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NOTE

From:	General Secretariat of the Council
To:	Delegations
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 I of Annex I (Fitness for transport)*

With a view to the Working Party on Animal and Veterinary Questions (Animal Welfare) on 9-10 October 2025, delegations will find in annex the Presidency text on Chapter I of Annex I (Fitness for transport).

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

CHAPTER I

FITNESS FOR TRANSPORT

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1. Terrestrial animals shall not be considered fit for transport if:

(a) they are injured, [~~or~~] ill **[or in pain]**;

~~(b) they present physiological weaknesses or pathological processes;~~[1]

(c) they are unable to **stand on all their legs, maintain balance,** move independently without pain or to walk unassisted;

[(ca) they are blind in both eyes.]

(d) they are cachectic or severely dehydrated;

(e) they present a severe ~~open~~ **unhealed** wound, **a hernia with complications** or **a** prolapse;

(f) they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the **preceding** ~~previous~~ 7 days**, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;**

[(fa) they are lactating females and milking every 12 hours during transport is not possible;]

(g) they are new-born mammals in which the navel has not completely healed **unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;**

(h) they are calves ~~of less than 5 weeks of age and weigh less than 50 kg~~, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;

(i) they are dogs and cats of less than 12 weeks of age;

~~(j) they are rabbits of less than 48 hours of age;~~

(k) they are cervid animals in velvet period **whose antlers are still innervated.**

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[1] **Point 1(b) has been moved to point 1(l).**

(l) they present physiological or pathological conditions other than those mentioned in points (a) to (k) that are likely to cause pain, suffering, or a decline in health during transport;

2. ~~Except if accompanied by their dam, t~~The following **terrestrial** animals shall not be considered fit for long journeys:

(a) **animals of the domestic** equine **species** ~~animals~~, if they are younger than 4 months **except if accompanied by their dam, or if they are unbroken**;

~~(b) piglets, if their body weight is less than 10 kgs.~~

(c) calves, if they are less than 5 weeks of age except if accompanied by their dam;

[(d) end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]

3. By way of derogation from points 1 (a) ~~and (b)~~, animals may be considered fit for transport **for short journeys or journeys to the nearest slaughterhouse** if they are:

(a) slightly injured or ill, and **their** transport would not cause additional suffering **or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;**

~~(b) transported under veterinary supervision for or following veterinary treatment or diagnosis, and no unnecessary suffering or ill treatment is caused to the animals concerned;~~[2]

(c) animals that have been submitted to veterinary surgical procedures **outside veterinary practices or clinics**, provided that wounds are not **inflamed and there are no signs of** bleeding and measures are taken to minimise physical contact with the wound.

For the purposes of point (a), in cases of doubt, veterinary advice shall be sought **and written documentation of such advice shall be kept**.

~~4. Unbroken equine animals shall not be considered fit for transport on long journeys.~~

[2] **Point 3(b) is deleted because the transport of animals directly to or from veterinary practices or clinics are excluded from the scope of the proposal (see Article 2(3)(b)).**

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7. ~~When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.~~[3]

8. ~~Sedatives and tranquilisers shall not be used on animals to be transported unless it is necessary to ensure the welfare of the animals and safety of operators and shall only be used under supervision of a veterinarian.~~

9. ~~Lactating females [of bovine, ovine and caprine species] not accompanied by their offspring shall be milked shortly before loading and at intervals of not more than 12 hours.~~[4]

10. ~~Dogs and cats shall be considered fit for transport when they have completed the necessary preventive veterinary treatments to prevent stress related and species-specific diseases.~~

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[3] **Paragraph 7 is proposed to be deleted. It is already covered by Article 20(2a) for assembly centres, control posts and handling facilities at port and airports, and partially by Article 21(3) for livestock vessels.**

[4] **Paragraphs 8 and 9 are proposed to be moved to point 3 of Chapter III of Annex I.**