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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 - *Consolidated Recitals*

Delegations will find in Annex a revised package of the consolidated Articles of the above proposal. It includes:

A) New changes presented for discussion at the Working Party on Animals and Veterinary Questions (Animal Welfare) on 4-5 December 2025 highlighted in blue concerning Chapters I and VII of Annex I, Article 3(34) (definition on 'end of career animals') and Article 28 (Transport to slaughter). Additional changes highlighted in blue concern Chapters III, VIII and XII; Chapters II, III and VI of Annex I; and recitals 19 and 20b. These will not be discussed during the Working Party.

B) Earlier changes presented before 30 October 2025 which were already included in the previous consolidated package.

All the above changes compared to the Commission proposal 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: […].

Editorial changes and alignments with earlier changes are highlighted in grey.

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ANNEX

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Recitals:

Changes included:

From 14743/2/24 REV 2: Recitals 33, 33a, 34;

From 6625/2/25 REV 2): Recitals 20a (circumvention clause)

From 9298/25: Recitals 18, 38, 39

From 11902/1/25 REV 1: New recital 58 on OCR

From 11903/1/25 REV 1: New recitals 20b - 20d on training.

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 43(2) and 114(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

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[1] OJ C , , p. .
[2] OJ C , , p. .

(1) Council Regulation (EC) No 1/2005[3] established common minimum rules for the protection of animals during transport. Since its adoption, science and technology have evolved. There is a better understanding of space allowance requirements and of the needs of animals during transport, in particular those of unweaned and aquatic animals. There have been significant developments in the availability of digital solutions for the administrative steps involved in the transport of animals. With increasing citizens' awareness and concerns about animal welfare and the trend towards more sustainable production methods, many Member States are revising or adopting national rules going beyond the Union minimum requirements. In addition, the Fitness Check of the EU animal welfare legislation[4], revealed, in relation to Regulation (EC) No 1/2005, difficulties in interpreting, applying, and enforcing certain provisions, thus contributing to an uneven playing field for the different actors. It is therefore necessary to revise the rules on the protection of animals during transport to align them with the latest science and technology, as well as to make them easier to apply and enforce.

(2) Animal welfare is a Union value enshrined in Article 13 of the Treaty on the Functioning of the European Union ('TFEU'). In addition, the Union and several Member States are signatories to the revised European Convention for the protection of animals during international transport[5].

(3) The transport of live animals is an important part of the agri-food chain. The protection of animals during transport is a matter of public concern that affects consumers' attitudes towards agricultural products. This Regulation aims to simplify procedures, reduce administrative burden and facilitate easier enforcement of harmonised rules, while ensuring a high level of protection of animals during transport. Ensuring the protection of animals during transport has a positive impact on the health and welfare of the animals and contributes to better quality of animal products.

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3 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 L 3, 5.1.2005, p. 1–44.

4 Commission Staff Working Document 'Fitness Check of the EU Animal Welfare legislation', SWD(2022) 328 final, 4.10.2022

5 European Convention for the Protection of Animals during International Transport, Council of Europe, Chişinau, 6.XI.2003, European Treaty Series-No. 193.

(4) This Regulation aims at ensuring the smooth functioning of the internal market, including for animals not used for food production, such as cats and dogs, fur animals, certain types of wild animals, and animals used for scientific purposes.

(5) In 2022, the European Parliament adopted recommendations on the protection of animals during transport based on the report of the Committee of Inquiry on the Protection of Animals during Transport within and outside the Union (ANIT Committee). The recommendations call on the Commission and the Council to carefully review EU legislation on protection of animals during transport based on a rigorous scientific investigation into the impact of transport on animals of all species and ages and on an in-depth socio-economic, environmental and health impact assessment taking into account the diversity of geographical situations and specificities, and farming models across the Union. The report of the ANIT Committee also pointed out shortfalls of existing implementation throughout the Union and recommended measures such as restricting journey times, banning transports in extreme temperatures, ensuring that transport of animals to third countries take place respecting principles of protection of animals throughout the journey until they reach their destinations in third countries. In addition, the European Parliament pointed out the need to replace transport of live animals with a more efficient ethical system which favours the transport of semen or embryos over breeding stock, and carcasses and meat over animals being transported for slaughter.

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(6) In September 2022, the European Food Safety Authority ('EFSA') published five scientific opinions relating to various welfare consequences and hazards arising during transport of small ruminants[6] (sheep and goats), equidae[7] (horses and donkeys), bovines[8] (cattle and calves), pigs[9] and animals in containers[10], including domestic birds (chickens, laying hens, turkeys etc.), and rabbits ('EFSA opinions'). The EFSA opinions broadly conclude that providing more space, lowering maximum temperatures and keeping journey times to a minimum, are all required to improve the protection of animals during transport. Therefore, Regulation (EC) No 1/2005 should be replaced by a new Regulation that is in line with the latest developments in scientific and technical knowledge in this field and with consumers' demands, while avoiding barriers to the functioning of the internal market and trade in live animals and ensuring the enforceability of the new rules.

