Council of the European Union
General Secretariat

PUBLIC

Interinstitutional files:
2023/0448 (COD)

Brussels, 29 July 2026

WK 11060/2026 INIT

LIMITE

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Animals and Veterinary Questions (Animal Welfare)
N° prev. doc.:	ST 12192 2026 INIT
N° Cion doc.:	ST 16405 2023 ADD 1 + ST 16405 2023 INIT
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 - Stable consolidated articles (clean version)

With a view to the Working Party on Animal and Veterinary Questions (Animal Welfare & Husbandry) on 1-2 September 2026, delegations will find in annex a clean version (i.e. without markup) of the stable consolidated Articles of the above Regulation.

CHAPTER I
SUBJECT MATTER, SCOPE, DEFINITIONS AND GENERAL PROVISIONS

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Article 1

Subject matter

This Regulation lays down rules for the protection of animals during transport in connection with an economic activity.

Transport in connection with an economic activity means the transport of animals in the course of the economic activity of the owner or keeper of the animals, or that is performed as a service on the market for any consideration, irrespective of whether the consideration is immediate.

Article 2

Scope

1. This Regulation shall apply to the transport of animals:

   - within the Union;
   - from a place of departure in a third country to a place of destination in the Union;
   - from a place of departure in the Union to a place of destination in a third country; and
   - from a Border Control Post of entry into the Union until an exit point from the Union, when the transport of animals transits through the Union territory.

2. Transport for the following purposes shall only be subject to Article 4:

   (a) transport by farmers or by their staff of their own animals for the purpose of transhumance;

   (b) transport by farmers or by their staff of their own animals for a distance of no more than 75 km from the holding in which they are kept;

(ba) transport of kept reindeer (*Ragnifer tarandus tarandus*) within and between reindeer herding areas;

(c) transport of animals for the purposes of participating in training, exhibitions, competitions, races, cultural events, circuses, and equestrian sport and equestrian leisure activities;

(ca) direct deliveries of aquatic animals to food businesses supplying the final consumer within a distance of no more than 75 km;

(cb) the transport of protected species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) unless these animals are used for farming purposes;

(cc) the transport of animals to zoos as defined in Article 2 of Council Directive 1999/22/EC[1];

(cd) the transport of ornamental aquatic animals;

(ce) the transport of animals used for the purpose of exercising public authority;

(cf) the transport of search and rescue dogs for search and rescue operations;

(cg) the transport of guide dogs, hearing dogs, mobility dogs and medical alert dogs by a transporter on account of their owners or trainers;

(ch) the transport of animals to an authorised establishment under Directive 2010/63/EU;

(ci) the transport of animals in case of natural disasters, severe adverse climatic events or other catastrophic events insofar as it is necessary to remove the animals from an immediate threat to their health and welfare. In such cases, the competent authorities shall be informed of the transport without undue delay.

3. This Regulation shall not apply to the following types of transport:

(b) the transport of animals directly to or from veterinary practices or clinics;

(ba) the transport of animals at the stage of gametes, embryos and larvae;

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1 Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos, OJ L 94, 9.4.1999, p. 24–26.

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(bb) the transport of aquatic animals by fishing vessels in the course of fishing activities under the common fisheries policy;

4a. Articles 14(3)(a) and (aa), 15, 22(2)(ea) and (eb), 24a, 26a(1) and (2) and 30(2c) shall not apply to transport of purebred breeding animals of the species Equus caballus and Equus asinus entered in the main section of a breeding book established by a breed society recognised in accordance with Article 4 of Regulation (EU) 2016/1012 if the animals are transported for the purpose of breeding or for sale at auction.

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Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

1. 'animals' means live vertebrate animals, cephalopods and decapods;

2. 'place of departure' means the place where an animal hatched, or was born or where it has been accommodated for at least four days prior to departure or, in the case of dogs and cats, or of breeding animals of the equine species, at least 48 hours prior to departure and where it is first loaded onto a means of transport;

3. 'place of destination' means a slaughterhouse or a place where an animal is unloaded from a means of transport at the end of a journey and accommodated for at least 4 days prior to the time of any subsequent departure or, in the case of dogs and cats, or of breeding animals of the equine species, at least 48 hours prior to the time of any subsequent departure;

4. 'journey' means the movement of animals between the places listed below, 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 from the last means of transport and the related operations including rest and break periods and transfer from one means of transport to another:

   (a) between a place of departure and a place of destination, or

   (b) between a place of departure and an assembly centre, or

   (c) between an assembly centre and a place of destination, or

(d) between two assembly centres;

5. ‘means of transport’ means road or rail vehicles, vessels and aircraft used for the transport of animals;

5a. ‘loading’ means the process of placing animals onto a means of transport starting with the placing of the first animal onto the means of transport or, in the case of animals in containers, the placing of the first container onto the means of transport.

5b. ‘unloading’ means the process of removing animals from a means of transport, ending with the removal of the last animal from the means of transport, or, in the case of animals in containers, the removal of the last container from the means of transport.

6. ‘aquatic animals’ means fish, cephalopods and decapods;

6a. ‘ornamental aquatic animals’ means aquatic animals that are intended for display, exhibition, competition, or intended to be kept as a pet;

7. ‘organiser’ means a natural or legal person who prepares and coordinates the journey or journeys and who signs the declaration in the planning section of the journey log in TRACES;

8. ‘long journey’ means a journey that exceeds 9 hours;

9. ‘competent authority’ means a competent authority as defined in Article 3(3) of Regulation (EU) 2017/625;

10. ‘TRACES’ means the computerised system for the purposes of exchanging data, information and documents referred to in Articles 133(4) of Regulation (EU) 2017/625;

11. ‘transporter’ means a natural or legal person who transports animals on their own account, or on account of a third party;

11a. ‘type 1 transporter authorisation’ means an authorisation for a transporter to transport animals by road within the Union for short journeys;

11b. ‘type 2 transporter authorisation’ means an authorisation for a transporter to transport animals;

(a) for long journeys within the Union or to third countries by any means of transport, or

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(b) for short journeys within the Union including a leg by rail vehicle, livestock vessel, roll-on-roll-off vessel, container vessel, well-boat or aircraft, or

(c) for short journeys to third countries by any means of transport.

12. 'short journey' means a journey that does not exceed 9 hours;

13. 'attendant' means a natural person directly in charge of the welfare of the animals and who accompanies them, for the duration of the journey, on a rail vehicle or on a road vehicle including when carried on a roll-on-roll-off vessel;

15. 'Animal welfare officer' means a person directly in charge of the welfare of animals for the duration of the leg of a journey by livestock vessel, well-boat or container vessel;

16. 'livestock vessel' means a vessel which has been built or adapted to be used for the transport of terrestrial animals, other than dogs, cats, poultry or farmed lagomorphs;

17. 'container' means any crate, box, receptacle or other rigid structure used for the transport of animals which is not a means of transport;

17a. 'container for large animals' means a container used for transport of domestic animals of the equine, bovine, porcine, ovine and caprine species and kept cervids and camelids, on means of transport by road, rail or on container vessels;

18. 'container vessel' means a vessel carrying containers for large animals;

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

20. 'roll-on-roll-off vessel' means a vessel with facilities to enable road or rail vehicles to roll on and roll off the vessel;

21a. 'container for aquatic animals' means any container, well or tank used for the transport of aquatic animals;

22. 'official veterinarian' means an official veterinarian as defined in Article 3(32) of Regulation (EU) 2017/625;

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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.

24. ‘control posts’ means control posts as defined in Article 1 of Regulation (EC) No 1255/97;

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

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

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

26. ‘keeper’ means any natural or legal person, except a transporter, in charge of or handling animals whether on a permanent or temporary basis;

26a. ‘poultry’ means ‘poultry’ as defined in Article 4(9) of Regulation EU 2016/429;

26b. ‘handling facility at a port or airport’ means a premises or structure where animals are temporarily kept before or after their transfer to or from an aircraft or a vessel other than a well-boat;

26c. ‘unweaned’ means a characteristic of a mammal whose dietary and physiological needs consist fully or partially of milk or appropriate milk replacements;

26d. ‘weaned’ means a characteristic of a mammal which is not unweaned;

27. ‘exit point’ means an exit point as defined in Article 3(39) of Regulation (EU) 2017/625;

28. ‘border control post’ means a border control post as defined in Article 3(38) of Regulation (EU) 2017/625.

29. ‘positioning systems’ means systems of infrastructures designed to provide global, continuous, accurate and guaranteed timing and positioning services needed for the purpose of this Regulation on a world-wide basis;

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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;

30b. ‘day-old chicks’ means poultry less than 72 hours old;

32. ‘conformity assessment body’ means a conformity assessment body as defined in Article 2(13) of Regulation (EC) No 765/2008;

33. ‘unbroken animal of the equine species’ means an animal of the equine species that cannot be tied or led by a halter without causing avoidable excitement, pain or suffering;

33a. ‘Post-peak laying hens’ means layer or breeder hens that have been used for the production of eggs for more than 30 weeks;

33b. ‘European Union Reference Centre for Animal Welfare’ means a European Union Reference Centre for Animal Welfare designated in accordance with Article 95 of Regulation (EU) 2017/625;

33c. ‘Well-boat’ means a vessel which has a well or tank for the transport of aquatic animals in water;

33d. ‘owner of the livestock vessel’ means a company as defined in Article 2(3) of Regulation (EC) No 336/2006.

Article 4

General provisions on the transport of animals

1. No person shall transport animals or cause animals to be transported in a way that causes or is likely to cause injury or unnecessary suffering to them.

2. Any person transporting animals or causing animals to be transported shall ensure compliance with the following requirements:

(a) all necessary arrangements have been made in advance to minimise the duration of the journey and to minimise the most common animal welfare hazards, including suffering from hunger, thirst, noise, fatigue, injuries or thermal discomfort;

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(b) at the time of loading, the animals are fit for the entire planned journey;

(ba) the welfare condition of the animals is regularly checked and appropriately maintained throughout the entire journey;

(c) the means of transport, containers and bags are designed, constructed, maintained and operated or handled in a way to prevent injury or unnecessary suffering and to ensure the safety of the animals;

(d) the loading and unloading facilities are designed, constructed, maintained and operated in a way to prevent injury and unnecessary suffering and to ensure the safety of the animals;

(e) any natural person handling the animals at any stage of their transport, is competent for this purpose, and carries out their tasks without using violence or any method likely to cause injury or unnecessary suffering to the animals;

(f) the transport is carried out without undue delay;

(h) the floor area and ceiling height of the means of transport, containers and the unloading and loading facilities are adapted to the species, size, category of the animals concerned and to the planned journey;

(i) hydration, feed and rest are offered to animals, as necessary, during the journey and are appropriate in quality and quantity to the animal's species and their physiological needs;

(j) aquatic animals transported in water are provided with water in sufficient volume and quality.

Article 4a

Organisers and transporters

1. No transport of animals shall be carried out without a natural or legal person acting as an organiser and a natural or legal person acting as a transporter.

2. There shall be a single organiser for each journey and a single point of contact for the entire transport.

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3. Where several journeys converge and animals are loaded onto a single livestock vessel for a leg of their journeys by sea, there shall be a single organiser who plans and coordinates those journeys.

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CHAPTER II

ORGANISER AND TRANSPORTER AUTHORISATIONS

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Article 5

Application for organiser authorisation for any long journey, and for short journeys to and from third countries of terrestrial and aquatic animals

1. The organiser shall make arrangements for the transport of terrestrial or aquatic animals for any long journey, any journey including a leg by livestock vessel, container vessel, well-boat or aircraft, and for short journeys to or from third countries, only if they hold an authorisation granted in accordance with Article 6.

2. The organiser shall submit an application for an authorisation to the competent authority of a Member State using column A of template 1 of Annex V. The organiser shall apply for an authorisation to no more than one competent authority, in no more than one Member State.

3a. An organiser established in a third country shall apply for an authorisation only if they appoint, for the duration of the authorisation, a natural or legal person established in the Union to act as their representative before competent authorities in relation to the compliance of the organiser with this Regulation. The organiser established in a third country shall conclude a written contract with that representative laying down the conditions of the representation.

