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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	7372/25; 7307/25
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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 – *Presidency text for the Chapter VI*

Delegations will find attached the revised Presidency texts of the following parts of the Regulation in clean versions, without marking:

Annex I: New and amended definitions

Annex II: Article 22

Annex III: Chapter VI: conditions for transport of terrestrial animals

Annex IV: New and amended recitals:

Anneex V: Suggested amendments to other parts of the text:

The previous Presidency texts on Annexes I, III, IV and V were presented in document 7372/25 and on Annex II in document 7307/25.

Annex I

New and amended definitions:

2. ‘place of departure’ means the place where an animal hatched, or was born or where it has been accommodated for at least a week prior to departure and where it is first loaded onto a means of transport at the beginning of a journey;

3. ‘place of destination’ means a place where an animal is unloaded from a means of transport at the end of a journey and accommodated for at least a week prior to the time of any subsequent departure, or a slaughterhouse;

4. ‘journey’ means the movement of animals between a place of departure and a place of destination, a place of departure and an assembly centre, an assembly centre and a place of destination or two assembly centres, that is completed with the use of one or more means of transport, starting with the loading onto the first means of transport and ending with the unloading, and the related operations including rest periods and transfer from one means of transport to another;

19. ‘terrestrial animals’ means domestic animals of the equine, bovine, porcine, ovine, caprine species, kept cervids and camelids, dogs, cats, farmed lagomorphs and poultry;

23. ‘assembly centre’ means an establishment, including markets and venues for auctions, registered in accordance with Article 93 of Regulation (EU) 2016/429 or approved in accordance with Article 97(1) of Regulation (EU) 2016/429 where:

    (a) terrestrial animals originating from more than one establishment are grouped together temporarily to form a consignment; or

    (b) terrestrial animals from a consignment are separated in order to be distributed to more than one establishment.

25. ‘journey time by land’ means the time period of a journey that the animals spend on a vehicle excluding:

    (a) the time for loading and unloading the animals onto the vehicle;

    (b) the time during which the vehicle is on a roll-on roll-off vessel.

30. ‘rest period’ means a period in the course of a journey by land during which animals are rested outside the vehicle after unloading.

30a. ‘break period’ means a period in the course of a journey by land during which animals are rested on board of a stationary vehicle.

‘unweaned’ means a characteristic of a mammal whose dietary and physiological needs consist fully or partially of milk or appropriate milk replacements;

‘weaned’ means a characteristic of a mammal which is not unweaned;

‘poultry’ means ‘poultry’ as defined in Article 4(9) of Regulation EU 2016/429;

‘day-old chicks’ means poultry less than 72 hours old;

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Article 22

Assembly centres

1. Operators of assembly centres shall ensure that the staff handling animals has completed training courses on the rules set out in Chapters I and III of Annex I.

1a. The operator of an assembly centre shall ensure that their establishment complies with the requirements in Points 1.1, 1.2 and 2, except 2.4. and 2.6 of Chapter III of Annex I, and has the equipment to shelter the animals and feed and water them in accordance with Chapter V of Annex I.

2. Operators of assembly centres shall:

(a) entrust the handling of animals only to staff who have completed training courses as referred to in paragraph 1 and who provide evidence of completion of these courses;

(b) inform staff of their duties and obligations under this Regulation and of the penalties in case of infringement;

(c) make permanently available to staff the contact details of the competent authority to which any non-compliance with this Regulation is to be notified and to a veterinarian to treat animals when necessary;

(ca) ensure that keepers at assembly centres have access to sufficient quantities of suitable feed and water to feed and hydrate animals in accordance with Chapter V of Annex I;

(d) in case of non-compliances with the requirements of this Regulation at an assembly centre, take the necessary measures to remedy the non-compliance and prevent its recurrence, without prejudice to any action taken by the competent authority;

(e) adopt, monitor and enforce the internal rules necessary to ensure compliance with points (a) to (d);

(f) collect information on the time of the unloading of the animals at the assembly centre and on the journey time by land and on the duration of the previous journey or journeys;

(g) provide the information referred to in point (f) to the organiser of the subsequent journey for those animals which are part of the new consignment formed in the assembly centre.