(7) To ensure a consistent and effective application of this Regulation across the Union in the light of its basic principle, according to which animals must not be transported in a way likely to cause injury or undue suffering to them, it is appropriate to set out detailed provisions addressing the specific needs of the different species arising in relation to the various types of transport. Such detailed provisions should be interpreted and applied in accordance with the aforesaid principle and should be updated in a timely manner, in particular in light of new scientific knowledge, taking account of new EFSA opinions.

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6 EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare) Scientific Opinion on the welfare of small ruminants during transport. EFSA Journal 2022; 20(9):7404, 101 pp

7 EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare) Scientific Opinion on the welfare of equidae during transport. EFSA Journal 2022; 20(9):7444, 113 pp.

8 EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare) Scientific Opinion on the welfare of small ruminants during transport. EFSA Journal 2022; 20(9):7404, 101 pp.

9 EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare) Scientific Opinion on the welfare of pigs during transport. EFSA Journal 2022; 20(9):7445, 108 pp.

10 EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare) Scientific Opinion on the welfare of domestic birds and rabbits transported in containers. EFSA Journal 2022; 20(9):7441, 188 pp.

(8) Technology for navigation systems and electronic databases has advanced considerably since the entry into force of Regulation (EC) No 1/2005. This makes it possible to simplify procedures and strengthen controls and inspections on the protection of animals during transport, thus leading to better enforcement of Union rules. It is therefore important to make use of new technologies and expand the possibilities provided by Trade Control and Expert System (TRACES-NT), the digital certification and management platform for all sanitary and phytosanitary requirements, which is embedded in the Integrated Management System for Official Controls (IMSOC)[11].

(9) This Regulation provides for rules so that the TRACES database can incorporate digital authorisations, certificates of approval, certificates of competence, journey logs, live tracking of road vehicles and temperature forecasts. TRACES should also contain lists of control posts in third countries and EU exit points. It also allows for more realistic journey planning, efficient traceability, better monitoring of operations and animal welfare indicators, timely emergency measures and complete analysis of data, with the overall objective of ensuring more effective application and better enforcement of the Union rules on the protection of animals during transport, as well as considerably reducing administrative burden.

(10) The obligation of Union operators to protect animals during transport does not end at the external borders of the Union. Organisers of transport of animals from the Union to a place of destination in a third country must ensure compliance with Union rules on the protection of animals during transport also during the stages of the journey that take place outside the Union, and until the animals arrive at the final place of destination in the third country. This is coherent with the case law of the Court of Justice of the EU in Case C-424/13[12]. This Regulation should therefore apply to the transport of animals for which the place of departure is in the territory of the Union and regardless of whether the place of destination is in the territory of the Union or in a third country.

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[11] Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation), C/2019/7005, OJ L 261, 14.10.2019, p. 37–96.

[12] Judgment of 23 April 2015, Zuchtvieh-Export GmbH, C-424/13, ECLI:EU:C:2015:259, paragraph 56

(11) Transport of live animals from third countries to the Union territory mainly concerns certain species of animals and it is usually carried out through direct routes. When live animals are imported into the Union, operators who transport such animals from a third country to a place of destination within the Union should ensure that the animals are protected at least in an equivalent manner to animals transported within the Union territory, and this from the moment when the animals are loaded onto the means of transport in the third country until the place of destination in the Union. This is necessary in light of Union citizens' concerns related to the welfare of animals during transport, which extends to all animals transported to, from or within the Union. This Regulation should therefore apply to the transport of animals for which the place of departure is in the territory of a third country and the place of destination is in the territory of the Union. In order to ensure proper application of the requirements for such transport at the place of departure, it is necessary for the competent authority of the third country to check the planning of the journey concerned, and to certify in the official health certificate for imports of the animals into the Union and via its approval of the journey log, that the planning of the journey has been done in accordance with this Regulation, or with equivalent requirements. The transporter of the animals should be responsible for ensuring that this planning is respected until the point of destination and should comply with the obligation to complete the journey log.

(12) For transit of animals from a third country to another or to the same third country via the Union territory, Union rules should apply during the part of the journey taking place on the Union territory. Although neither the place of origin nor the place of destination of that transport is in the Union, for the benefit of the animals and given citizens' concerns, this Regulation should apply to the part of the journey that takes place within the territory of the Union. Transporters should ensure that the animals are transported in conditions that comply with this Regulation, notably with respect to space allowances, feeding and watering, since these are essential for the welfare of animals transported on the Union territory. However, compliance with rules on journey times should not be required in such cases, as this could lead to even longer journeys for the animals concerned by requiring third country operators to circumvent the Union territory via longer routes, which would potentially have a worse impact on animal welfare.