4. The application referred to in paragraph 2 shall be accompanied by evidence that the following conditions are met:

(a) the organiser is established in the Member State in which they apply for the authorisation; or the organiser is established in a third country and has their representative established in the Member State in which they apply for the authorisation and provides a signed copy of their contract with the representative;

(b) the organiser has the capacity to comply with Article 14;

(ba) in case the application concerns transport of animals to third countries, the organiser has the capacity to comply with Article 32(1) and has contracts or business

arrangements with operators in third countries indicating the capacity to ensure such compliance.

Article 6

Grant, rejection, renewal, suspension and withdrawal of organiser authorisation

1. The competent authority shall grant the authorisation referred to in Article 5 using column B of template 1 of Annex V, provided that the conditions set out in paragraphs (2), (3a) and (4) of Article 5 are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

2. The authorisation provided for in paragraph 1 shall specify the scope in terms of the species and categories of animals, type(s) of transport covered and whether it covers the transport of animals to or from third countries.

The organiser may submit an application to request an amendment of the scope of their authorisation to the competent authority that granted that authorisation. In such a case, paragraphs (2) and (4)(b) and (ba) of Article 5 and paragraph 1 of this Article shall apply *mutatis mutandis*.

The authorisation shall be valid for a period of not more than 5 years from the date of issue, independently of any amendment.

2a. The organiser shall notify the competent authority that granted the authorisation of any change in the information provided in the application no later than 10 working days from the date the change took place.

3. Three months before the expiry of the authorisation, the organiser may apply for a renewal. An application for renewal shall include:

(a) evidence that the conditions set out in paragraphs (2), (3a) and (4) of Article 5 are met;

(b) the documented analysis of monitoring of indicators for the period of validity of the previous authorisation and where relevant, the documented evidence of measures put in place if values quantifying the indicators exceed the thresholds provided for in delegated acts adopted pursuant to Article 26(5) or, in the absence of such thresholds, if the indicators indicate important negative animal welfare consequences;

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(c) a declaration signed by the organiser that they have not committed a serious infringement as provided for in Article 44 in the 5 years preceding the date of the application or, if the organiser committed a serious infringement during that period, they shall demonstrate to the satisfaction of the competent authority that they have taken the necessary measures to prevent further infringements.

3a. The competent authority shall grant the renewal provided that the conditions set out in paragraph 3 are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

3b. The competent authority that granted the authorisation shall suspend it without delay:

(a) if there is evidence, including evidence provided by a competent authority of another Member State, that the organiser no longer meets the conditions provided for in paragraphs (2), (3a) and (4) of Article 5; or

(b) if the organiser fails to comply with a penalty imposed in accordance with Chapter IX of this Regulation.

Where relevant, the competent authority shall suspend the part of the authorisation covering certain species or categories of animals, types of transport or transport to or from a third country.

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

The competent authority shall lift the suspension if the organiser provides evidence that they have corrected the deficiencies on which the suspension of their authorisation is based. The competent authority shall record the lifting of the suspension and the reasons for it without delay.

3c. If the organiser has not corrected the deficiencies within three months of the suspension, the competent authority shall withdraw the authorisation or the part covering transport of certain species or categories of animals, types of transport or transport to or from a third country.

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

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3d. In case the application is rejected or the authorisation is withdrawn, the organiser may submit a new application provided that the reasons for the rejection or for the withdrawal have been addressed.

Article 7

Application for type 1 transporter authorisation

1. The transporter shall transport animals for short journeys within the Union by road only if they hold:

(a) a type 1 transporter authorisation granted in accordance with Article 9; or

(b) a type 2 transporter authorisation that covers road transport granted in accordance with Article 9.

2. The transporter referred to in paragraph 1 shall submit an application for a type 1 transporter authorisation to the competent authority using column A of template 2 of Annex V. The transporter shall apply for an authorisation to no more than one competent authority, in no more than one Member State.

2a. The application referred to in paragraph 2 shall be accompanied by evidence that the following conditions are met:

(a) the transporter is established in the Member State in which they apply for the authorisation;

(b) the transporter has sufficient and appropriate staff, equipment, road vehicles containers for large animals and containers for aquatic animals, where applicable;

(c) the attendants employed by or providing services to the transporter have certificates of competence as provided for in Article 38.

Article 8

Application for type 2 transporter authorisation

1. The transporter shall transport animals for any long journey, short journeys within the Union by rail vehicle, livestock vessel, roll-on-roll-off vessel, container vessel, well-boat

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or aircraft or any short journey to or from third countries, only if they hold a type 2 transporter authorisation granted in accordance with Article 9.

2. The transporter shall submit an application for a type 2 transporter authorisation to the competent authority using column A of template 2 of Annex V. Transporters shall apply for an authorisation to no more than one competent authority, in no more than one Member State.

2a. A transporter established in a third country shall apply for an authorisation only if they appoint, for the duration of the authorisation, a natural or legal person established in the Union to act as their representative before competent authorities in relation to the compliance of the transporter with this Regulation. The transporter established in a third country shall conclude a written contract with that representative laying down the conditions of the representation.

3. For transporters of animals by road or rail vehicle, livestock vessel, container vessel, well-boat and roll-on-roll-off vessel the application provided for in paragraph 2 shall be accompanied by evidence that the following conditions are met:

(a) the transporter complies with the conditions set out in in points (b), (c) and (e) of Article 7(2a);

(aa) the transporter is established in the Member State in which they apply for the authorisation; or the transporter is established in a third country and has their representative established in the Member State in which they apply for the authorisation, and provides a signed copy of their contract with the representative;

(ab) in case of transport by livestock vessel the animal welfare officers employed by or providing services to the transporter have certificates of competence as provided for in Article 38;

(b) the transporter holds the following documents:

i. valid certificates of approval as provided for in Articles 12a or 13a for the means of transport, containers for aquatic animals and containers for large animals to be used by the transporter for the journey concerned;

ii. a document setting out in detail the procedures enabling the transporter to trace and record the movements of vehicles and vessels under their responsibility.

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4a. For transporters of animals by aircraft, the application provided for in paragraph 2 shall be accompanied by evidence that the following conditions are met:

(a) the transporter is established in the Member State in which they apply for the authorisation; or the transporter is established in a third country and has their representative established in the Member State in which they apply for the authorisation, and provides a signed copy of their contract with the representative;

(b) all aircraft to be used by the transporter have adequate lighting systems in place and can maintain adequate air quality and air pressure levels;

(c) all aircraft to be used by the transporter are able to maintain temperatures between 5 and 32°C in the cargo hold and are able, where necessary, to adjust temperatures with regard to the species and categories of the transported animals in the cargo hold;

(d) the transporter holds an adequate contingency plan in line with Annex Va;

(e) the transporter has sufficient and appropriate staff.

Where the transporter holds a valid certificate under the IATA Center of Excellence for Independent Validators for Live Animal Logistics and or the IATA Operational Safety Audit, it shall produce evidence of such certification and, in such case, shall be deemed compliant with the conditions referred to under points (b) and (c) of the first subparagraph.

Article 9

Grant, rejection, renewal, suspension and withdrawal of transporter authorisations

1. The competent authority shall grant a type 1 or type 2 authorisation to a transporter as referred to in Article 7(1) and Article 8(1) using column B of template 2 of Annex V, provided that the conditions set out in paragraph 2 and 2a of Article 7 and paragraphs 2, 2a and 3 of Article 8 respectively are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

2. The authorisation provided for in paragraph 1 shall specify the scope in terms of the species and categories of animals and the type of transport covered, whether it covers long or short journeys and whether it covers the transport of animals to or from third countries.

The transporter may submit an application to request an amendment of the scope of their authorisation to the competent authority that granted that authorisation. In such a case,

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paragraphs (2) and (2a) of Article 7, paragraphs (2), (2a), (3)(a) and (3)(b) of Article 8, and paragraph 1 of this Article shall apply *mutatis mutandis*.

The authorisation shall be valid for a period of not more than 5 years from the date of issue, independently of any amendment.

2a. The transporter shall notify the competent authority that granted the authorisation of any change in the information provided in the application no later than 10 working days from the date the change took place.

3. Three months before the expiry of the authorisation, the transporter may apply for the renewal of the authorisation. An application for renewal shall be accompanied by:

(a) evidence that the conditions set out in paragraphs 2 and 2a of Article 7 and paragraphs 2, 2a and 3 of Article 8 respectively are met;

(b) the documented analysis of monitoring of indicators for the period of validity of the previous authorisation and where relevant, the documented evidence of measures put in place if values quantifying the indicators exceed the thresholds provided for in delegated acts adopted pursuant to Article 26(3) or, in the absence of such thresholds, if the indicators indicate important negative animal welfare consequences;

(c) a declaration signed by the transporter that they have not committed a serious infringement as provided for in Article 44 in the 5 years preceding the date of the application or, if the transporter committed a serious infringement during that period, they shall demonstrate to the satisfaction of the competent authority that they have taken measures necessary to prevent further infringements.

4. The competent authority shall grant the renewal provided that the conditions set out in paragraph 3 are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

6. The competent authority that granted the authorisation shall suspend it without delay if:

(a) there is evidence, including evidence provided by a competent authority of another Member State, that the transporter no longer meets the conditions provided for in paragraphs 2 and 2a of Article 7 and paragraphs 2, 2a and 3 of Article 8 respectively; or

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(b) the transporter fails to comply with a penalty imposed in accordance with Chapter IX of this Regulation.

Where relevant, the competent authority shall suspend the part of the authorisation covering certain species or categories of animals, types of transport or transport to or from a third country.

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

The competent authority shall lift the suspension when the transporter provides evidence that they have corrected the deficiencies on which the suspension of their authorisation is based.

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

6a. If the transporter has not corrected the deficiencies within three months of the suspension, the competent authority shall withdraw the authorisation or the part covering transport of certain species or categories of animals, types of transport or transport to or from a third country. The competent authority shall record the withdrawal and the reasons for it without delay.

6b. In case the application is rejected or the authorisation is withdrawn, the transporter may submit a new application provided that the reasons for the rejection or for the withdrawal have been addressed.

Article 9a

Non-circumvention clause

Member States shall take appropriate measures to ensure that the circumvention of the conditions for granting authorisations is avoided.

Member States shall ensure that no authorisation is granted to a natural or legal person in respect of whom it is established that the conditions required for obtaining such authorisation were created artificially, contrary to the objectives of this Regulation.

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CHAPTER III
MEANS OF TRANSPORT AND CONTAINERS

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Article 11

General rules on means of transport and containers

1. No person shall transport terrestrial or aquatic animals by road or by rail for any long journey and for short journeys to third countries unless the means of transport or, as applicable, the container for aquatic animals of 1 m^3 or more or the container for large animals has been inspected and approved in accordance with Articles 12 and 12a.

1a. No person shall transport terrestrial animals by road or rail for a short journey within the Union unless the means of transport and the container for large animals complies with the requirements of Chapter II of Annex I, as applicable.

1b. No person shall transport poultry and weaned farmed lagomorphs unless the containers used to transport them comply with the requirements laid down in points 1.1 and 4 of Chapter II of Annex I.

1c. No person shall transport aquatic animals by road, rail or sea for short journeys within the Union, unless the means of transport and containers for aquatic animals comply with the requirements of Chapter II of Annex II, as applicable.

2. No person shall transport terrestrial animals by livestock vessel for more than 20 nautical miles from a Union port unless the livestock vessel has been inspected and approved in accordance with Articles 13 and 13a.

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

2b. No person shall transport aquatic animals in well-boats for more than 20 nautical miles from a place of departure to a place of destination unless the well or tank has been inspected and approved in accordance with Articles 12 and 12a.

4. No person shall transport terrestrial animals by air, unless the following conditions are met:

(a) In case of transport in containers, the aircraft complies with point 1, except for 1.1(f) and (g) and 1.4b, and point 4 of Chapter II of Annex I and the containers comply with point 1, except for 1.1(f) and (i) and 1.4b, and point 4 of Chapter II of Annex I;

(b) In case of transport without containers, the aircraft complies with point 1, except for 1.1 (f) and 1.4b, and point 4 of Chapter II of Annex I.

The same obligations shall apply in case of transport by air of animals other than terrestrial and aquatic animals.

4a. No person shall transport aquatic animals by air unless the transport is carried out using aircraft and containers complying with Chapter II of Annex II.

4b. If the transporter holds a valid certificate under the IATA Center of Excellence for Independent Validators for Live Animal Logistics or the IATA Operational Safety Audit, certifying compliance with IATA Live Animal Regulations, the containers shall be deemed compliant with paragraphs 4 or 4a, as applicable.

