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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Animals and Veterinary Questions (Animal Welfare)
N° prev. doc.:	13228/25
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Subject:	Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005 - Consultation on Presidency text on Chapter I of Annex I (Fitness for transport) - MS comments

Delegations will find in Annex comments from the Member States (AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, GR, HR, HU, IE, IT, LT, LV, LV, NL, PL, PT, RO, SE, SI) on the Presidency text on Chapter I of Annex I (Fitness for transport) (as in document 13228/25).

Chapter I of Annex I (Fitness for transport)

From: AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, FR, GR, HR, HU, IE, IT, LT, LV, LV, NL, PL, PT, RO, SE, SI

Please add your contributions in the table below, only in the columns '**Drafting**' and/or '**Comments**'.

Before returning your contribution, please save the MS Word document with a name starting with the two initials of your delegation's Country followed by a space, only then you may add any text to the file name, for example, for Austria: **AT** comments on.docx !

Thank you for your cooperation!

Chapter I of Annex I (Fitness for transport)

From: AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, FR, GR, HR, HU, IE, IT, LT, LV, LV, NL, PL, PT, RO, SE, SI

Presidency text	Drafting Suggestions and MS Comments
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Chapter I of Annex I (Fitness for transport)

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General comments	<p>CY (MS Comments):</p> <p>We would like to thank the Presidency for delivering a well-written text that effectively addresses most of the issues related to fitness for transport and incorporates all of our previous drafting suggestions on this matter.</p> <p>DE (MS Comments):</p> <p>This chapter is of central importance for animal welfare during transport. We welcome the revision carried out by the Presidency with the aim of designing the requirements in such a way that they leave as little room for interpretation as possible. At the same time, we recognise that undefined terms cannot be fully avoided. In principle, however, uniform enforcement of the regulations throughout the EU should be ensured. Specifically, it should be made clear in which specific cases an animal is fit for transport, no longer fit for transport or of doubtful fitness for transport and when veterinarian should be sought. We therefore find it very important to include such explanations accompanied by specific examples in the recitals.</p> <p>ES (MS Comments):</p> <p>We thank the Presidency for the revised text and welcomes the efforts to improve clarity and consistency.</p> <p>We underline the importance of clearly defining who is responsible for assessing fitness for transport and ensuring that evaluations are based on objective and harmonised criteria rather than on subjective notions such as “pain” or “suffering”.</p> <p>We consider that the basic act of the Regulation could focus on establishing the general principles of fitness for transport, while the</p>
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Presidency text	Drafting Suggestions and MS Comments
	<p>more detailed, objective and measurable criteria could be further developed through delegated acts or annexes.</p> <p>This approach would allow the incorporation of scientific work already developed by the EU Reference Centres for Animal Welfare (EURCAWs) ensuring that the criteria are tangible, harmonised and easily understood by all operators involved in transport.</p> <p>We note that some proposed age and weight limits appear overly restrictive and may not reflect practical realities in certain production systems.</p> <p>We also ask for clarification on whether the general conditions on fitness for transport also apply to dogs and cats. If these species are not finally included in the definition of “terrestrial animals” under Article 3, it should be explicitly stated that the same fitness conditions apply to them as well, in order to ensure legal clarity and consistency of interpretation.</p> <p>Regarding the derogation for slightly injured or end-of-career animals, We consider that not all such animals are necessarily unfit for transport, and that the requirement to move them only to the nearest slaughterhouse should be reconsidered. Moreover, the term <i>“end of career”</i> refers to a commercial or production stage, not to the physiological condition of the animal. From a welfare perspective, what should be taken into account is the animal’s physiological state and individual vulnerability, rather than its commercial category.</p> <p>Finally, concerning the provision on blind animals, We suggests specifying that only totally blind animals should be deemed unfit,</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>whereas animals blind in one eye may still be fit for transport if they can maintain balance and normal behaviour during the journey.</p> <p>FI (MS Comments): Fitness for transport is very clear in 1/2005</p> <p>FR (MS Comments): D'une manière générale, pour tout transport d'animaux malades, accidentés ou affaiblis, la liste pourrait être simplifiée en gardant les principes généraux et une bonne gestion des aléas en élevage :</p> <ul style="list-style-type: none">- maintenir le principe d'inaptitude pour les animaux les plus sévèrement touchés- mais élargir la possibilité de déroger à la règle générale moyennant la mise en œuvre de mesures de gestion du risque. <p>Par exemple : limitation de la durée de durée du transport, précautions particulières à mettre en place, instructions à bord pour qu'une attention particulière soit accordée aux animaux concernés, information préventive des parties prenantes à tous les stades du voyage, jusqu'au lieu de destination.</p> <p>FR (MS Comments): In general, for any transport of sick, injured or weakened animals, the list could be simplified by keeping the general principles and good management of hazards:</p> <ul style="list-style-type: none">- maintain the principle of unfitness for the animals most severely affected