(13) The World Organisation for Animal Health (WOAH) Terrestrial Animal Health Code[13] contains guidelines setting minimum standards at global level as regards animal behaviour, the responsibilities and competence levels of the different actors involved in the transport of animals, the documentation to be provided, journey planning, loading, and actions in the event of a refusal of the animals, among others. This Regulation takes into account those guidelines.

(14) Experience enforcing Regulation (EC) No 1/2005, as well as case law of the Court of Justice of the EU such as in Case C-301/14[14] show that economic activity in relation to transport of animals should be construed in a broad sense. Transport of animals in connection with an economic activity should not be considered as limited to cases involving an immediate exchange of money, goods or services or where transport is carried out with the intention of making a profit. If a transport forms part of an offering of goods or services on a given market, it should be considered as a transport in connection with the economic activity.

(15) The main species of animals transported within the Union and from the Union to third countries for economic purposes are vertebrate animals including small ruminants, equidae, bovines, pigs, domestic birds, rabbits, and aquatic animals, namely fish, cephalopods, and decapods. To ensure proportionality, the scope of this Regulation should be limited to those species.

(16) Ornamental fish are usually transported in small boxes by express couriers in bags of water especially adapted to their needs and the duration of the journey is usually less than 24 hours. Therefore, the transport of ornamental fish rarely represents a major risk for animal welfare and should be excluded from the scope of this Regulation.

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[13] WOAH Terrestrial Animal Health Code, 2023, Terrestrial Code Online Access - WOAH - World Organisation for Animal Health.

[14] Judgement of 3 December 2015,

(17) Directive 2010/63/EU of the European Parliament and of the Council[15] regulates the protection of animals used for scientific purposes. Due to the strict requirements on the quality of animals needed for research and testing, any compromises to the health or welfare status of animals on arrival at their place of destination have a direct impact on the possibility to use them for those purposes. In addition, scientific procedures may require the use of animals that can potentially be considered unfit for transport according to this Regulation such as some genetically modified animals and animals which have undergone surgical procedures for the purpose of the projects in line with Directive 2010/63/EU. Transport of live animals for scientific purposes is undertaken by specialist operators with specially designed vehicles equipped to ensure the health and welfare of the animals throughout the planned journeys. While a distinction can be made with regard to the purpose for which these animals are transported, their welfare should be guaranteed. However, it would be neither coherent nor acceptable to include them completely in the scope of this Regulation. For these reasons, species-specific rules related to fitness for transport, watering and feeding intervals and certain provisions concerning journey times, temperatures and rest periods should not apply to transport of animals used or destined to be used for scientific purposes in a project authorised under Directive 2010/63/EU of the European Parliament and of the Council.

(18) Experience with the application of Regulation (EC) No 1/2005 shows that operators often prolong journeys beyond the limits set out in the relevant provisions by transporting animals from a holding to several assembly centres consecutively. The animals are grouped together with animals from other holdings in these assembly centres and only the last assembly centre is recorded as the place of departure. Therefore, a mandatory stay of the animals at both the place of departure and destination should be imposed and assembly centres should only be allowed to be places of departure if they are situated locally, with the aim of **to** preventing the practice of "assembly centre hopping" **and provide for clearer time limits of the journeys.**

[15] Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33).

(19) Only organisers of the transport of animals who have the means to comply with the requirements of this Regulation should be allowed to transport animals ~~for~~ **on any** long journey~~s~~, **including any journeys with a leg of the journey by livestock vessel, or a short journey to third countries**. Therefore, it is appropriate to establish an authorisation system for organisers. Organisers should be responsible for ensuring compliance with Union rules from the place of departure to the place of destination. They may subcontract the transport of animals to a transporter and should remain responsible for ensuring compliance with Union rules by that transporter and any other persons involved in that transport. The organiser should provide proof to the competent authorities of their ability to ensure that Union rules on transport are met until the animals' arrival at the place of destination.

(20) Transporters and their staff play a central role in the transport of animals significantly influencing the welfare conditions of the transported animals. Welfare conditions of animals during transport are significantly impacted by the day-to-day conduct of transporters. They should have the necessary competence to ensure compliance with this Regulation, as well as compliance by their staff, and the necessary approval of the means of transport used, together with contingency plans to address emergencies. Therefore, it is appropriate to have an authorisation system for transporters. They should be accountable and transparent concerning their status and operations. In particular, they should report any difficulties and keep precise records of their actions and the results.