Article 12

Application for certificate of approval of means of transport by road or rail, of containers for aquatic animals and of containers for large animals

In order for a means of transport by road or rail, containers for aquatic animals and containers for large animals to be used for transport of animals as referred to in paragraphs 1, 2a and 2b of Article 11, the owner of the means of transport, of the container for aquatic animals or of the container for large animals, shall submit an application for a certificate of approval to the competent authority using column A of template 4 of Annex V. The owner shall apply for an approval of a means of transport, a container for aquatic animals or a container for large animals to no more than one competent authority, in no more than one Member State.

Article 12a

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

1. In order to be approved, the means of transport by road or rail, the container for aquatic animals or the container for large animals shall comply with the following:

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(a) in case of transport of terrestrial animals, for the means of transport or the container for large animals, the requirements of Chapters II, III and VI of Annex I, as applicable;

(b) in case of transport of terrestrial animals by road, for the means of transport, the requirements of Articles 24(1) and 24a(1), (2) and (3);

(c) in case of transport of aquatic animals, for the means of transport by road or rail or the container for aquatic animals, the requirements of Chapter II of Annex II.

2. The competent authority shall grant a certificate of approval of the means of transport by road or rail, the container for aquatic animals or the container for large animals using column B of template 4 of Annex V, provided that it has carried out an inspection of the means of transport or the container showing that the conditions set out in paragraph 1 are met. In case of rejection, the competent authority shall record the reasons for the rejection without undue delay.

3. The certificate of approval provided for in paragraph 2 shall specify the scope in terms of species and categories of animals covered.

The owner of the means of transport by road or rail, the container for aquatic animals or the container for large animals may submit an application to request an amendment of the scope of the certificate of approval to the competent authority that granted that approval. In such a case, paragraphs 1 and 2 shall apply *mutatis mutandis*.

The certificate of approval shall be valid for a period of not more than 5 years from the date of issue, independently of any amendment.

4. The owner of the means of transport by road or rail, of the container for aquatic animals or of the container for large animals shall notify the competent authority that granted the certificate of approval of any change in the information provided in the application no later than 10 working days from the date the change took place.

5. The owner of the means of transport by road or rail, of the container for aquatic animals or of the container for large animals shall notify the competent authority that granted the certificate of approval in case of any modification, refit or impairment of the means of transport, of the container for aquatic animals or of the container for large animals that may

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affect the welfare of the transported animals, no later than 5 working days from the date the change took place, indicating the nature of the change made.

The means of transport, the container for aquatic animals or the container for large animals shall not be used from the date the change took place until the competent authority has approved the change or has informed the owner that no approval is needed.

6. Three months before the expiry of the certificate of approval, the owner of the means of transport by road or rail, of the container for aquatic animals or of the container for large animals may apply for a renewal. An application for renewal shall be subject to the conditions set out in Article 12.

The competent authority shall grant the renewal provided that it has carried out an inspection of the means of transport by road or rail, the container for aquatic animals or the container for large animals showing that the conditions set out in paragraph 1 are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

7. The competent authority that granted the certificate of approval shall suspend it without delay if there is evidence, including evidence provided by a competent authority of another Member State, that the means of transport, the container for aquatic animals or the container for large animals no longer meets the conditions provided for in paragraph 1.

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

The competent authority shall lift the suspension if the owner provides evidence that they have corrected the deficiencies on which the suspension of their certificate of approval is based.

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

8. If the owner has not corrected the deficiencies within three months of the suspension, the competent authority shall withdraw the certificate of approval. The competent authority shall record the withdrawal and the reasons for it without delay.

9. In case the application is rejected or the approval is withdrawn, the owner of the means of transport by road or rail, of the container for aquatic animals or of the container for large

animals may submit a new application provided that the reasons for the rejection or for the withdrawal have been addressed.

Article 13

Application for a certificate of approval of a livestock vessel

1. The owner of the livestock vessel shall submit an application for a certificate of approval of the livestock vessel for the transport of animals to the competent authority using column A of template 5 of Annex V. The owner of the livestock vessel shall apply for a certificate of approval to no more than one competent authority, in no more than one Member State.

1a. The application shall be accompanied by the following:

(a) a document containing the livestock vessel details, including the year of completion, the conversion date when applicable, and the plan of the vessel indicating the following:

(i) layout, dimension and capacity of pens, including ceiling height and position of drinkers, and position and dimensions of hospital pens;

(ii) dimension and capacity of storage for feed, water and bedding;

(iii) location of sensors for humidity and temperature, as well as ammonia sensors when fixed systems are used;

(iv) lighting, drainage, firefighting and ventilation systems;

(b) a document describing how the systems listed in point (a) operate and how the power sources are capable of providing enough energy to support those systems;

(ba) a class certificate the livestock vessel issued by a recognised organisation as defined in Regulation (EC) No 391/2009 and authorised by a Member State in accordance with Directive 2009/15/EC;

(bb) a document verifying the strength calculations of pen rails and decks, issued by a recognised organisation as defined in Regulation (EC) No 391/2009 and authorised by a Member State in accordance with Directive 2009/15/EC;

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

(bd) the stability booklet of the vessel.

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Article 13a

Grant, rejection, renewal, suspension and withdrawal of a certificate of approval of a livestock vessel

1. In order to be approved for the first journey, the livestock vessel shall:

(a) comply with the requirements of points 1.1 and 1.4 of Chapter II, point 2 of Chapter III of Annex I and with the requirements of Chapter IV of Annex I; and

(b) fly the flag of a State that appears on the high or medium performance list, adopted in accordance with the Paris Memorandum of Understanding on port State control.

2. The competent authority shall grant a conditional certificate of approval of the livestock vessel using column B of template 5 of Annex V, provided that a team of inspectors has carried out an inspection of the livestock vessel showing that the conditions set out in paragraph 1 are met.

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

3. During the first journey, the owner of the livestock vessel shall ensure that an official veterinarian or a veterinarian recognised by the competent authority, to which the application referred to in Article 13 was submitted, is on board of the livestock vessel during at least half of the leg of the journey at sea. The veterinarian shall check that the accommodation, equipment and the handling of the animals on board are not detrimental to the welfare of the animals and shall complete a report on the checks performed submit it to the competent authority within three weeks after the journey.

4. Before any further journeys take place, the owner of the livestock vessel shall provide the competent authority of the Member State to which they applied with evidence that any deficiencies detrimental to the welfare of the animals on board that are identified in the report referred to in paragraph 3 have been addressed.

5. The competent authority shall grant a final certificate of approval of the livestock vessel using column C of template 5 of Annex V, provided that the report referred to in paragraph 3 does not identify deficiencies or that the evidence submitted in accordance with paragraph 4 is satisfactory.

6. The certificates of approval provided for in paragraphs 2 and 5 shall specify the scope in terms of species and categories of animals transported.

The owner of the livestock vessel may submit an application to request an amendment of the scope of the certificate of approval to the competent authority that granted that approval. In such a case, paragraphs 1 and 2 shall apply mutatis mutandis.

The certificate of approval provided in paragraph 5 shall be valid for a period of not more than 5 years from the date of issue, independently of any amendment of the certificate of approval.

7. The owner of the livestock vessel shall notify the competent authority that granted the certificate of approval of any change in the information provided in the application no later than 10 working days from the date the change took place.

8. The owner of the livestock vessel shall notify the competent authority that granted the certificate of approval in case of any modification, refit or impairment of the livestock vessel, that may affect the welfare of the transported animals, no later than 5 working days from the date the change took place.

The livestock vessel shall not be used from the date the change took place until the competent authority has approved the change or has informed the owner that no approval is needed.

9. Three months before the expiry of the certificate of approval, the owner of the livestock vessel may apply for a renewal. An application for renewal shall contain evidence that the conditions set out in Article 13 are met.

The competent authority shall grant the conditional renewal provided that the conditions set out in paragraphs 1 and 2 are met. The competent authority shall grant the final renewal, provided that the conditions set out in paragraphs 3 and 4 are met. In case of rejection, the competent authority shall record the reasons for the rejection without delay.

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10. The competent authority that granted the certificate of approval shall suspend it without delay if there is evidence, including evidence provided by the competent authority of another Member State, that the livestock vessel no longer meets the conditions provided for in paragraph 1.

The competent authority shall lift the suspension if the owner of the livestock vessel provides evidence that they have corrected the deficiencies on which the suspension of their certificate of approval is based.

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

11. If the owner of the livestock vessels has not corrected the deficiencies within six months of the suspension, the competent authority shall withdraw the certificate of approval. The competent authority shall record the withdrawal and the reasons for it without delay.

12. In case the application is rejected or the approval is withdrawn, the owner of the livestock vessel may submit a new application provided that the reasons for the rejection or the withdrawal have been addressed.

13. The Commission shall adopt implementing acts in accordance with Article 49 regarding:

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

(b) the composition of the teams of inspectors to perform the inspections referred to in paragraph;

(c) the presence of an official veterinarian or veterinarian recognised by the competent authority on board for the purpose of approving a livestock vessel;

(d) the model of the report referred to in paragraph 2.

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CHAPTER IV
RESPONSIBILITIES AND OBLIGATIONS PRIOR TO DEPARTURE

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Article 14

Responsibilities and obligations for organisers

1. The organiser shall be responsible for planning and coordinating the entire journey so that it complies with this Regulation.

Where several journeys converge and animals are loaded onto a single livestock vessel for a leg of their journeys by sea, the organiser referred to in paragraph 3 of article 4a shall be responsible for planning and coordinating the legs of the journeys by road or rail and the leg of the journeys by sea for all animals.

3. The organiser shall ensure the following:

a) where the journey starts at the place of departure, the terrestrial animals to be transported are:

(i) born or hatched at the place of departure, or

(ii) accommodated at the place of departure for at least four days prior to departure, or, in the case of dogs and cats or of breeding animals of the equine species, at least 48 hours prior to departure;

(aa) the journey for terrestrial animals is planned so that the requirements set out in Articles 26a to 30 are complied with. In case the journey starts at an assembly centre where animals are grouped or distributed, the duration of the preceding journeys to the assembly centre for the animals loaded on the means of transport shall be taken into account;

b) the welfare of the animals is not compromised by insufficient coordination between different parts of the journey, between several converging journeys as referred to in the second subparagraph of paragraph 1, or between different operators;

c) the organisation of the journey or journeys takes into account the weather forecast and, in case the transport includes a leg at sea, the marine weather forecast in accordance with Article 31;

d) an individual is designated to provide information on the planning, execution, and completion of the journey or journeys to the competent authorities at any time;

(da) Where the journey includes transport by air, a handling facility compliant with the requirements of points 1.3 to 1.6 and point 2 of Chapter III of Annex I is available at the airports to be used;

(db) sufficient hydration, feed and bedding are carried in the means of transport in accordance with Chapters IV and VI of Annex I, as applicable.

Article 14a

Transport documentation

1. The organiser shall arrange for the transport of animals only if they ensure that documentation providing the following information accompanies the animals:

(a) the species and category of the animals;

(b) the place and the type of establishment(s) where the animals are loaded;

(c) the date and time of departure;

(d) the place and type of establishment(s) where the animals are intended to be unloaded;

(e) the expected duration of the planned journey;

(f) the name(s) and authorisation number(s) of the transporter(s).

2. In case of transport of terrestrial and aquatic animals on any long journey, on any journey including a leg by livestock vessel, container vessel or well-boat, or on a short journey to or from a third country, the requirements of paragraph 1 shall be deemed met by submitting the journey log in accordance with Article 15.

3. In case of a short journey of terrestrial and aquatic animals between Member States or a short journey of terrestrial animals starting at or ending at an assembly centre, the

organiser shall provide the information referred to in paragraph 1 using template 3 of Annex III.

Article 14b

Additional documentation

The organiser shall ensure that the following documentation accompanies the animals:

(a) For terrestrial animals, the documentation referred to in point 1(3) of Chapter I and point 3.9 of Chapter III of Annex I, where applicable;

(b) For aquatic animals, the documentation referred to in point 1.6 of Chapter III of Annex II, where applicable.

Article 15

Journey log for any long journey, any journey including a leg by livestock vessel, container vessel, well-boat or aircraft and for short journeys to or from third countries

1. For transport of terrestrial and aquatic animals on any long journey, any journey including a leg by a livestock vessel, container vessel, well-boat or aircraft, or short journey to or from a third country, the organiser shall complete, sign and submit section 1 of the journey log prior to the journey, as set out in template 1 or template 2 of Annex III, as applicable.