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	<p>- but extend the possibility to derogate from the general rules through the implementation of risk management measures.</p> <p>For example: limitation of the duration of transport, special precautions to be put in place, instructions on board to pay particular attention to the animals concerned, preventive information to stakeholders at all stages of the journey, to the place of destination.</p> <p>HU (MS Comments):</p> <p>In our view, it is important to establish objective animal welfare assessment criteria in the context of fitness for transport — criteria that can be easily understood by all actors involved in transport, thereby ensuring harmonisation and facilitating effective official controls. An also not all animals at the end of their career are necessarily old or vulnerable, and that it is difficult to define what constitutes an <i>end-of-career animal</i>.</p> <p>NL (MS Comments):</p> <p>In general we would like to point out that this is a very important topic with a lot of impact on animal welfare. It will benefit all the member states to have as much objective and measureable measures as possible. This is the only way to harmonize this particular part of the regulation and make sure we all assess the fitness for transport in the same way and we come to the same conclusions. This will greatly benefit the level playing field. If we fail to harmonize this part of the regulation and especially if we fail to harmonize the way in which we assess and conclude one the fitness for transport, we will always have problems with a level</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>playing field and we will always have too much difference between member states, which will be detrimental to the internal market.</p> <p>PT (Drafting Suggestions): <u>No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them</u></p> <p>PT (MS Comments): We appreciate the work of the Presidency in presenting a new proposal on fitness requirements for transport. We believe that paragraph 1 of Regulation 1/2005 should be added to ensure that unfit animals cannot be transported and that transport conditions do not expose animals to unnecessary injury or suffering.</p>
	<p>NL (MS Comments): In general if there are no drafting suggestions and/or no comments, that means we agree with the presidency proposal as it is.</p>
<p>CHAPTER I FITNESS FOR TRANSPORT</p>	
<p>1. Terrestrial animals shall not be considered fit for transport if:</p>	<p>BE (MS Comments): Working with delegated acts to define lameness and body condition scores seems to be a good idea.</p> <p>CZ</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>j</p> <p>DE</p> <p>(Drafting Suggestions):</p> <p>1. Terrestrial aAnimals shall not be considered fit for transport if:</p> <p>DE</p> <p>(MS Comments):</p> <p>We suggest to change the heading of Annex I from 'TECHNICAL RULES FOR TERRESTRIAL ANIMALS' to 'TECHNICAL RULES FOR ANIMALS OTHER THAN AQUATIC ANIMALS' to make the provisions under this Annex to apply to all terrestrial animals and not only those that fall under the current Definition. This is of great importance for all the Chapters under this Annex. If our point to change the heading is accepted, we need no further differentiation, as the fitness of transport for aquatic animals is addressed under point 4 of Annex II. Please see our comment from the last consultation to explain why we consider the proposed change to the heading of Annex I and point 1 to be important.</p>
<p>(a) they are injured, [ø] ill <u>or in pain</u>;</p>	<p>AT</p> <p>(MS Comments):</p> <p>The inclusion of 'in pain' is generally to be welcomed. However, there is no clear definition of what this means in practice, which makes implementation considerably more difficult for transport companies and control bodies. Animals must show obvious signs of pain, otherwise it is very difficult in practice to assess whether they are in pain.</p>