PUBLIC

(20a) In order to avoid circumvention of conditions for obtaining authorisation as an organiser or a transporter or the artificial creation of such conditions, Member States should be empowered to take appropriate measures. The experience in Member States shows that in particular in case where the authorisation of an organiser or transporter is withdrawn due to non-compliance with the animal welfare rules during transport or an infringement of those rules, those persons may establish a new enterprise under a new name in order to mislead the competent authorities. Similarly, an organiser whose authorisation is withdrawn for non-compliance or infringement could sometimes apply for an authorisation as a transporter instead and vice versa. Additionally, persons such as an attendant or a driver who have been found to infringe the respective animal welfare requirements may apply for an authorisation as an organiser or transporter or establish an enterprise that applies for such an authorisation. In such and similar cases Member States should have the possibility to react against attempts to circumvent or to artificially create the conditions for obtaining an authorisation as an organiser or transporter so that the objectives of this regulation can effectively be achieved.

20b. Persons who handle [terrestrial and aquatic] animals during road, rail, sea and air transport and related operations should have the necessary knowledge, skills and competences on animal welfare. Various operations associated with the transport of animals have different levels of impact on welfare of animals transported. Therefore, it is appropriate to set up a two-level training system for this purpose. The primary objective of the basic training course is to raise general awareness on animal welfare. Regular farm staff, who take part in the daily care of the animals, are assumed to have such awareness based on other training obligations and experience and should therefore be exempted from this requirement. However, where operators at the place of departure hire external persons for activities such as catching and crating ~~birds~~ animals transported in containers or loading animals, those persons should be covered by the basic training requirement. Similarly, for livestock vessels, the members of the crew, who are handling animals on the vessels, should be covered by the basic training requirements and transporters should ensure that they are trained.

PUBLIC

20c. The advanced training course targets persons whose roles have a greater impact on the welfare of animals during transport and are therefore required to demonstrate more in-depth competence, knowledge and skills. The objective of the advanced training course is to familiarise the participants with the relevant provisions of the Regulation, develop their capacity to properly handle and care for the animals, and test their competence.

20d. This regulation does not interfere with the Member states' national training regulatory environment and practice. Therefore, Member States can decide on the structure, planning and execution of the basic and advanced training courses, provided that the courses are developed taking into account the training plans and materials, quality standards and recommendations from the relevant EU Reference centers on animal welfare (EURCAW). To this end Member States remain free to set a minimum duration of the courses and develop training courses which go beyond the minimum requirements of the Regulation. In order to ensure that training courses are available, the competent authority can use the proxy of another authority within the Member State responsible for training, approve providers of training under certain conditions, or make use of training providers approved by another Member State or of different authorities.

(21) Means of transport should be designed to avoid injury or suffering to the animals. Therefore, it is appropriate to set out technical requirements to be fulfilled for a means of transport to be approved and taking account of the needs of specific species and categories of animals on board.

(22) The transport of animals by air is significantly less common compared to transport by road and sea. Due to the costs associated with this type of transport, in the majority of cases, animals transported by air are pets and high-value animals intended for breeding or sport activities. Air transport of animals is carried out in line with International Air Transport Association (IATA) technical rules set out in Live Animals Regulations (LAR), designed and annually updated by the Live Animals and Perishables Board (LAPB) to balance the principles of protecting welfare of animals and safety on board of aircraft, as well as taking into account the specificities and limitations of air transport. Carriers that are members of IATA are obliged to follow the standards in the regulations in carrying out transport operations, as well as in equipping their aircraft. Transport of animals by air should therefore only be allowed in aircrafts belonging to carriers that are members of IATA.

(23) As evidenced by Commission audits and competent authorities' inspections, a significant number of livestock vessels currently operating in the Union do not meet the appropriate standards of maritime safety and pose a risk both for animals and crew. To ensure compliance of these livestock vessels with safety standards and the proper functioning of essential systems such as power generation, stability, ventilation, water desalination and drainage systems, among others, only livestock vessels flying flags identified as white or grey under the Paris Memorandum of Understanding on Port State Control[16] should be approved for the transport of animals by the relevant competent authorities in the Member State. In addition, competent authorities should only allow loading of animals to these vessels if their ship risk profile is identified as low risk or standard risk according to the Paris Memorandum of Understanding on Port State control.

(24) Records for approvals of livestock vessels are currently kept in the information system supporting the New Inspection Regime stemming from Directive (EU) 2009/16/EC on Port State Control[17]. The Hybrid European Targeting and Inspection System (THETIS) is a database facilitating official controls of sea vessels in the Union, including livestock vessels. This database includes a module specific for official controls focusing on requirements for the protection of animals. Information on authorised livestock vessels should also be available in TRACES, to enable the digital creation, update and completion of journey logs in TRACES. The Competent authorities should be responsible for regularly updating this information.