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CHAPTER VI

CONDITIONS FOR TRANSPORT OF TERRESTRIAL ANIMALS

Article 26a

Transport of weaned domestic animals of the equine, bovine, porcine, ovine, caprine species and weaned kept cervids and camelids, for purposes other than slaughter

0. The transport of weaned domestic animals of the equine, bovine, porcine, ovine, caprine species and weaned kept cervids and camelids, for purposes other than slaughter, shall comply with the following conditions:

(a) no more than two assembly centres may be used;

(b) the following journey shall be completed within 63 hours of journey time by land:

(i) the journey from the place of departure to the place of destination, in case no assembly centres are used;

(ii) the journey between the two assembly centres, in case two assembly centres are used;

(iii) the journey between the place of departure and the assembly centre from where the animals are distributed, or between the assembly centre where the animals are grouped and the place of destination, in case one assembly centre is used.

(c) the following journey shall be completed within 4,5 hours of a journey time by land:

(i) the journey from the place of departure to an assembly centre where the animals are grouped;

(ii) the journey from an assembly centre from where the animals are distributed to the place of destination.

1. In addition to paragraph 0, the long journey by land referred to in paragraph 0 b) shall comply with the following conditions:

(a) it shall consist of a maximum three segments, each of them not exceeding 21 hours of journey time by land, after which time the animals shall reach the place of destination or the assembly centre where the animals are distributed;

(b) after each segment of a maximum of 21 hours of journey time by land, and if the animals have not yet reached the place of destination or the assembly centre from where the animals are distributed, they shall have a rest period of at least 24 hours at a control post before the transport continues;

(c) each segment of the journey referred to in point (a) shall include a break period of at least 1 hour after a maximum of 10 hours of journey time by land, unless the animals are transported by rail.

3. The animals referred to in paragraph 0 shall be provided feed and water in accordance with points 1 and 4 of Chapter V of Annex I.

Article 27

Transport of farmed lagomorphs and poultry for purposes other than slaughter

3. The transport of farmed lagomorphs and poultry for purposes other than slaughter shall comply with the following conditions:

(d) for weaned farmed lagomorphs, it shall not include the use of an assembly centre and the journey shall not exceed 12 hours of journey time by land. However, if the animals are provided feed and hydration in accordance with point 1.3 of Chapter V of Annex I, no more than one assembly centre may be used and the journey or the journeys shall not exceed 36 hours of journey time by land;

(da) for unweaned farmed lagomorphs that are at least 48 hours old, transported in the nest, it shall not include the use of an assembly centre and the journey shall be completed within 36 hours;

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(e) for poultry other than day-old chicks, it shall not include the use of an assembly centre and the journey shall not exceed 12 hours of journey time by land. However, if the animals are provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I, an assembly centre may be used and the journey or the journeys shall not exceed 21 hours of journey time by land.

(f) for day-old chicks, it shall not include the use of an assembly centre and the journey shall be completed within 48 hours after hatching. However, if the day-old chicks are provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I, the journey shall be completed within 72 hours after hatching.

Article 27a

Transport of dogs and cats

1. The transport of dogs and cats shall comply with the following conditions:

(a) no more than one assembly centre may be used;

(b) the journey or the journeys between the place of departure and the place of destination shall not exceed 21 hours of journey time by land;

(e) in case of a journey by road, the journey shall include break periods of at least 30 minutes to provide feed and water at intervals laid down in point 3 of Chapter V of Annex I.

2. Dogs and cats shall be provided feed and water in accordance with point 3 of Chapter V of Annex I.

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Article 28

Transport to slaughter of terrestrial animals, other than unweaned terrestrial animals

0. The transport to slaughter of weaned domestic animals of the equine, bovine, porcine, ovine, caprine species and weaned kept cervids and camelids shall comply with the following conditions:

(a) no more than one assembly centre may be used;

(b) the journey or the journeys between the place of departure and the slaughterhouse shall not exceed 21 hours of journey time by land;

(c) the journey shall include a break period of at least 1 hour after a maximum of 10 hours of journey time by land, unless the animals are transported by rail.

2. The animals referred to in paragraph 0 shall be provided feed and water in accordance with points 1 and 4 of Chapter V of Annex I.

2a. The transport of poultry and farmed lagomorphs to slaughter shall not include the use of an assembly centre and the journey shall not exceed 12 hours of journey time by land. However, if the animals are provided feed and hydration in accordance with point 1.3 and 1.6 of Chapter V of Annex I, no more than one assembly centre may be used and the journey or the journeys between the place of departure and the slaughterhouse shall not exceed 21 hours of journey time by land.