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	<p>In order to be able to use pain as a valid exclusion factor, it is essential to establish a standardised assessment method (e.g. Grimace Scale). In addition, the use of pain as an exclusion factor should be accompanied by a clear definition of what constitutes 'no pain'.</p> <p>In addition, the assessment should be made as objective as possible in order to ensure a uniform approach in all Member States.</p> <p>BG (Drafting Suggestions):</p> <p>they are injured, [or] ill <u>or suffering in pain</u>;</p> <p>BG (MS Comments):</p> <p>Pain is a difficult criterion to prove and there is no way to say whether an animal is in pain or not, even if it has a visible wound for example. We propose that the term pain be replaced with suffering</p> <p>CY (Drafting Suggestions):</p> <p>(a) they are injured, or ill [or in pain];</p> <p>CY (MS Comments):</p> <p>As a criterion for fitness for transport, pain should be assessed by all persons directly involved in the transport of animals, using objective and measurable criteria to ensure a harmonised approach. However, since we consider this difficult to implement in practice, we propose deleting the phrase "or in pain."</p>

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	<p>Furthermore, this addition appears redundant, as point (c) already requires that animals must be able to move independently without pain.</p> <p>CZ (Drafting Suggestions):</p> <p>(a) they are injured, [ø] ill for in pain;</p> <p>CZ (MS Comments):</p> <p>We disagree with the proposed addition of "in pain". Pain is already covered under the letter (l) and does not need to be mentioned here. We prefer the word suffering instead of pain.</p> <p>DE (Drafting Suggestions):</p> <p>(a) they are injured, [ø] ill for in severe pain;</p> <p>DE (MS Comments):</p> <p>We are in favour of the inclusion of 'pain' (please see our reasoning from the previous consultation on this chapter). However, we note that not every minor pain (e.g. due to minor wounds, bruises) can exempt animals from transport. We therefore suggest that in any case animals with visible signs of severe pain should always be exempted from transport. We believe that trained staff, attendants and experienced keepers should be able to recognise such pain.</p> <p>EE (Drafting Suggestions):</p> <p>they are injured, [ø] ill for in pain;</p> <p>EE</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments): EE suggest taking out word pain. It's not very measurable. ES</p> <p>(Drafting Suggestions): (a) they are injured, [or] ill [or showing objective clinical signs of pain, suffering or distress] ES</p> <p>(MS Comments): We consider that the expression “<i>in pain</i>” is too subjective and difficult to assess consistently in practice. The assessment of fitness should rely on objective and harmonised criteria, based on visible and measurable clinical signs, such as lameness, wounds, weakness or abnormal behaviour. We therefore suggest qualifying the wording by referring to objective clinical signs of pain, suffering or distress, to ensure clarity, consistency and enforceability across Member States.</p> <p>FI</p> <p>(Drafting Suggestions): they are injured, or ill;</p> <p>FI</p> <p>(MS Comments): It is hard to estimate if the animal is in pain.</p> <p>GR</p> <p>(Drafting Suggestions): (a) they are injured, or ill [or in pain];</p> <p>GR</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>As a criterion for fitness for transport, pain should be assessed by all persons directly involved in the transport of animals, using objective and measurable criteria to ensure a harmonised approach. However, since we consider this difficult to implement in practice, we propose deleting the phrase “or in pain.”</p> <p>Furthermore, this addition appears redundant, as point (c) already requires that animals must be able to move independently without pain.</p> <p>HR</p> <p>(Drafting Suggestions):</p> <p>they are injured, [or] ill or in pain;</p> <p>HR</p> <p>(MS Comments):</p> <p>In praxis it would be difficult to measure it</p> <p>HU</p> <p>(MS Comments):</p> <p>We have concerns regarding its practical application, as animals — particularly prey species — tend to mask signs of pain. In our view, the wording “<i>showing signs of pain</i>” would be more appropriate.</p> <p>IE</p> <p>(Drafting Suggestions):</p> <p>(a) they are injured, [or] ill or in pain-suffering</p> <p>IE</p> <p>(MS Comments):</p>