2. Where the journey log concerns a long journey or a short journey to a third country, other than the journey referred to in paragraph 2a, the organiser shall submit the journey log for approval by the competent authorities at the places of departure, or at the assembly centres if the journey starts there, at least 2 working days before the planned departure date. The journey cannot start before the competent authority has approved the journey log in accordance with paragraph 4.

2a. Where several journeys converge and the animals are loaded onto a single livestock vessel for a leg of a journey by sea, the single organiser referred to in Article 4a shall include all of those journeys in section 1 of the journey log as set out in template 1 of Annex III. The organiser shall submit that journey log to the competent authorities of the Member State of the port of departure at least 3 working days before the start of the journey of the first consignment. The journeys cannot start before that competent authority has approved the journey log in accordance with paragraph 4. The competent authoritie(s) of the Member

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State(s) of the place(s) of departure of all animals shall be notified of the approval of the journal log.

3. In cases where a control post is to be used in accordance with Articles 26a(2)(b) and 30(2a), the organiser shall either include confirmation of a reservation at a control post in the journey log or ensure confirmation of such a reservation by the operator of the control post in the journey log.

3a. The organiser shall attach the contingency plans of the transporters to the journey log.

4. The competent authority shall approve the journey log provided the following conditions are met:

(a) the journey log contains all the information required in planning section 1 of the journey log as set out in template 1 or 2 of Annex III, as applicable, is realistic and indicates compliance with this Regulation;

(b) the transporter authorisations, certificates of approval for the means of transport, and the certificates of competences for the attendants are valid;

(ba) the contingency plans of the transporters comply with Article 18(3) and are tailored to section 1 of the journey log as set out in template 1 or 2 in Annex III, as applicable.

Article 16a

Responsibilities of operator at place of departure

The operator at the place of departure shall be responsible for ensuring that:

(a) keepers and staff catching and handling poultry and weaned farmed lagomorphs at the place of departure carry out their obligations as set out in Article 17;

(b) the loading facilities are designed, constructed and maintained in accordance with Chapter III of Annex I, as applicable.

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Article 17

Obligations for keepers and attendants prior to departure

1. Keepers and attendants shall ensure that the terrestrial and aquatic animals to be loaded on the means of transport are fit for transport in accordance with Chapter I of Annex I or with Chapter I of Annex II as applicable.

Keepers shall ensure that terrestrial animals have been provided with feed and hydration before departure in accordance with the needs of the species and categories of the animals. Lactating animals shall be milked shortly before departure.

For pregnant terrestrial animals, the keeper at the place of departure shall indicate in the journey log the date of insemination or the presumptive date of natural service.

1a. Keepers and staff catching and crating weaned farmed lagomorphs and poultry shall catch and place the animals in the containers in accordance with points 3.7 and 3.8 of Chapter III of Annex I.

2. Keepers and attendants shall ensure that terrestrial and aquatic animals are handled in accordance with Chapter III of Annex I and Chapter III of Annex II, as applicable, during the loading of animals on means of transport. Keepers shall ensure that the loading is carried out by or in the presence of a veterinarian or a person holding a certificate of competence in accordance with Article 38, who shall supervise any other person involved in loading animals.

2a. Keepers and attendants shall load terrestrial animals into the means of transport or containers in compliance with the space allowances and ceiling height requirements set out in Chapter VII of Annex I.

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CHAPTER V
RESPONSIBILITIES AND OBLIGATIONS DURING TRANSPORT AND AT THE PLACE OF DESTINATION

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Article 18

Responsibilities of transporters

1. The transporter shall be responsible for conducting the transport of animals in accordance with this Regulation.

1a. The transporter shall be responsible for ensuring that:

(a) attendants carry out their obligations as set out in paragraphs 1 and 2a of Article 17, paragraphs -1b, 1, 2, 4 and 4a of Article 19, paragraph 4 of Article 24a, and paragraph 1 of Article 26;

(b) animal welfare officers and staff handling animals on livestock vessels and well-boats carry out their obligations as set out in paragraphs 1 to 3 of Article 21 and paragraph 7 of Article 24a;

(c) other staff handling animals during the transport carry out their obligations as set out in Chapters III and IV of Annex I, as applicable, or in accordance with Chapter III of Annex II, as applicable.

2. The transporter shall be responsible for the welfare of the animals during the journey from loading at the place of departure, or at the assembly centre if the journey starts there, to unloading at the assembly centre if the journey ends there or at the place of destination in the Union or in a third country. However, the transporter shall not be responsible for the welfare of the animals during the time spent at a control post, an assembly centre or a handling facility at a port or airport, after unloading and before loading the animals again at those places.

2a. The transporter shall take the necessary measures to ensure compliance and prevent recurrence of non-compliances with the relevant requirements by the persons handling the animals on their behalf. When the transport is carried out by multiple transporters, each

transporter shall be responsible for their part of the journey and shall cooperate with the organiser to ensure coordination between the different parts of the journey.

2b. The transporter shall develop a contingency plan in line with Annex Va and shall keep it updated. The contingency plan shall be tailored to the means of transport used, the species and categories of animals transported, the risks that are likely to be encountered during the journey, and the destination of the journey. The contingency plan shall be provided to the organiser and made available in writing and accessible to the attendant and to the driver at any time during the transport.

2c. The transporter shall ensure that the documentation referred to in paragraphs 1 and 5 of Article 14a is made immediately available to the competent authority on its request, during the entire journey. In cases not covered by paragraphs 2 and 3 of Article 14a, this documentation shall be made available, either in electronic or paper format.

Article 19

Responsibilities and obligations for organisers, transporters, drivers and attendants during transport by road or rail

-1. In case of transport by road or rail, the transporter shall entrust the handling of terrestrial and aquatic animals to an attendant who accompanies all consignments of animals.

The transporter may entrust the role of attendant to the driver.

-1a. The attendant and the driver, in case the driver performs the function of attendant, shall have a certificate of competence referred to in Article 38.

-1b. In case of transport of terrestrial animals, the attendant shall carry out their obligations as set out in Chapters III, V, VI and VII of Annex I. In case of transport of aquatic animals, the attendant shall carry out their obligations as set out in of Chapter III of Annex II.

1. In case of road transport, the attendant shall check on the condition of the consignment of animals whenever the driver is required to take a rest or a break in accordance with Regulation (EC) No 561/2006. In case the driver performs the function of attendant, this check shall take place immediately before the rest or the break of the driver. In case of vehicles falling outside the scope of Regulation (EC) No 561/2006, the check shall take place at least every 4,5 hours from departure of the vehicle.

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2. In case of any serious event that may negatively affect the welfare of the animals, the attendant shall launch the actions foreseen in the contingency plan referred to in Article 18(3), immediately notify the transporter and organiser mentioned in that contingency plan, and immediately carry out remedial actions within their power to ensure the welfare of the animals. The organiser shall immediately transmit the information to the competent authority in the territory of which the serious event occurred and to the competent authority of the place of departure or of the assembly centre if the journey started there.

2a. The driver shall follow the journey plan as approved in the journey log and drive in a manner that minimises the risk of injury to the animals. In case of an unforeseen event outside the driver's control, the driver may deviate from the approved journey plan. The driver shall record the justification for the deviation from the approved journey plan in section 4 of the journey log as set out in template 1 in Annex III in within 48 hours of completion of the journey.

3. The transporter shall be responsible for any animal that becomes unfit for transport during the journey. The driver and the attendant shall be responsible for their actions that cause any animal to become unfit for transport during the journey due to them not fulfilling their obligations under this Regulation.

4. Animals shall only be transferred from one means of transport to another at assembly centres, control posts, ports, handling facilities, airports with handling facilities or at establishments approved in accordance with Regulation (EU) 2016/429. A transfer may be carried out outside of these places only in case of emergency.

During a transfer, the attendant shall check and ensure compliance with the following technical rules:

(a) points (a) to (g) of point 1 of Chapter I of Annex I and points 2 to 6 of Chapter III of Annex I, as applicable, in respect of the terrestrial animals being transported;

(b) Chapter III of Annex II in respect of aquatic animals being transported.

In case of non-compliance, the attendant shall immediately carry out remedial actions within their power and shall inform the transporter and, in case of multiple transporters, the organiser, without delay. The transporter and the organiser shall take measures necessary to remedy the situation.

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4a. For transport by road or rail where a leg of the journey includes transport by a roll-on-roll-off vessel, the transporter shall ensure the presence on board the vessel of an attendant. During this leg of the journey, the attendant shall check the condition of the consignment of animals at the following frequencies:

(a) at the same time as the feeding in accordance with point 2 of Chapter V of Annex I in the case of unweaned calves, lambs, kids, piglets and foals;

(b) at the same time as the feeding in accordance with point 1.1 of Chapter V of Annex I in the case of weaned animals of the equine species;

(c) at the same time as the feeding in accordance with point 1.2 of Chapter V of Annex I in the case of weaned animals of bovine, ovine, caprine and porcine species;

(d) at the same time as the feeding in accordance with point 3.1 of Chapter V of Annex I in the case of dogs and cats;

(e) at least every 4.5 hours in the case of poultry and farmed lagomorphs, except between 21h00 and 6h00;

(f) at least every [4.5] hours in the case of aquatic animals, except between 21h00 and 6h00.

Article 19a

Obligations for the master of a roll-on-roll-off vessel

1. Before boarding of vehicles onto a roll-on-roll-off vessel the master shall ensure that:

(a) on enclosed decks, the vessel is equipped with forced fan ventilation systems and fitted with an alarm system and secondary source of electrical power in case of the failure of the primary source of electrical power;

(b) vehicles are only boarded in enclosed decks if the forced fan ventilation system and the alarm system are in good working order;

(c) adequate protection of animals from sea water and adverse weather conditions is provided in open decks;

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(d) when the expected time spent on a roll-on-roll-off vessel is more than two hours there is fresh water of appropriate quality on board in an amount calculated for a journey of twice the duration of the intended journey, to enable water supply to the animals as required in Chapter V of Annex I.

2. During boarding, the master shall ensure that:

(a) road vehicles, and rail wagons are secured to the vessel before the start of the sea journey to prevent them from being displaced by the motion of the vessel;

(b) vehicles are boarded in a way to provide empty space of at least 1m on both sides of the vehicles and space to open the loading flap;

(c) vehicles are boarded and disembarked without undue delay.

3. The master shall ensure that attendants have access to their vehicles and that there is adequate lighting for attendants to check, feed and care for the animals.

Article 20

Obligations for keepers at assembly centres, control posts and handling facilities at ports and airports

1. Keepers of terrestrial or aquatic animals kept at assembly centres, control posts and handling facilities at ports and airports shall ensure:

(a) in case of terrestrial animals that the animals are:

(i) fit for transport when loaded onto the means of transport, the fitness of the animals shall be assessed in accordance with the requirements of Chapter I of Annex I, as applicable;

(ii) handled in accordance with the requirements of Chapter III of Annex I, as applicable; and

(iii) fed and watered in accordance with the requirements of Chapter V of Annex I, as applicable;

(b) in case of aquatic animals, that the animals are handled in accordance with the requirements of Chapter III of Annex II, as applicable.

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2. Keepers of terrestrial animals kept at assembly centres or at control posts shall check the condition in which the animals have arrived and, if non-compliances are detected, shall complete and sign section 5 of the journey log as set out in template 1 of Annex III.

2a. In case terrestrial animals become sick or injured while they are under their responsibility, keepers at assembly centres, control posts and handling facilities at ports and airports shall immediately carry out remedial actions within their power to ensure the welfare of the animals and, where relevant, separate them from other animals and seek veterinary advice as soon as possible.

2b. Keepers of animals kept at assembly centres, control posts and handling facilities at ports and airports shall immediately notify the transporter and the organiser of any serious event that may negatively affect the welfare of the animals, and shall immediately carry out remedial actions within their power to ensure the welfare of the animals. The organiser shall immediately transmit the information to the competent authority in the territory of which the serious event occurred and to the competent authority of the place of departure.

Article 20a

Responsibilities of operators of handling facilities at ports and airports

1. The operator of a handling facility at a port or an airport shall ensure that their handling facility complies with the requirements in points 1.3 to 1.6 and 2 of Chapter III of Annex I.