(25) In accordance with Implementing Regulation (EU) 2023/372,[18] following approval and before any renewal of approval of a livestock vessel, an official veterinarian should accompany the consignment of animals for the first journey. This allows the veterinarian to perform official controls throughout that first journey to check that the mechanical and management systems of the livestock vessel are not detrimental to the welfare of the animals on board during the journey.

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16 https://www.parismou.org/

17 Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (recast) (Text with EEA relevance) OJ L 131, 28.5.2009, p. 57–100.

18 Commission Implementing Regulation (EU) 2023/372 of 17 February 2023 laying down rules on the recording, storing and sharing of written records of official controls performed on livestock vessels, on contingency plans for livestock vessels in the event of emergencies, on the approval of livestock vessels and on minimum requirements applicable to exit points. OJ L 51, 20.2.2023, p. 32–39.

(26) Journey logs are important tools to allow all actors involved in the transport of animals, and competent authorities, to be aware of the planned route and timing of the journey, and to check if the planned route is followed in practice, therefore facilitating enforcement. Specific elements of the journey log should be designed to ensure better enforcement of animal welfare standards, in particular by increasing the traceability and transparency of transport operations. Competent authorities in the Member States should approve journey logs for long journeys both within the Union and to third countries, as well as short journeys to third countries. The use of journey logs should be fully digitalised by making use of and expanding the possibilities provided by TRACES. Digitalisation of the journey log will improve data collection and allow better analysis and risk identification.

(27) To ensure that journeys do not exceed the planned length and to provide for better traceability, a simplified journey log for short journeys within the Union should be introduced. Completed by the organiser and without the requirement for approval of the competent authority, these journey logs will help competent authorities to assess the performance of operators during inspections and checks. In addition, this will allow both competent authorities and the Commission to have information on all transport operations.

(28) Pregnant animals are especially vulnerable during transport. As it is not always possible for the transporter to assess the stage of pregnancy of such animals, the keeper should be responsible for providing information to the transporter about the pregnancy stage or the insemination date, when applicable.

(29) The scarcity of specific provisions in Union law on transport of cats and dogs, in particular pups and kittens of various breeds, as well as divergent interpretation and enforcement of existing Union rules by Member States, have led to the frequent transportation of these animals in circumstances that pose risks to their welfare and lead to an uneven level playing field for operators. Therefore, it is necessary to better define specific rules regarding the minimum age of transported cats and dogs and the feeding intervals during the journey, to require preventive veterinary treatments to avoid stress related and species-specific diseases, and thus to expand the specific and harmonised rules on commercial transport of cats and dogs. For that same purpose, it is necessary to provide for rules, such as on temperature and humidity requirements and the necessity of a journey log for long journeys.

(30) The WOAH guidelines on the welfare of farmed fish during transport set the minimum standards for compliance at international level and contain recommendations as regards responsibilities, planning, vehicles design, equipment, handling, water, preparation, species specific issues, contingency planning, documentation, loading and unloading. Based on these guidelines, specific provisions for aquatic animals should be set and updated based on new science when the relevant opinions of EFSA are available. An important element for the welfare of transported animals is the space allocated to them on board the means of transport, which depends on their species, categories, and size. In the EFSA opinions, it is recommended that, while on board, animals should have enough space to change position, drink and rest. Therefore, the space allowance requirements laid down in Regulation (EC) No 1/2005 should be increased in line with EFSA recommendations.

(31) The real time positions of aircrafts, sea vessels and trains are currently publicly available and accessible for reasons of safety and information. Most road vehicles are already equipped with a satellite navigation system that keeps records of the actual route followed and the length of the journey. This information is of crucial importance for the competent authorities to implement and better target on a risk basis their official controls. However, this information with respect to road vehicles is not available to competent authorities.

(32) Limiting the length of the journey plays a fundamental role in the protection of animals during transport. There is evidence that in practice the estimated duration of journey times in the initial planning are often exceeded, which can have serious detrimental effects on the welfare of the transported animals. Currently, there is no means for the competent authority to check the location of consignments during the journey in order to target their controls and inspections in relation to journey and rest times, carried out in accordance with Regulation (EU) 2017/625. This makes it difficult for competent authorities to control that the actual journey duration corresponds to that declared. Many of these challenges would to be solved with information gathered via an information sytem using of real-time positioning tools.