Article 29

Transport of unweaned domestic animals of the equine, bovine, porcine, ovine, caprine species and unweaned kept cervids and camelids

0. The transport of unweaned domestic animals of the equine, bovine, porcine, ovine, caprine species and unweaned kept cervids and camelids, not accompanied by their mother, shall comply with the following conditions:

(a) no more than two assembly centres may be used;

(b) the following journey shall be completed within 9 hours:

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(i) the journey from the place of departure to the place of destination, in case no assembly centres are used;

(ii) the journey between the two assembly centres, in case two assembly centres are used;

(iii) the journey between the place of departure and the assembly centre where the animals are distributed, or between the assembly centre from where the animals are grouped and the place of destination, in case one assembly centre is used.

(c) the following journey shall be completed within 4,5 hours:

(i) the journey from the place of departure to an assembly centre where the animals are grouped;

(ii) the journey from an assembly centre from where the animals are distributed to the place of destination.

The calculation of the time referred to in sub-paragraphs (b) and (c) shall include any time spent on roll-on-roll-off vessel but shall exclude any time spent on a livestock vessel or aircraft and the time for loading and unloading the animals onto the means of transport.

2. By way of derogation from paragraph 0 b), the 9-hour time limit may be exceeded, provided that the following conditions are met:

(a) the means of transport is equipped with a feeding system approved in accordance with paragraph 6;

(b) the journey time by land of the journey referred to in paragraph 0 b) shall not exceed 21 hours;

(c) the journey referred to in point (b) of this paragraph includes a break period of at least 3 hours after a maximum of 9 hours of journey time by land;

(d) the transport is carried out for purposes other than slaughter.

2b. The animals referred to in paragraph 0 shall be provided feed and water as laid down in point 2 of Chapter V of Annex I.

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5. A manufacturer of a feeding system established in the Union or, if established in a third country, represented in the Union, shall submit an application to the Commission for the approval of the feeding system, in case the feeding system is to be used in accordance with paragraph 2.

6. The Commission shall, by means of implementing acts in accordance with Article 49, approve a feeding system referred to in paragraph 5 provided that the applicant demonstrates that there is scientific and technical evidence that the feeding system allows all unweaned domestic animals of the equine, bovine, porcine, ovine, caprine species and unweaned kept cervids and camelids on board to be fed, during the journey, with milk or milk replacements at body temperature and with the appropriate hygiene level. When analysing the scientific and technical evidence, the Commission shall be assisted by the European Food Safety Authority ('EFSA') or a European Union Reference Centre for Animal Welfare designated in accordance with Article 95 of Regulation (EU) 2017/625.

Article 30

Additional provisions for journeys including transport of terrestrial animals by livestock vessel, roll-on roll-off vessel or aircraft

3. In case the transport of terrestrial animals includes a leg of the journey by a livestock vessel or an aircraft, the organiser and the transporter shall ensure that the time during which the animals remain on board of a stationary vehicle after arrival at the port or airport of departure is minimised. If it is likely that the terrestrial animals other than poultry, farmed lagomorphs and dogs and cats remain on board of a stationary vehicle for more than 4 hours, they shall be unloaded at the handling facility at the port or airport of departure or at a control post located within 2 hours of journey time by land from that port or airport.

3a. The animals shall stay at the handling facility at the port or airport of departure until all arrangements have been made to ensure that the loading of animals on the livestock vessel or the aircraft is carried out without interruption and that, once all animals have been loaded, the sea crossing or the airflight is undertaken without undue delay.

4. In case the transport includes a leg of the journey by a roll-on-roll-off vessel lasting more than 12 hours from boarding of the vehicle onto the roll-on-roll-off vessel until the vehicle disembarks from the roll-on-roll-off vessel, the animals other than poultry, farmed lagomorphs and dogs and cats shall be unloaded and rested for 12 hours after disembarking unless the journey is to be completed within 4 hours of journey time by land. This rest shall take place at a control post at the port of arrival or at a control post within 4 hours of journey time by land from the port of arrival.