2. The operator of a handling facility at a port or an airport shall:

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

(b) be responsible for ensuring that keepers at their handling facility carry out their obligations as set out in Article 20;

(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 of a veterinarian to treat animals when necessary.

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Article 21

Obligations for organisers, transporters, masters and animal welfare officers during transport by livestock vessel, container vessel or by well-boat

1. For a journey by livestock vessel, container vessel or well-boat, the transporter shall designate an animal welfare officer who is trained and holds a certificate of competence in accordance with Article 38. The designated animal welfare officer shall have the authority to require, under the control of the master, that the staff handling animals on the livestock vessel, container vessel or well-boat carry out the preventive or remedial actions necessary to ensure the welfare of the animals.

2. The animal welfare officer shall report to the master on matters relating to the welfare of the animals transported.

3. The animal welfare officer shall:

(a) ensure that the animals are cared for;

(aa) check the terrestrial animals at least every eight hours to assess their welfare and fitness for transport;

(ab) check the aquatic animals at least every 4,5 hours except between 21h00 and 6h00, to assess their welfare and fitness for transport;

(ac) ensure compliance with the requirements of Chapters I, III, IV, V and VII of Annex I, as applicable, in the case of a livestock vessel or container vessel and with requirements of Chapter III of Annex II, as applicable, in the case of a well-boat;

(ad) ensure that appropriate measures are taken to maintain the welfare of the animals;

(ae) record the checks referred to in point (aa) and the findings thereof and the measures, including the killing, taken pursuant to point (ad) and (c) respectively;

(b) in case of any serious event that may negatively affect the welfare of the animals, launch the actions foreseen in the contingency plan referred to in Article 18(3), immediately notify the master and immediately carry out remedial actions within their power to ensure the welfare of the animals;

(c) perform emergency killings in compliance with Article 3(1) and (2), Article 4(1) and Article 19 of Regulation No 1099/2009 and with the contingency plan when animals

need to be killed during the journey on a livestock vessel to put an end to their suffering;

(ca) send a copy of the records referred to in point (ae) to the transporter and the organiser, within 48 hours of completion of the journey.

3a. The master shall, without undue delay, inform the transporter and the organiser of the serious event referred to in point (b) of paragraph 3. The organiser shall transmit the information to the competent authorities of the place of departure, of the assembly centre if the journey started there, of the port of departure and, when necessary, to the authority of the port of destination.

4. The transporter shall provide written information to the master of the livestock vessel, container vessel or the well-boat on the responsibilities of the animal welfare officer laid down in paragraphs 1 and 3.

Article 22

Assembly centres

1a. The operator of an assembly centre shall ensure that their establishment complies with the requirements of Chapter III of Annex I, as applicable, and shall have the equipment to shelter the animals and feed and water them in accordance with the requirements of Chapter V of Annex I.

1b. The operator of an assembly centre shall be responsible for ensuring that keepers at their assembly centre carry out their obligations as set out in Article 20.

2. The operator of an assembly centre shall:

(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 of 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;

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(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 (b) to (d);

(ea) collect information on the time of the unloading of the animals at the assembly centre;

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

Article 23

Delay during transport

1. Organisers, transporters and operators of assembly centres, control posts, handling facilities at ports and airports, exit points and border control posts as well as the competent authority and other relevant public authorities of the Member States, such as police and customs authorities, shall take the necessary measures within their powers to prevent or reduce to a minimum any delay during transport.

2. The authorities referred to in paragraph 1 shall ensure that special arrangements are made at places of departure, assembly centres, control posts, ports, airports, places of destination, exit points and border control posts to give priority to the transport of animals, including the provision of fast lanes so that animals are inspected when required, without undue delays.

Article 24

Means of transport positioning systems

1. Means of transport used for transport by road of terrestrial or aquatic animals for any long journey, short journeys between Member States or short journeys between a Member State and a third country shall be equipped with a positioning system communicating with the information system referred to in paragraph 3 based on the technical requirements referred to in paragraph 8. When the road vehicle is equipped with a fleet management system, this system shall be used as a positioning system. When the road vehicle is not equipped with a

fleet management system, the mobile application referred to in Article 53 may be used as a positioning system.

2. The positioning system referred to in paragraph 1 shall be operational during the journey or journeys from loading at the place of departure until unloading at the place of destination. It shall transmit information on the location of the means of transport at short intervals to the information system referred to in paragraph 3.

3. The information obtained from the positioning systems of the means of transport shall be recorded together with the time of transmission in an information system, established by the Commission in accordance with paragraph 7. The records shall be deleted from the information system as soon as TRACES has retrieved the data, as referred to in paragraph 5.

4. When completing section 1 of the journey log as set out in template 1 of Annex III, organisers shall set the locations of and planned dates and times of arrival at the following points of the journey, as applicable:

(a) place of departure;

(aa) place of destination;

(ab) assembly centres;

(ac) ports;

(ad) airports;

(b) control posts;

(ba) border control post of entry;

(bb) border crossings between third countries;

(c) exit points from the Union.

5. Immediately upon completion of the journey, TRACES shall retrieve data from the information system referred to in paragraph 3 on the time when the means of transport reached and departed from the locations as set out in paragraph 4. In case the actual journey deviates from the locations indicated in the journey log, TRACES shall retrieve the

full dataset for the concerned journey. For the purpose of official controls and audits, including the analysis of completed journeys, this information shall be stored in TRACES for 6 years, except for personal data which shall be removed after 3 years in accordance with Article 51(4).

6. After anonymisation of the personal data, the Commission may use the information referred to in paragraph 5 for the purpose of preparing the annual reports referred to in Article 114 of Regulation (EU) 2017/625, the reports referred to in Articles 46 and 54 of this Regulation, and for the purpose of publishing reports on audits in the Member States.

7. By [3 years from the date of entry into force of this Regulation], the Commission shall develop the information system referred to in paragraph 3.

8. By [3 years from the date of entry into force of this Regulation], the Commission shall, by means of implementing acts, establish uniform conditions concerning:

(a) the length of the interval referred to in paragraph 2;

(b) the technical arrangements to enable the positioning system referred to in paragraph 1 to communicate the position of the means of transport to the information system referred to in paragraph 3;

(c) the technical protocols for the functioning of the information system referred to in paragraph 3;

(d) the technical protocols for retrieving the information referred to in paragraph 3 from the information system by TRACES;

(e) the technical parameters to establish whether a deviation between the actual journey and the planned journey referred to in paragraph 5 has occurred;

(f) the access rights of the persons authorised to access personal data processed in relation to transmitting or storing of information in the information system referred to in paragraph 3 and TRACES.

The Commission shall request an opinion of the European Data Protection Supervisor prior to adopting the implementing acts referred to in point (f).

PUBLIC

Article 24a

Monitoring systems for means of transport

1. Means of transport of terrestrial animals by road of a weight exceeding 3,5 tons used for long journeys shall be equipped with a system consisting of sensors monitoring the opening and the closing of the loading flap and a means of recording those events. The monitoring system shall record any opening and closing of the loading flap.

2. Means of transport used for transport by road of terrestrial animals for any long journey and livestock vessels shall be equipped with a temperature monitoring system including sensors and a means of recording data. The monitoring system shall record the temperatures in the part of the means of transport where animals are placed. Sensors shall be located in the parts of the means of transport which are most likely to be exposed to extreme temperatures.

3. Means of transport used for transport by road of terrestrial animals for any long journey shall be equipped with a warning system in order to alert the attendant when the temperature in the parts of the means of transport where animals are placed:

   (a) falls below or rises above the temperatures set out in Article 31 (-1) (a) for terrestrial animals other than dogs, cats and post-peak laying hens;

   (b) falls below or rises above the temperatures set out in Article 31 (-1) (c) for post-peak laying hens;

   (c) falls below or rises above the temperatures set out in Article 31(-1) (d) for dogs and cats.

4. In case of an alert in the course of the journey by the warning system referred to in paragraph 3, the attendant shall take appropriate measures in accordance with the contingency plan referred to in Article 18(3) with a view to ensuring compliance with Article 31(-1).

5. The transporter shall ensure that the recorded data referred to in paragraphs 1 and 2 are dated, stored for a period of five years and made available to the competent authority upon request.

6. Livestock vessels shall be equipped with humidity and temperature sensors positioned in such a way as to provide accurate measurements representative for the entire deck and with

a means of recording these measurements. In addition, livestock vessels shall be equipped with ammonia sensors, which may be portable.

7. The animal welfare officer shall measure and record the humidity, temperature and ammonia levels for the entire deck at least at the same intervals as set out in Article 21(3)(aa), and take appropriate measures in case those levels indicate risks for the welfare of the animals. The records shall be kept for a period of 5 years and made available to the competent authority upon request.

8. The Commission is empowered to adopt implementing acts in accordance with Article 49 to lay down uniform technical requirements concerning the location, number and calibration of the sensors referred to in paragraph 2 and 6.

Article 25

Obligations at the place of destination

-1. Keepers at the place of destination shall carry out the obligations set out in Chapter III of Annex I, as applicable, and points 1 and 4 of Chapter III of Annex II, When terrestrial or aquatic animals are ill or injured, the keeper shall immediately carry out remedial actions within their power to ensure the welfare of the animals and, where relevant, separate them from other animals and seek veterinary advice as soon as possible.

Upon arrival at the place of destination, the animals shall be unloaded without undue delay. The unloading of terrestrial or aquatic animals shall be carried out by or in the presence of a veterinarian or a person holding a certificate of competence referred to in Article 38, who shall supervise any other person involved in unloading the animals.

Article 25a

Responsibilities of operator at place of destination

The operator at the place of destination shall be responsible for ensuring that:

(a) keepers of all animals and staff catching and handling poultry and weaned farmed lagomorphs at the place of destination carry out their obligations as set out in Article 17;

(b) the unloading facilities are designed, constructed and maintained in accordance with the requirements of Chapter III of Annex I, as applicable;

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(c) keepers at the place of destination carry out their obligations as set out in Article 26(1).

Article 26

Monitoring of indicators

-1. In case of all long journeys as well as short journeys to or from third countries, the attendant and the keeper at the place of destination, or the assembly centre where animals are distributed, shall assess together the condition of the terrestrial and aquatic animals on arrival in accordance with paragraph 1. The attendant shall complete and sign section 3 of the journey log as set out in template 1 or template 2 of Annex III, as applicable in TRACES, with the following information:

(a) the date and time of arrival of the terrestrial and aquatic animals;

(b) the date and time of the completion of the unloading;

(c) the findings on the indicators referred to in paragraph 1.

The journey log shall be completed as soon as possible and no later than 12 hours after completion of the unloading.

In case of disagreement on the condition in which the animals have arrived at the place of destination or the assembly centre between the attendant and the keeper shall record the findings as non-compliances in section 5 of the journey log as set out in template 1 or template 2 of Annex III, as applicable in TRACES.

However, in case of terrestrial animals transported in containers, the assessment and the completion of the journey log shall be carried out by the keeper at the place of destination within 24 hours of arrival at the place of destination.

1. In the case of terrestrial animals, the following indicators shall be assessed for the purpose of paragraph -1:

(a) total number of animals unloaded;

(b) number of animals dead on arrival in each consignment;

(c) number of animals injured during transport in each consignment;

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(d) welfare related problems other than injuries, including heat or cold stress, prolonged thirst, and hunger, observed in the animals in a consignment.

In case day-old chicks are transported, only the indicators referred to in points (a) and (b) of paragraph -1 shall be assessed.

In the case of aquatic animals, the biomass of the aquatic animals dead on arrival shall be recorded. The Commission may adopt delegated acts to amend this Regulation by setting additional indicators for the aquatic animals.

3. The organiser and the transporter shall monitor the indicators referred to in paragraph 1 and analyse the information collected upon completion of each transport. When the results of the analysis indicates that the requirements of Article 4 have not been met or when values quantifying the indicators exceed the thresholds established by the Commission in accordance with paragraph 5, they shall take corrective actions.

4. The Commission shall adopt, by [the date of application of this Regulation], implementing acts in accordance with Article 49 laying down uniform rules on the animal welfare related problems to be assessed in accordance with paragraph 1, point (d), as well as the methods to be used when quantifying and analysing the indicators referred to in paragraph -1.