PUBLIC

(33) **Places of departure, assembly centers, ports, airports, control posts, border crossings, exit points or places of destination are the key points in a journey.** Accessing information concerning the time at which road vehicles have **departed from or** reached **these points** certain key points in the journey, such as control posts, or place of destination, would allow **strengthen the ability of the** competent authorities to strengthen and better plan and target their controls **check key elements for animal welfare, such as journey time and long rest periods**. They could in particular better detect transports that are exceeding maximum journey times, thus identifying transports that are more likely to end with animals in **a** compromised state of welfare. Therefore, all road vehicles **used for any long journey, short journeys between Member States or short journeys between a Member State and a third country** should have a real time positioning system capable of communicating their location throughout the journey. and **A**fter the journey has been completed **the data on the key points in the journey should be stored in** to an information system connected to TRACES **for the purpose of an effective *a posteriori* control by the competent authority**.

33a. In case of deviations from the planned journey the risk to animal welfare increases significantly. Therefore in such cases, the competent authories should have access in TRACES to the full dataset for the concerned journey, for the purpose of investigating and identifying reasons for delays and deviations from the journey plan and of taking appropriate control measures. The experience of Member States shows that access to such information enables them to better establish liabilities in case of non-compliances.

(34) Data concerning **the arrival at and departure from the key points** and the **entire** length of the journey **in case of deviation** and rest periods should be recorded and **subsequently** kept **in TRACES** for all journeys, for the purpose of processing the information only for official control and other official activities linked to those official controls. The retention period of these data should be 6 years so that these data are accessible to the competent authorities, in particular with a view to checking whether the organiser or transporter fulfils the conditions required in order to obtain a renewal of an authorisation after the expiry of the 5-year period of validity. **However, the link between those data and the personal data of the driver and the attendant should be removed after 3 years because the personal data of the driver and the attendant is retained for 3 years only.** Positioning data recorded in the information system connected to TRACES should only be recorded and kept for the purposes of official controls and other official activities linked to those controls. The retention period of these data should also be 6 years.

(35) In addition to Regulation (EU) 2016/679[19] and Regulation (EU) 2018/1725,[20] and to provide specific adequate guarantees regarding data protection, the provisions concerning processing and controlling of data laid down in Implementing Regulation (EU) 2019/1715[21] concerning the database where these data will be stored should apply.

(36) It is important for the competent authorities at the place of departure to be aware of the fitness of the animals on arrival at the place of destination. Both drivers, or when relevant, attendants, and keepers at the place of destination should declare the condition of the animals arriving at the place of destination in TRACES, including information on animal welfare indicators. The electronic version of the journey log will allow the competent authorities at both the place of departure and the place of destination to receive this information, allowing them to take action when the condition of animals is not adequate or there is a discrepancy between information provided by keepers, drivers or attendants.

(37) In general, scientific evidence suggests that longer journeys affect animal welfare more negatively than shorter journeys. In light of the current distribution of slaughterhouses in Member States, the latest scientific opinion on welfare of animals during transport and with the intention of keeping journeys as short as possible, journeys to slaughter should not last more than 9 hours. In general, slaughterhouses currently in use are technologically adapted to the species and categories of animals which they slaughter. To prevent a situation when slaughter would not be possible because there is no appropriately equipped slaughter in the area within the 9-hour transport, an exemption to the 9-hour limit should be foreseen to exceptionally allow long journeys to appropriately equipped slaughterhouses, provided that this is authorised by the competent authority.

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19 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation); OJ L 119, 4.5.2016, p. 1–88.

20 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC; OJ L 295, 21.11.2018, p. 39–98.

21 Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation) C/2019/7005, OJ L 261, 14.10.2019, p. 37–96.

(38) EFSA opinions confirmed that too many stops with unloading and loading in control posts along the journey are detrimental to animal welfare, as they lead to additional handling of animals, with consequent additional stress and increased risk of exposure to injury and infections. Therefore, **in principle,** long journeys should not include more than one rest period **many stops** with unloading and loading. **Concerning the transportation time, in addition to the scientific factors for better animal welfare, also economic considerations play a role in order to ensure the viability and competitiveness of the economic activities, in particular livestock farming. Therefore an appropriate balance should be reached .On the one side, the duration of the transport by land should be limited due to welfare factors. In addition to the leg of the journey by road or rail, a journey may also include a leg of journey by livestock vessel, roll-on roll-off vessel, or aircraft, the duration of which should not be counted in the journey time by land due to the different transport conditions on them**. For journeys by road or rail longer than 9 hours for purposes other than for slaughter, in addition to the latest scientific advice from the EFSA **and economic considerations**, the maximum driving periods and minimum rest periods for road drivers provided for in Regulation (EC) No 561/2006[22] should **also** be taken into consideration in order to better coordinate with the journey times and rest periods of the animals transported.

(39) Unweaned animals are particularly vulnerable during transport and feeding them on board in accordance with their needs should be ensured. Following EFSA's scientific advice, the minimum age and weight of these animals before they can be transported should be increased so that they are more resilient and fit for transport. In addition, these animals should be transported for a maximum period of 8 **9** hours unless a system is in place on board the means of transport, allowing unweaned animals to be **are** effectively fed with milk or milk replacement at body temperature under the appropriate conditions.