Article 31

Temperature requirements for transport of terrestrial animals

0. The organiser, when planning the journey, and the transporter, when carrying out the transport, shall ensure that terrestrial animals are transported in the following conditions:

(a) For weaned animals other than dogs, cats and farmed lagomorphs, the temperature inside the animal compartment is between 0°C and 35°C;

(b) For unweaned animals other than dogs, cats and farmed lagomorphs, the temperature inside the animal compartment is between 5 and 30°C;

(c) For farmed lagomorphs and for poultry other than day-old chicks and end-of-lay hens, the temperature inside the animal compartment is between 10 and 30°C and when the temperature forecasts at the place of departure and at the place of destination are below 10°C, the animals are only transported in animal compartments with protection against windchill;

(d) For day-old chicks, the temperature inside the animal compartment is between 30 and 35°C;

(e) For end-of-lay hens, the temperature inside the animal compartment is between 15 and 30°C and when the temperature forecasts at the place of departure and at the place of destination are below 10°C, the animals are only transported in animal compartments with protection against windchill;

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(f) For dogs and cats, the temperature inside the animal compartment is between 15 and 25°C; however, by way of derogation, in case of transport of breeds or types of dogs and cats with specific phenotypical traits that require lower or higher temperatures, the temperature shall be adapted to meet the needs of those animals in accordance with written instructions provided by the keeper at the place of departure.

1. The organiser, when submitting the journey log for a long journey, shall take into consideration the weather forecast at the places referred to in Article 24(4), at the time animals are expected to be at those places. In addition, in case the transport includes a leg of the journey at sea, the marine weather forecast along the planned sea route shall be taken into consideration.

The organiser shall adapt the planning of the journey to ensure that it is possible to comply with the temperature ranges set out in paragraph 0 and to minimise the risk of disruptions to the journey due to adverse weather, wind and sea conditions.

1b. Paragraph 1 and Article 15(x)[1] shall not apply when the means of transport is equipped with a temperature control system which allows the temperature ranges in the animal compartment referred to in paragraph 0 to be complied with during the whole journey.

The temperature control system shall provide the following:

(a) heating to prevent the internal temperature in the animal compartment falling below the lower temperature value set out in paragraph (0); or

(b) cooling to prevent the internal temperature in the animal compartment rising above the higher temperature value set out in paragraph (0).

5. For the purposes of paragraph 1, Member States shall, by the date of application of this Regulation, inform the Commission of a weather forecast body and, where relevant, a marine weather forecast body. The Commission shall make this information available in TRACES.

[1] This refers to the provision "When approving the journey log in TRACES, the competent authority shall assess whether the journey plan is adapted to the temperature forecast at the places referred to in Article 24(4)." which will be inserted in Article 15.

For transport of animals to a third country, the expected temperatures at locations in third countries shall be determined using the data provided by the weather forecast body of the place of departure, or in case such data is not available, other publicly available data from another weather forecast body

Article 31a

1. The requirements set out in Chapter VII of Annex I shall apply to all journeys and the requirements set out in Chapter VI of Annex I shall apply to long journeys[2].

[2] A requirement to change the bedding at a control post will be explicitly added in Chapter VI of Annex I.

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Annex IV

New and amended recitals:

(18) Experience with the application of Regulation (EC) No 1/2005 shows that operators often prolong journeys 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, provisions should be introduced with the aim to prevent the practice of "assembly centre hopping" and provide for clearer time limits of the journeys.

(38) EFSA opinions confirmed that too many stops with unloading and loading 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, journeys should not include many stops with loadnga nd unloaidng. 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 aconomic activites, 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 differnet transport condidions on them. For journeys by road or rail longer than 9 hours in addition to the t scientific and the ecnomic considerations, the maximum driving periods and minimum rest periods for road drivers provided for in Regulation (EC) No 561/2006 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 ~~9~~ hours unless animals are effectively fed with milk or milk replacement at body temperature under the appropriate conditions.

Annex V

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Suggested amendments to other parts of the text:

All provisions concerning animals used for scientific purposes will be regrouped in one place (an article or chapter as appropriate)

Article 14 to be revised to reflect changes in Article 26a and the need for the organiser of the subsequent journeys to respect the requirements concerning journey duration.

To be added in Article 15: in order to prevent the practice of "assembly centre hopping" and provide for clearer time limits of the total journey, an assembly centre shall not be indicated as the place of departure or as the place of destination in the journey log unless the animals stay in the assembly centre for at least a week.

To be integrated in Article 15(a) (ex Article 31(1a)): When approving the journey log in TRACES, the competent authority shall assess whether the journey plan is adapted to the temperature forecast at the places referred to in Article 24(4).

A new box to be added in the template of the journey log to address the situation described in Article 28(2).