5. In order to take into account scientific developments and advice from the European Food Safety Authority ('EFSA') and the European Union reference centres for animal welfare, the Commission shall be empowered to adopt delegated acts in accordance with Article 48 to supplement this Regulation with the thresholds requiring corrective actions as referred to in paragraph 3.

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CHAPTER VI

CONDITIONS FOR TRANSPORT OF TERRESTRIAL ANIMALS

PUBLIC

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

1. 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 journey time by land shall not exceed 63 hours during the following journey:

      (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 journey time by land shall not exceed 4,5 hours during the following journey:

      (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.

2. In addition to paragraph 1, the journey referred to in paragraph 1 (b) shall comply with the following conditions:

(a) it shall consist of a maximum of three segments, during each of them the journey time by land shall not exceed 21 hours, and after that 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, the animals shall have a rest period of at least 24 hours at a control post before the journey 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 1 shall be provided feed and water in accordance with points 1.1, 1.2, 4 and 5 of Chapter V of Annex I.

Article 26b

Transport of farmed lagomorphs and poultry for purposes other than slaughter

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

(a) for weaned farmed lagomorphs:

(i) if the animals are not provided feed and hydration in accordance with point 1.3 of Chapter V of Annex I, no assembly centre shall be used and during the journey, the journey time by land shall not exceed 12 hours.

(ii) if the animals are provided feed and hydration in accordance with point 1.3 of Chapter V of Annex I, only one assembly centre may be used and during the journey or the journeys, the journey time by land shall not exceed 36 hours.

(b) 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;

(c) for poultry other than day-old chicks:

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(i) if the animals are not provided feed and hydration in accordance with point 1.3 of Chapter V of Annex I, no assembly centre shall be used and during the journey, the journey time by land shall not exceed 12 hours.

(ii) if the animals are provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I, only one assembly centre may be used and during the journey or the journeys, the journey time by land shall not exceed 21 hours.

(d) for day-old chicks:

(i) if the animals are not provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I, no assembly centre shall be used and the journey shall be completed within 48 hours after hatching.

(ii) if the animals are provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I, only one assembly centre may be used and 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) during the journey or the journeys between the place of departure and the place of destination, the journey time by land shall not exceed 21 hours;

(c) in case of a journey by road, the journey shall include break periods of at least 30 minutes at the 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

1. 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) during the journey or the journeys between the place of departure and the slaughterhouse, the journey time by land shall not exceed 21 hours;

   (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 1 shall be provided feed and water in accordance with points 1.1, 1.2 and 4 of Chapter V of Annex I.

3. The transport of poultry and farmed lagomorphs to slaughter shall comply with the following conditions:

   (a) if the animals are not provided feed and hydration in accordance with point 1.3 and 1.6 of Chapter V of Annex I, no assembly centre shall be used and the during the journey, the journey time by land shall not exceed 12 hours;

   (b) if the animals are provided feed and hydration in accordance with point 1.3 and 1.6 of Chapter V of Annex I, only one assembly centre may be used and during the journey or the journeys between the place of departure and the slaughterhouse, the journey time by land shall not exceed 21 hours.

Article 29

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

1. 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;

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

(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 1 point (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 shall not exceed 21 hours;

(c) the journey includes a break period of at least 3 hours after a maximum of 9 hours of journey time by land. However, in case a control post has been used in accordance with Article 30(2c), the break period shall take place after a maximum of 9 hours of journey time by land from that control post;

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

PUBLIC

2a. The animals referred to in paragraph 1 shall be provided feed and water as laid down in point 2 of Chapter V of Annex I.

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 and caprine species and unweaned kept cervids and camelids on board the vehicle 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 EFSA or a European Union Reference Centre for Animal Welfare.

Article 30

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

2a. 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.

2b. The terrestrial 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.

PUBLIC

2c. 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 following shall apply:

(a) weaned terrestrial 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;

(b) unweaned terrestrial animals other than poultry, farmed lagomorphs and dogs and cats shall be unloaded and rested for 24 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.

2d. In case the transport of weaned farmed lagomorphs and poultry other than day-old chicks includes a leg of the journey by a roll-on roll-off vessel or aircraft, the animals shall be provided with feed and hydration in accordance with point 1.3 of Chapter V of Annex I.

Article 31

Temperature requirements for transport of terrestrial animals

-1. The organiser, when planning any long journey, any journey including a leg by a livestock vessel, container vessel, or short journey to or from a third country 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 post-peak laying 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 post-peak laying 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;

(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 the 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 meteorological and sea conditions.

1a. Paragraph 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 -1 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 (-1); or

(b) cooling to prevent the internal temperature in the animal compartment rising above the higher temperature value set out in paragraph (-1).

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5. For the purposes of paragraph 1, the Commission shall provide in TRACES a visualisation tool of the weather forecast.

PUBLIC

CHAPTER VII

TRANSPORT OF TERRESTRIAL AND AQUATIC ANIMALS TO OR FROM THIRD COUNTRIES

PUBLIC

Article 32

Obligations concerning the transport of terrestrial or aquatic animals to third countries

1. Organisers shall make arrangements for the transport of terrestrial or aquatic animals to third countries only if they have the capacity to ensure that transporters, attendants, keepers and operators of control posts, assembly centres and handling facilities at ports and airports involved in the transport operations that they arrange within the territory of the third countries comply with the requirements of this Regulation, or requirements recognised as equivalent in accordance with Article 129 of Regulation (EU) 2017/625, except in case of paragraph 4c of this Article.

2. Organisers shall complete section 1 of the journey log as set out in template 1or template 2 of Annex III, as applicable, in accordance with Article 15 for both long journeys and short journeys to third countries and ensure that attendants and keepers at the start of the journey, during the journey and at the end of the journey in the third country complete the sections of the journey log that concern them.

3. For journeys which include transport by livestock vessel, the organiser shall ensure that the competent authority at the third country of destination has completed, signed and stamped the attestation set out in Annex IV and transmitted it to the competent authority at the start of the journey. The competent authority shall not approve the journey log if this attestation is not provided.

   For other journeys, the organiser shall provide evidence to the competent authority approving the journey log that the competent authority at the third country of destination and, where applicable, the third country of transit, has checked before the start of the journey whether the health certificate that will accompany the consignment provides adequate animal health and welfare guarantees and complies with the requirements applicable to the import into that country. The competent authority shall approve the journey log only if such evidence is provided and the outcome of the check is positive.

4. Organisers shall ensure that consignments of terrestrial or aquatic animals shall only leave the customs territory of the Union through designated exit points as referred to in Article 39.

4a. Organisers shall immediately inform the competent authority that signed the journey log of any refusal of entry by the competent authority of the third country of destination or of any third country through which the consignment is transiting stating the reason for the refusal and the geographical coordinates of the location of the terrestrial or aquatic animals. In such case, the competent authority that signed the journey log shall contact the competent authority of the third country of destination without delay and seek to resolve the issue.

4b. Transporters who transport terrestrial or aquatic animals to third countries shall ensure that the transport operations they perform within the territory of third countries comply with the requirements of this Regulation or requirements recognised as equivalent in accordance with Article 129 of Regulation (EU) 2017/625, except in case of paragraph 4c of this Article.

4c. Articles 8, 9, 12, 12a, 13 and 13a of this Regulation shall not apply to transporters and means of transport that are involved only in the part of the transport operation taking place entirely within the territory of a third country and Articles 19(-1a), 19(1), 19(4a) and 21(1) to (3) of this Regulation shall not apply to attendants who are involved only in the part of the transport operation taking place entirely within the territory of a third country.

4d. Competent authorities shall notify all Member States via the Animal Welfare Network within the integrated Rapid Alert System for Food and Feed (iRASFF) of any negative findings concerning the transport of terrestrial or aquatic animals to a third country that may be relevant for planning and assessing future journey logs.

Article 32a

Control in relation to transport of terrestrial or aquatic animals to third countries

1. The competent authority that granted authorisation to an organiser that includes in its scope transport of terrestrial or aquatic animals to third countries shall carry out controls on the capacity of the organiser to fulfil the obligations laid down in Article 32(1).

2. For the purposes of paragraph 1, the competent authority may, on the basis of a risk assessment, instruct the organiser to engage a conformity assessment body that assesses

whether the part of the journey taking place within the territory of third countries is compliant with this Regulation. Following the instruction of the competent authority, the organiser shall engage a conformity assessment body.

3. The conformity assessment body referred to in paragraph 2 shall be accredited in accordance with Article 5(1) of Regulation (EC) No 765/2008 for complying with the following conditions:

(a) complies with the European standard EN ISO/IEC 17065 'Conformity assessment – Requirements for bodies certifying products, processes and services' and the European standard EN ISO/IEC 17020 'Conformity assessment – Requirements for the operation of various types of bodies performing inspection', as revised;

(b) has the capacity to carry out on-site checks in third countries;

(c) the personnel of the conformity assessment body that carries out the assessments possesses a degree in veterinary medicine, animal science or a related field, as well as, appropriate knowledge and understanding of the animal welfare requirements and technical rules set out in this Regulation.

Article 33

Assessment of the transport of terrestrial or aquatic animals within the territory of third countries

2. The conformity assessment body referred to in paragraph 2 of Article 32a shall assess through on-site checks during the part of the transport taking place within the territory of third countries, the following:

(a) for transport of terrestrial animals, that the rules set out in Annex I are complied with;

(b) for transport of terrestrial animals, the maximum journey times by land, and rest periods laid down by this Regulation take place as planned in Section 1 of the journey log;

(ba) for transport of terrestrial animals, that the temperature ranges inside the animal compartments are within the limits set out in Article 31(-1);

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(c) where the journey ends at a place of destination, the place of destination declared in the journey log is the actual place of destination;

(d) where the journey ends at an assembly centre where animals are distributed, the journeys from the assembly centre to the places of destination are not more than 4,5h;

(e) the purpose of the journey is in accordance with the one declared in the journey log;

(f) in case of journeys with a leg by livestock vessel, container vessel or by roll-on-roll-off vessel, the animals are fit for transport when they arrived at the port of arrival;

(h) if relevant, the control posts used are listed as referred to in Article 34(3);

(i) for transport of aquatic animals, the rules set out in Annex II are complied with;

(ia) if a contingency occurs, that the relevant actions foreseen in the contingency plan referred to in Article 18(3) are taken;

(ib) the keeper and attendant carry out the obligations set out in paragraphs 1 and 2 of Article 26;

(ic) the operation of the positioning system referred to in Article 24.

3. Following the assessment performed in accordance with paragraph 2, the conformity assessment body shall provide a report to the organiser and to the competent authority that granted the authorisation referred to in Article 5 presenting the findings of the on-site checks and its conclusions.

The competent authority shall, based on the report, take appropriate action, including, where necessary, suspending the authorisation of the organiser or the transporter.

9. The Commission is empowered to adopt implementing acts in accordance with Article 49 to establish a template for the report referred to in paragraph 3.

Article 34

Control posts in third countries

1. Rest periods for animals within the territory of third countries shall only take place in control posts that are included in the list referred to in paragraph 3.

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2. An operator of a control post in a third country or an organiser may request the Commission to include the control post in the list referred to in paragraph 3 of this Article. The request shall contain a report of a conformity assessment body accredited in accordance with Article 32a(3) of this regulation. The report shall demonstrate that on-site checks have been performed and that the control post meets the requirements of Articles 4 and 5 of Council Regulation (EC) No 1255/97 and of the Annex to that Regulation, or requirements recognised as equivalent in accordance with Article 129 of Regulation (EU) 2017/625.

3. The Commission shall approve, by means of implementing acts in accordance with Article 49, a list of the control posts meeting the requirements referred to in paragraph 2, specifying the animal species and categories, and maximum capacity of the control post. This list shall be made available in TRACES.

4. The Commission shall remove a control post from the list referred to in paragraph 3 when it is established that the control post no longer meets the conditions set out in paragraph 2 based on:

(a) an on-site check by a conformity assessment body; or

(b) an audit from the Commission; or

(c) evidence transmitted by the competent authority of a Member State.

The procedure referred to in Article 49 shall apply.

Article 35

Terrestrial or aquatic animals entering into the Union

1. Organisers who make arrangements for the transport of and transporters who transport terrestrial or aquatic animals to the Union shall ensure that, during transport taking place within the territory of a third country, the animals are transported:

(a) in compliance with this Regulation and with Articles 4 and 5 of Council Regulation (EC) No 1255/97 and of the Annex to that Regulation; or

(b) under conditions recognised in accordance with Article 129 of Regulation (EU) 2017/625 to be equivalent to those set out in this Regulation; or

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(ba) under conditions contained in an agreement between the Union and the exporting third country.