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[22] Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85,OJ L 102, 11.4.2006, p. 1–14.

(40) Experience with the application of Regulation (EC) No 1/2005 shows that providing adequate feeding for unweaned animals is a challenging requirement to fulfil. Unweaned animals must be fed species-specific milk or appropriate milk replacement at body temperature under conditions similar to natural milk feeding and with intervals that prevent onset of long-term hunger. Feeding systems should be designed to allow delivery of the milk or milk replacement to every animal on board, with minimal need for intervention by attendants or drivers. Maintenance should allow appropriate cleaning and disinfection to prevent contamination of the milk. The feeding system should be adapted to the circumstances and the type of transport in which it is intended to be used. In particular, when animals are transported by roll-on-roll-off vessel, the limited space around the means of transport and the motion of the vessel should be taken into account. In order to avoid the development of inconsistencies in feeding systems, the Commission should approve these systems based on the scientific and technical evidence of their effectiveness of intended use and conformity with the rules set out in this Regulation. The Commission should also be assisted in this task by EFSA.

(41) While EFSA scientific opinions identify motion stress as an important risk for the welfare of animals transported in road vehicles, they do not reach the same conclusion with respect to motion stress in means of transport at sea. Journey times on means of transport by road and rail are limited and rest periods are required with the purpose of mitigating the effects of motion stress on the welfare of transported animals. Animals transported by sea are not exposed to the same type of motion as animals transported by road or rail. Motion on sea vessels does not impact animals' stability in the same way as motion on road vehicles, where they are subjected to repeated and unexpected sudden movements. Consequently, the impact of sea transport on animals is less detrimental for their welfare. Provided that animals on board of sea vessels such as livestock vessels, container vessels and roll-on-roll-off vessels have sufficient space to be able to lie down and rest, have feed and water in sufficient amounts and at appropriate intervals, the time spent at sea should not be counted as journey time.

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(42) The temperature experienced by animals during transport is an important factor impacting their welfare. Measuring inside temperatures while on the road has proven difficult and does not easily allow for remedial actions to be taken. Maintaining temperature limits within a vehicle is difficult as it depends on many factors, including humidity and space provided on board. Transporting animals in trucks equipped with air conditioning is costly and likely unsustainable. Therefore, it is appropriate to limit journey times during extreme temperatures to reduce the exposure of animals to these and, in the most extreme cases, to allow the transport of animals only during the night. In addition, measures palliating potential negative effects of the temperature on board should also be taken, such as opening the truck vents and providing more space for the animals.

(43) Organisers transporting animals to a place of destination in a third country must arrange an evaluation of the first journey by a certification body in order to determine the organiser's ability to ensure compliance with this Regulation until the arrival of the animals at the place of destination in the third country. If the conditions laid down in this Regulation are not fulfilled, the competent authority should suspend the organiser's authorisation with respect to transport to third countries. The certification body should regularly evaluate journeys to third countries arranged by the organiser with a view to determining continues to have the means to comply with this Regulation. Certification bodies should have the required knowledge and qualifications, provide guarantees of continued independence from organisers, transporters and any other person or entity involved in the transport or handling of animals during transport and should be accredited by national accreditation bodies established pursuant to

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(44) Council Regulation (EC) No 1255/97[23] establishes requirements for control posts and on the use of these control posts in the Union. To ensure that the transport of animals from the Union to third countries complies with this Regulation in particular as regards journey times, rest periods and the conditions of accommodation of the animals during rest periods, control posts in third countries should meet equivalent standards to those laid down in Union legislation, in particular Council Regulation (EC) No 1255/97.

(45) Operators of control posts in third countries or organisers may request their inclusion in a list to be adopted by the Commission provided they demonstrate compliance with requirements at least equivalent to the Union rules, in particular Regulation (EC) No 1255/97. For this purpose, control posts in third countries may provide proof of certification of compliance with requirements at least equivalent to those laid down in Union law, in particular Council Regulation (EC) No 1255/97 by a certification body. The list of approved control posts in third countries should be adopted by the Commission by means of implementing acts.

(46) To better ensure that control posts meet the needs of the animals resting at their premises, these should be adapted to the relevant species and categories. A booking system should be put in place to avoid delays or overbooking of control posts. Therefore, Regulation (EC) No 1255/97 should be amended accordingly.

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[23] Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC, OJ L 174, 2.7.1997, p. 1–6.

