADDITIONAL ISSUES

Contingency plans for short journeys (Article 7)

A number of NGOs called for contingency plans to be required for short journeys as well as for long journeys. Contingency plans aim to ensure the safety and protection of animals in the event of an emergency, and such emergencies can occur just as much during a short journey as during a long journey.

White and grey flag livestock vessels (Article 13)

A number of NGOs called for only white flag vessel to be allowed approved as a means of transport. There were also suggestions on other ways to classify livestock vessels, including International Association of Classification Societies (IACS) membership, and on the possibility of also requiring approval of roll-on-roll-off vessels.

Presence of veterinarian at loading and unloading of animals (Articles 17 and 25)

Many respondents representing industry, farmers and veterinarians expressed concerns about the feasibility of requiring the presence of a veterinarian during loading and unloading of animals, due to a shortage of veterinarians and the practical challenges involved for certain sectors. Proposed alternatives included exemptions for short journeys, replacing veterinarians with trained operators, and providing additional training for farmers and transporters. A minority of NGOs requested more details on how to perform this supervision would be done to be included in the proposal.

Keepers' obligations during journey (Article 19)

Some respondents advocated for additional responsibilities for animal handlers, including contingency plans, while others suggested expanding the scope to cover all means of transport and species, including fish. There were also calls for clearer liability for transporters and keepers when animals are not fit for transport.

Regarding welfare checks at 4.5-hour intervals, industry groups argued that checking on animals during transport may not be feasible in all cases. Industry representatives expressed concerns about the practicality of such measures. They highlighted challenges, especially when animals are contained within crates or containers, as is common with reptiles, amphibians, crustaceans such as lobsters, and poultry.

Sanctions (Articles 42-45)

NGOs requested stricter provisions on sanctions, for example, by classifying more infringements as serious. Industry organisations had reservations about these new provisions and underlined that sanctions are a matter of Member States' competence.

Space allowances (Chapter VII of Annex I)

Most NGOs advocated for more space to ensure that animals can move comfortably, stand up, and turn around, while other NGOs asked for further specifications and more species-specific provisions. Veterinary federations agreed with NGOs on this last point, focusing on the specific case of poultry where the volume of different animals can vary dramatically.

Industry, farmers and public administrations argued that increasing space allowances would lead to significant economic and operational challenges, including the need for more trucks on the road. Many stakeholders called for more flexibility, with some advocating for no change to the existing rules and others preferring a more limited increase in space allowances. Stakeholders considered that more space can lead to increased risk of injury, especially for certain species like pigs and poultry. There were also concerns about the potential impact of increased space allowances on the availability of meat products and the need for expensive infrastructure adjustments.