1a. Organisers shall complete the journey log in TRACES.

1b. Articles 8, 9, 12, 12a, 13 and 13a of this Regulation shall not apply to transporters and means of transport that are involved only in the part of the transport operation taking place entirely within the territory of a third country and Articles 19(-1a), 19(1), 19(4a) and 21(1) to (3) of this Regulation shall not apply to attendants who are involved only in the part of the transport operation taking place entirely within the territory of a third country.

2. The official health certificate accompanying animals entering into the Union from third countries shall contain an attestation from the competent authority at the place of departure confirming that it has reviewed the journey log referred to in paragraph 1a and certifying that the planning of the journey complies with the requirements of paragraph 1 of this Article.

2a. The competent authority at the Border Control Post shall, based on the attestation referred to in paragraph 2, validate the journey log in TRACES, unless the journey was already approved in TRACES by the competent authority in the third country.

Article 36

Terrestrial or aquatic animals transiting through the Union territory

When terrestrial or aquatic animals are transported from a place in a third country to a place in the same or another third country and transit through the Union territory, operators shall ensure that the rules of this Regulation are complied with during the part of the transport taking place on the Union territory, unless the duration of this part of the transport is less than [9] hours of journey time by land.

PUBLIC

CHAPTER VIII
TRAINING COURSES AND OBLIGATIONS OF COMPETENT AUTHORITIES

PUBLIC

Article 36a

Basic training course

1. Transporters and operators at the places of departure and destination and of assembly centres, control posts and handling facilities at ports and airports shall ensure that persons, other than farm staff and staff catching and crating poultry and weaned farmed lagomorphs, who handle terrestrial and aquatic animals during road, rail, sea and air transport and related operations have completed a basic training course at the latest within 3 months of the start of their employment.

2. The basic training course shall cover at least:

   (a) basic assessment of fitness for transport;

   (b) the species-specific behavior of animals and their physiological and ethological needs during transport;

   (c) the requirements in points 2 to 4 of Chapter III of Annex I and points 1, 2.1 and 2.2 of Chapter III of Annex II and best practices for moving animals;

   (d) recognition of expressions of animals' positive and negative emotions, including any sign of suffering and ways to prevent their suffering;

   (e) methods for monitoring indicators in accordance with Article 26.

3. The basic training course shall be completed after a test to verify the knowledge gained during the training course.

4. The provider of the basic training course shall issue a certificate of completion of the basic training course. The certificate shall be made available to the competent authority upon request.

5. The European Union Reference Centers for Animal Welfare shall develop and regularly update models of training plans and materials, quality standards and recommendations to be available for providers of training courses for the purpose of this Article.

6. The provider of the basic training course shall develop and conduct the training course taking into account the training plans and materials, quality standards and recommendations referred to in paragraph 5.

7. The competent authority may be a provider of a basic training course. Alternatively, the competent authority shall approve other entities in accordance with Article 37(1b).

Article 36b

Advanced training course

1. Transporters shall entrust the responsibilities of attendant and animal welfare officer only to persons who hold a certificate of competence obtained in accordance with paragraph 2, relevant to the animal species for which these persons are responsible.

2. In order to obtain a certificate of competence, the attendants and the animal welfare officers shall:

   (a) complete a basic training course as referred to in Article 36a and an advanced training course as referred to in paragraph 3 of this Article; and

   (b) pass a final examination referred to in Article 37(1a).

3. The scope of the advanced training course may be limited to one or several species and shall cover at least the following:

   (a) the obligations for attendants and animal welfare officers laid down in this Regulation;

   (b) use and basic maintenance of equipment for:

      (i) handling and accommodating animals in the means of transport;

      (ii) maintaining and monitoring the welfare of animals;

      (iii) loading and unloading of animals;

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(iv) in case of road transport, recording the position of the vehicle;

(v) for animal welfare officers on livestock and container vessels, performing emergency killing in accordance with Regulation (EC) No 1099/2009.

(c) ways to address possible contingencies and practical use of the contingency plan;

(d) for animal welfare officers on livestock and container vessels, methods of performing emergency killing in accordance with Regulation (EC) No 1099/2009.

4. The European Union Reference Centers for Animal Welfare shall develop and regularly update models of training plans and materials, quality standards and recommendations to be available to providers of advanced training courses for the purpose of this Article.

5. The provider of the advanced training course shall develop the training course taking into account the training plans and materials, quality standards and recommendations referred to in paragraph 4.

6. The competent authority may be a provider of an advanced training course. Alternatively, the competent authority shall approve other entities in accordance with Article 37(1b).

Article 37

Responsibilities of the competent authorities in relation to training

1. The competent authority shall:

(a) ensure that basic and advanced training courses are available;

(b) keep a list of providers of basic and advanced training courses and make it publicly available;

1a. The competent authority shall organise an independent final examination for the advanced training course. Upon decision of the competent authority, an approved provider may be allowed to organise an independent final examination for the advanced training course.

1b. The competent authority shall approve providers of basic and advanced training courses if they comply with the following conditions:

(a) they have at their disposal staff with relevant educational background and experience, and

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(b) their training programmes and materials are established in accordance with Article 36a(6) and 36b(5).

Article 38

Grant, renewal, and withdrawal of the certificate of competence

1. The competent authority shall grant a certificate of competence to attendants and animal welfare officers using template 3 of Annex V, provided that the following conditions are fulfilled:

(a) the applicant has passed the final examination referred to in Article 37(1a); and

(b) the applicant is not prohibited from handling animals in any Member State, for which the applicant shall provide a written declaration.

3. The certificate of competence shall be valid for a period of not more than 10 years from the date of issue.

The scope of the certificate of competence shall be limited to the species covered by the advanced training course. In order to amend the scope of the certificate, the attendant or the animal welfare officer shall comply with Article 36b(2).

3a. The competent authority shall renew the certificate of competence, if the attendant or the animal welfare officer passes a final examination referred to in Article 37(1a).

4. The competent authority shall recognise valid certificates of competence of attendants and animal welfare officers granted in another Member State.

5. The competent authority may recognise qualifications obtained for other purposes as equivalent to the basic or advanced training courses, provided they have been obtained under conditions equivalent to those laid down in Articles 36a and 36b. In such case, the competent authority shall allow the attendant or the animal welfare officer concerned to take the final exam referred to in Article 37 (1a).

6. The competent authority shall withdraw a certificate of competence of attendant or animal welfare officer where the person holding that certificate no longer meets the conditions referred to in paragraph 1. The competent authority shall record the reasons for the withdrawal without delay.

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Article 39

Designation of exit points

Member States shall:

(a) designate the exit points through which transport of animals to third countries takes place;

(b) record the designated exit points on their territory in TRACES, including information on the animal species and categories for which the exit point can be used, and regularly update this information.

Article 40

Livestock vessel inspection before loading and during loading and unloading

1. Before animals are loaded onto a livestock vessel, a team of inspectors shall, on behalf of the competent authority, inspect the vessel in order to verify that:

(a) the livestock vessel is built and equipped for the number and the type of animals to be transported;

(b) pen rails, livestock decks, equipment and ramps remain in a good state of repair;

(c) the equipment referred to in Chapter IV of Annex I, relating to livestock vessels, is present and in good working order;

(ca) pen rails, livestock decks, ramps and equipment that may come into contact with the animals have been cleaned and disinfected;

(da) feed, bedding and water arrangements are in accordance with point 2 of Chapter IV of Annex I;

(db) the space allowance requirements in Chapter VII of Annex I are complied with.

The inspectors shall take photographs or record videos of the non-compliances they find.

2a. During the loading of animals onto and the unloading of animals from a livestock vessel, the competent authority shall perform an inspection to verify that:

(a) the animals are fit for transport;

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(b) loading and unloading operations are carried out in compliance with points 2 and 3 of Chapter III of Annex I.

2b. The Commission shall, by [the date of entry into application of this Regulation], adopt implementing acts in accordance with Article 49 to lay down uniform rules on:

(a) the composition of the teams of inspectors to perform the inspections referred to in paragraph 1;

(b) the recording of the inspections referred to in paragraphs 1 and 2a in the database referred to in Article 13a(13)(a), including the upload of photographs and videos.

Article 41

Liaison Bodies on protection of animals during transport

1. Liaison bodies on protection of animals during transport, designated in accordance with Article 103(1) of Regulation (EU) 2017/625, shall, in addition to the tasks and responsibilities provided for in Regulation (EU) 2017/625, have the following tasks:

(a) the provision of mutual assistance to facilitate a smooth application of this Regulation, including in case of delays in the transport or of rejections of consignments by third countries of animals transported by road, rail, sea or air;

(b) the exchange of advice and best practices regarding compliance with this Regulation and other Union law related to the protection of animals during transport and related operations.

2. The Commission shall organise regular meetings of the network of liaison bodies referred to in paragraph 1, for the purpose of facilitating the exercise of their tasks and responsibilities and a uniform application of this Regulation within the Union.

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Article 41a

Minimum requirements for availability of control posts at the exit points at ports

The competent authorities shall ensure that control posts exist at exit points at ports or at a distance of maximum two-hour drive by road from the exit point concerned. Article 3(1) first sub-paragraph of Regulation (EC) No 1255/97 shall apply for the approval of the control posts.

When operations involve transport of animals by road from other Member States or long journeys by road from the place of departure to seaports, the competent authorities shall ensure that control posts approved for the relevant categories of animals, in accordance with Article 3(1), first subparagraph, of Regulation (EC) No 1255/97, are available at exit points at seaports or are within a two-hour journey by road from the exit point concerned.

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CHAPTER IX
MEASURES AND PENALTIES

PUBLIC

Article 42

Measures and penalties to ensure compliance

Member States shall lay down the rules on measures and penalties against the natural person having committed, or the legal person held liable for, an infringement of this Regulation. In particular, Member States shall systematically:

(a) investigate suspected infringements in order to confirm or eliminate the suspicion;

(b) take appropriate measures, when an infringement is detected, including bringing the infringement to an end.

Article 43

Penalties for infringements of this Regulation

1. Member States shall ensure that a natural person having committed or a legal person held liable for an infringement of this Regulation is subject to penalties in accordance with this Regulation, and national law.

2. Member States shall ensure that penalties applied in accordance with this Regulation and the relevant provisions of national law are proportionate to the seriousness of infringements and adequate in severity to effectively punish and deter further infringements.

3. When determining penalties including when fixing the amount of financial penalties in accordance with paragraph 5, Member States shall take into account the nature, gravity and extent of the infringement, including its duration, its repetition, and whether the infringement is serious within the meaning of Article 44.

4. The following shall be considered aggravating circumstances:

   (a) the infringements are perpetrated through fraudulent or deceptive practices, or using documents or certificates that are falsified or known to be invalid, or;

(b) the infringements are committed deliberately.

5. In the case of a serious infringement referred to in Article 44, Member States shall ensure that the serious infringement is punishable by a financial penalty of which the minimum shall be the amount of the financial gain of the person who committed or is liable for the serious infringement. In case the person commits or is liable for a subsequent serious infringement within a three-year period, Member States shall ensure that the serious infringement is punishable by financial penalties, of which the minimum shall be twice the amount of the financial gain of the person who committed or is liable for the serious infringement. Alternatively, Member States may apply non-financial criminal penalties.

5a. The Commission shall, by [the date of application of this Regulation], adopt implementing acts in accordance with Article 49, to establish the methodology for defining the financial gain referred to in paragraph 5.