(47) Experience shows that the designation of an exit point in the Union is important for ensuring the smooth transport of live animals from the Union to third countries. Animals should leave the Union through designated exit points that meet the necessary requirements for animal welfare checks as referred to in Article 21(2), point (c) of Regulation (EU) 2017/625[24] and are capable of ensuring communication between competent authorities at places of departure, assembly centres, control posts and establishments of destination in this regard. Competent authorities should record such designations in TRACES.

(48) Experience has shown that there is a risk that consignments of animals transported by sea may be rejected by the country of destination on the basis of the documents presented, for example, health certificates. In certain cases, this may affect the welfare of the animals, as they cannot be returned to the place of departure for animal health reasons. The competent authorities at the place of departure should approve a journey log only when the operators provide them with an attestation of acceptance of documentation for the international transport of live animals by sea signed by the competent authority of the seaport of the country of final destination. Accordingly, it is appropriate to establish a model attestation.

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[24] Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) OJ L 95, 7.4.2017, p. 1–142

(49) Member States should lay down effective, proportionate, and dissuasive penalties for infringements of this Regulation and ensure that they are applied. To ensure a consistent and effective application of this Regulation across the Union, it is necessary to avoid different levels of enforcement and that the differing severity of the penalties applied for non-compliance with this Regulation in different Member States leads to transport operations being planned in accordance with the lesser severity of the penalties imposed in certain Member States. It is appropriate to identify those infringements of this Regulation that cause significant risks to animal welfare and establish minimum levels of financial penalties in relation to the value of animal consignments in such cases. The degree of frequency of occurrence of the infringement should also be a factor and repeated infringements should be regarded as more serious. This should deter future infringements and improve the enforcement of the Regulation.

(50) The Fitness Check of the EU animal welfare legislation has shown difficulties in assessing the effectiveness of Regulation (EC) No 1/2005 in improving animal welfare due to the lack of indicators provided for in that Regulation. It is appropriate to create a system of monitoring of animal welfare indicators.

(51) Transporters and keepers should be required to collect data on the basis of animal welfare indicators relevant to their transport activities. Analysis of the data will allow transporters and keepers to identify deficiencies in relation to animal welfare and to put in place appropriate corrective measures when needed. Data on indicators should also be made available to competent authorities and to the Commission in TRACES.

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(52) In order to update the technical rules in Chapters I, II, V and VII of Annex I and Annex II, to align these rules to the latest scientific and technical knowledge when these are available, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. In order to facilitate proper implementation of this Regulation, the power to adopt, in accordance with Article 290 TFEU, acts to update the model of journey log in Annex III and the model of attestation in Annex IV should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultation during its preparatory work including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 of April 2016 on Better Law-Making[25]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of the Commission expert groups dealing with the preparation of delegated acts.

(53) To ensure uniform conditions for the implementation of this Regulation, including elements of contingency plans and their templates, technical rules concerning approval of livestock vessels, the technical elements needed to set up the live tracking navigation system recordings, the approval of feeding systems for unweaned animals on board, the content of the evaluations needed for the certification of organisers transporting animals to third countries and the frequency by which they are needed, the lists of control posts meeting equivalent standards to those laid down in Council Regulation (EC) No 1255/97 and definitions of welfare indicators and the methods to monitor them, and technical rules on the use of TRACES, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[26].

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[25] Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ L 123, 12.5.2016, p. 1–14

[26] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13–18.

(54) It is important to ensure that national rules are not used by Member States in a way to prejudice the correct application of the provisions of this Regulation or to affect the functioning of the internal market. Member States should notify the Commission of any such national rules. The Commission should bring them to the attention of other Member States. Where national rules fall within the scope of Directive (EU) 2015/1535 of the European Parliament and of the Council, they should be notified to the Commission in accordance with that Directive.

(55) The impact assessment performed to prepare this Regulation indicates that some of the new requirements set out in this Regulation call for planning and investment from the operators impacted by them. New rules concerning journey times and feeding of unweaned animals during transport will require changes in transport patterns, and investments in new trucks to provide more space for the animals and possibly new feeding systems. Accordingly, this Regulation should provide for appropriate transition periods to take into account the necessary time to allow the operators concerned to adapt to the corresponding requirements set out in this Regulation.

(56) Since the objective of this Regulation, namely to ensure a harmonised approach with regard to the protection of animals during transport, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale, effects, and trans-border and international characters of the transport, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.

(57) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [DD/MM/YYYY].

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(58) Article 21(2)(b) of Regulation 2017/625 provides that, in the case of long journeys, official controls are carried out prior to the journey to check that the journey log is realistic and indicates compliance with the Regulation and that transporters have the necessary authorisations and certificates. This Regulation requires that the competent authority approves journey logs provided they are realistic, indicate compliance with this Regulation and the transporter has the necessary authorisations. For reasons of legal clarity, it is necessary to amend Regulation 2017/625 to remove point (b) of Article 21(2).

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