Article 44

Serious infringements

The following infringements shall be considered serious when committed deliberately or negligently:

(a) [more than 20%] of the terrestrial animals transported in a means of transport or container are not fit for transport as laid down in Chapter I of Annex I;

(aa) [more than 25%] of the aquatic animals transported in a means of transport or container for aquatic animals are not fit for transport as laid down in Chapter I of Annex II;

(c) for terrestrial animals transported, the ceiling height of a means of transport or container is less than 80% of the ceiling height set out in point 6 of Chapter III of Annex I;

(d) the space allowance for terrestrial animals transported in a means of transport or container is less than 80% of the requirements for space allowances set out in Chapter VII of Annex I;

(e) in case of terrestrial animals, the journey time by land exceeds that set out in Articles 26a to 30 by 30%, excluding rest periods;

(f) in case of aquatic animals transported in water, the water parameters are outside the limits set for meeting their specific needs in accordance with point 3.2 of Chapter III of Annex II, and corrective measures have not been taken when required;

(g) the transport is carried out by a transporter without an authorisation or, where applicable, by an organiser without an authorisation or, with a means of transport, a container for aquatic animals or a container for large animals without a certificate of approval, or by an attendant or animal welfare officer without a certificate of competence;

(h) in case a journey log is required in accordance with Article 15(1), animals are transported without an approval by the competent authority of the journey log;

(ia) terrestrial animals are not provided with feed, water or hydration within the maximum intervals referred to in Chapter V of Annex I, and those intervals are exceeded by [more than 30%];

(ib) terrestrial animals are not rested in accordance with Articles 26a(2)(b) and 30(2c), and the applicable maximum journey times before rest is required are exceeded by [more than 30%];

(ic) in case of terrestrial animals, the number of assembly centres used exceeds that set out in Articles 26a, 27a, 28 and 29.

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CHAPTER X
PROCEDURAL PROVISIONS

PUBLIC

Article 46

Report on the state of animal welfare in transport

1. Based on the data recorded in TRACES and any other relevant data, the Commission shall publish by [5 years after the date of entry into force of this Regulation] and thereafter every 5 years, a monitoring report on the state of animal welfare with regard to transport within the Union, as well as transport between the Union and Third Countries.

2. For the purpose of the reporting referred to in paragraph 1, Member States shall provide the Commission with the relevant data necessary for the preparation of this report, other than those recorded in TRACES, unless such data are already provided under other reporting obligations.

Article 47

Amendment of Annexes

1. The Commission is empowered to adopt delegated acts in accordance with Article 48 to amend the technical rules contained in Annex I, Annex II and Annex Va in order to take into account technical progress and scientific developments when available, including scientific opinions of EFSA, the scientific and technical studies and recommendations developed by the European Union reference centres for animal welfare, and social, economic and environmental impacts, with regards to:

   (a) the design and maintenance of means of transport and containers;

   (b) the handling equipment and handling practices;

   (c) the species-specific water requirements for aquatic animals, including limits for water parameters, and water monitoring requirements;

   (f) loading and unloading practices;

   (h) conditions on board container vessels and transport by air;

(i) transport practices;

(ja) the contingency plan;

(jb) species-specific fasting requirements prior to transport for terrestrial or aquatic animals;

(jc) positioning of and technical requirements for temperature and humidity sensors;

(jd) air circulation in means of transport and containers;

(je) requirements concerning the strength of pen rails and decks in livestock vessels, differentiated by species and category of terrestrial animals.

2. The Commission is empowered to adopt delegated acts in accordance with Article 48 to amend the templates in Annexes III, IV and V.

Article 48

Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts shall be conferred on the Commission for a period of 5 years from the date of entry into force of this Regulation. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.

3. The delegation of power referred to in paragraph 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

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5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to paragraph 2 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

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Article 49

Committee procedure

1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

3. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and of Article 5(4), third subparagraph of Regulation (EU) No 182/2011 shall apply.

Article 50

Implementing powers concerning documents

The Commission may, by means of implementing acts in accordance with Article 49, lay down rules for the uniform application of Articles 6, 9, 12a, 13a, 15, 32, 35 and 38 concerning rules for the issuance of electronic authorisations, certificates and journey logs and for the use of electronic signature.

CHAPTER XI
OTHER PROVISIONS

PUBLIC

Article 51

Data protection in the context of authorisations, journey logs, positioning systems and certificates

1. For the authorisations referred to in Chapter II, the certificates referred to in Chapter III, the transport documentation referred to in Article 14a(3), the journey logs referred to in Article 15 and the certificates referred to in Chapter VIII, the Commission and Member States shall be joint controllers in the meaning of Article 28 of Regulation (EU) 2018/1725 and Article 26 of Regulation (EU) 2016/679, pursuant to Article 11 of Implementing Regulation (EU) 2019/1715.

2. For the purposes of the positioning systems referred to in Article 24, the Commission shall be the controller in the meaning of Article 3(8) of Regulation (EU) 2018/1725.

3. The data recorded in the information system referred to in Article 24(3) shall only be accessible to the Commission, for the purpose of retrieving the information referred to Article 24(5) in TRACES.

4. In addition to the categories of personal data processed pursuant to Article 10 of Implementing Regulation (EU) 2019/1715, the personal data processed in relation to the positioning system referred to in Article 24 and the personal data in the journey log shall be processed for the only purpose of performing official controls and other official activities as defined in Article 2 of Regulation (EU) 2017/625. The personal data shall be retained in TRACES for a period of 3 years.

6. The personal data related to the authorisations referred to in Chapter II, certificates referred to in Chapter III and the certificates referred to in Chapter VIII shall be retained by TRACES throughout the validity of those authorisations and certificates and for a period of 3 years after their expiry or withdrawal.

Article 52

Stricter national rules

This Regulation shall not prevent Member States from maintaining or adopting stricter national rules aimed at providing a higher level of protection for animals during transport or related operations that take place entirely within the territory of a Member State, or during transport and related operations to a place of destination in a third country that begin in the territory of that Member State, provided that those rules are not inconsistent with this Regulation and do not interfere with the proper functioning of the internal market.

Member States shall inform the Commission about such existing national rules by [the date of application of this Regulation] and shall inform the Commission about such new national rules before their adoption, unless Member States have notified the draft national rules in accordance with Directive (EU) 2015/1535. The Commission shall bring them to the attention of the other Member States.

Article 53

Mobile application

1. By [5 years from the date of entry into force of this Regulation], the Commission shall develop and make available to operators and competent authorities a mobile application allowing the performance of administrative tasks in relation to the transport of animals. The application shall have at least the following functionalities connected to TRACES:

   (a) creation and update of sections of a journey log or transport documentation by registered TRACES users;

   (b) submission of a journey log for approval;

   (c) calculation of required space allowance and ceiling height;

   (d) support for the assessment of fitness for transport;

   (e) tools to check the weather forecast;

   (ea) support for the assessment of the indicators referred to in Article 26(1) and (2);

   (eb) tools to calculate the journey time by road for each journey;

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(ec) the capability to act as a positioning system connected to the information system referred to in Article 24(3).

2. By [4 years after the date of entry into force of this Regulation] the Commission shall, by means of implementing acts in accordance with Article 49, lay down detailed specifications for the development of the application referred to in paragraph 1.

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Article 54

Reporting and evaluation

1. By [10 years after the date of entry into force of this Regulation], the Commission shall carry out an evaluation of this Regulation and present a report on the main findings to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions.

2. For the purpose of the reporting referred to in paragraph 1, Member States shall provide the Commission with the data necessary for the preparation of this report, unless such data are already provided under other reporting obligations.

Article 55

Derogation

By way of derogation to this Regulation, Member States may continue to apply the current national provisions concerning transport of animals within their outermost regions, originating from or arriving at those regions. They shall inform the Commission thereof.

Article 55a

Use of databases for management of authorisations, certificates and journey logs

1. Authorisations and approvals of organisers, transporters, means of transport, containers for aquatic animals and containers for large animals shall be applied for, amended, renewed, granted, rejected, suspended, partially suspended, and withdrawn in TRACES. Lifting of suspension or of partial suspension shall be recorded in TRACES. Certificates of competence referred to in Article 38 shall be granted, renewed, and withdrawn in TRACES.

However, a Member State may use a national database for the procedures referred to in paragraph 1 provided that this database is interoperable with TRACES. In this case, the national database shall contain at least the information referred to in the templates set out in Annex V. The Member State concerned shall ensure the instant automatic transmission from its national database to TRACES of the following information:

(a) the identification of the organiser, transporter, the means of transport or container for large animals or container for aquatic animals, as applicable, the submission of the application and the status of the application, including authorisation, approval, rejection, suspension, partial suspension, lifting of suspension and withdrawal;

(b) the certificates of competence granted, renewed or withdrawn.

In addition, the national databases shall automatically retrieve from TRACES information that is relevant for the processing of applications.

2. The Commission shall, [by one year before the date of application of this Regulation,] adopt implementing acts to lay down the technical parameters necessary for the interoperability of the national databases and TRACES as referred to in paragraph 1.

3. Journey logs shall be completed, submitted, signed and approved in TRACES. However, in the case of a journey log for transport by livestock vessels, where all journeys to the port of loading start in the same Member State, that Member State may use a national database for the completion, submission, signature and approval of the integrated journey log, provided that this database is interoperable with TRACES. In this case, the national database shall contain at least the information set out in template 1 of Annex III.

4. The Commission shall ensure that journey logs are retained in TRACES for a period of 6 years, with the exception of personal data to which Article 51 applies.

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CHAPTER XII
TRANSITIONAL AND FINAL PROVISIONS

PUBLIC

Article 56

Repeals

1. Council Regulation (EC) No 1/2005 is repealed.

2. References to the repealed Regulation shall be construed as references to this Regulation and read in accordance with the correlation table in Annex VI.

2a. Commission Implementing Regulation (EU) 2023/372 is repealed.

Article 56a

Amendment to Regulation 2017/625 on Official Controls

Article 21(2)(b) of Regulation 2017/625 is deleted.

Article 57

Amendments to Council Regulation (EC) No 1255/97

– Council Regulation (EC) No 1255/97 is amended as follows:

Article 3(1), first subparagraph, is replaced by the following:

‘1. The competent authority shall approve and issue an approval number to each control post. Such approval may be limited to a particular species or to certain categories of animals and health status. The approval shall establish the maximum number of animals, per species and category, that may be accommodated in the control post. Member States shall notify the Commission of the list of approved control posts and any updates. ’

In Article 5, the following point is added:

‘(j) to keep a booking system enabling organisers to book available pens and time slots.’

In Section B of the Annex, point 2(c) is replaced by the following:

‘(c) have, in relation to the species and categories concerned, suitable facilities for holding, inspecting, examining where necessary, feeding and watering the animals and storing feedingstuffs, including suitable milking equipment for dairy cows, where applicable;’

Article 58

Transitional provisions

Point (2)(e) of Chapter I of Annex I, Chapter V of Annex I, point 3.1. of Chapter VI of Annex I and Chapter VII of Annex I to Council Regulation (EC) No 1/2005 shall continue to apply until the date of application of point 1 (h) of Chapter I of Annex I, Articles 26a to 30 and Chapter VII of Annex I to this Regulation.

Article 3(e), Article 6, paragraphs 4 and 5, Article 9(2)(a), Article 17, Chapter III of Annex III, and Annex IV of Council Regulation (EC) No 1/2005 shall continue to apply until the date of application of Article 36a, paragraphs 1 to 4, 6 and 7, Article 36b, paragraphs 1 to 3a, 5 and 6, Article 37 and Article 38.

A certificate of competence issued in accordance with Article 17(2) of Regulation (EC) No 1/2005 shall remain valid until 3 years after the date of entry into application of Article 36b. A holder of such a certificate of competence shall initiate the procedure to obtain a certificate of competence in accordance with Article 36b no later than two years after the entry into application of that Article.

Point 1 of Section 1 of Chapter IV of Annex I to Regulation (EC) No 1/2005 shall continue to apply until the date of application of point 1.1 of Chapter IV of Annex I.

Commission Implementing Regulation (EU) 2023/372 shall continue to apply until the adoption of the implementing acts referred to in Article 13a(13).

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Article 59

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

2. It shall apply as from [2 years from the date of entry into force of this Regulation], unless otherwise provided for in paragraphs 3, 4 and 5.

3. Article 13a(1), point (b), Article 43(5) and Article 44, shall apply from [3 years from the date of entry into force of this Regulation].

4. Article 20a, paragraphs 1 to 5 of Article 24, Articles 26a to 30, Articles 32 to 36, paragraphs 1 to 4, 6 and 7 of Article 36a, paragraphs 1 to 3a, 5 and 6 of Article 36b, Article 37, Article 38, Article 51, Article 55a, point 1(h) of Chapter I of Annex I, point 6.1a of Chapter VI of Annex I and Chapter VII of Annex I shall apply from [5 years from the date of entry into force of this Regulation].

   Article 13(1a), point (bb), and points 1.1 and 3.1 of Chapter IV of Annex I shall apply from [10 years from the date of entry into force of this Regulation].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

PUBLIC