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	<p>IE agrees with IT and other MS who have suggested that ‘suffering’ is a more suitable term than the narrower ‘pain’.</p> <p>IT (Drafting Suggestions): they are injured, [øɹ] ill <u>lor suffering</u>;</p> <p>LT (Drafting Suggestions): (a) they are injured, [øɹ] <u>or ill lor in pain</u>;</p> <p>LT (MS Comments): ‘Pain’ is just one sign out of five of inflammation. If animal is injured or ill it will have at least local inflammation somewhere. Therefore, ‘pain’ as a single sign should not be listed.</p> <p>LV (Drafting Suggestions): (a) they are injured, [øɹ] ill <u>lor in pain</u> suffering;</p> <p>LV (Drafting Suggestions): (a) they are injured, [øɹ] ill <u>lor in pain</u> suffering;</p> <p>NL (Drafting Suggestions): (a) they are injured, [øɹ] ill or in <u>show signs of pain or suffering</u>;</p> <p>NL (MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>It was clear in the working party meeting of the 9th of October that different member states have different ideas about what is more easily to assess: pain or suffering. We think however that we should really look at the animal and assess if it shows signs of pain or suffering. This way both terms are included and by pointing out that it is about the signs of pain or suffering, this makes it much more objective and easier to prove. It is easier to describe what you see (which signs of pain and suffering are there) than to just conclude that there is pain or suffering involved. This makes it easier in court, but it also makes it easier for the operators: teaching them to look for the signs of pain and suffering en pointing out that this is in the regulation as well, makes it way easier for them to actually make this assessment. EURCAW could even be asked to report which signs would be best to assess to make it even more clear, objective and standardized.</p> <p>PL (Drafting Suggestions): they are injured, [or] ill [or in pain];</p> <p>PL (MS Comments): The pain that may be observed by the person assessing the fitness for transport mainly concerns the reluctance to move, and this is referred to in letter c. Also, animals often hide their pain.</p> <p>PT (Drafting Suggestions): (a) they are severely injured, [or] ill [<u>or in pain</u>];</p> <p>PT</p>

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	<p>(MS Comments): We believe it should be ‘seriously injured’. We propose that the COM adopt delegated acts with guidance on fitness and pain (e.g. with scores for body condition, lameness, etc ...)</p> <p>RO (Drafting Suggestions): (a) they are injured or ill or in pain;</p> <p>RO (MS Comments): It is difficult to assess whether the animals are in pain.</p> <p>SI (Drafting Suggestions): are injured, sick or in pain <u>and their condition would cause them suffering during transport;</u></p> <p>SI (MS Comments): We think this should be explained in more detail, not every illness is a reason for inability to transport</p>
<p>(b) they present physiological weaknesses or pathological processes;¹</p>	<p>DE (MS Comments):</p>

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

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	<p>We welcome the deletion here and the new wording under (l).</p> <p>RO (Drafting Suggestions):</p> <p>(b) they present physiological weaknesses or pathological processes;</p> <p>RO (MS Comments):</p> <p>We believe this provision should stay here.</p>
<p>(c) they are unable to <u>stand on all their legs, maintain balance,</u> move independently without pain or to walk unassisted;</p>	<p>AT (MS Comments):</p> <p>Addition is fine.</p> <p>DE (Drafting Suggestions):</p> <p>(c) they are unable to <u>put weight on all their legs stand on all their legs, maintain balance,</u> move independently without pain or to walk unassisted;</p> <p>DE (MS Comments):</p> <p>We propose a different wording to make it clearer that animals standing and maintaining balance, but not being able to use all their legs are also excluded from transport.</p> <p>EE (MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>EE supports this: animal being unable to stand or maintain the balance will be very clear and undisputable for whoever deals with animal transport.</p> <p>FR (Drafting Suggestions):</p> <p>(c) they are unable to stand on all their legs, maintain balance, move independently without pain or to walk unassisted;</p> <p><u>By way of derogation, subject that the reason of the weakness in question does not cause pain likely to be aggravated by the planned transport, an animal unable to stay on all their legs to maintain balance or unable to walk unassisted can be transported for a limited transport time, provided that all arrangements are made in advance, from the start of loading until the end of unloading at the place of final destination, to assist, relieve and prevent any aggravation or further accident during transport.</u></p> <p>FR (MS Comments):</p> <p>La dérogation pourrait être définie ici ou au point 3.</p> <p>FR (Drafting Suggestions):</p> <p>(c)they are prohibited to stand on all their legacies, maintain balance, move independently without bread or to walk unassisted;</p> <p><u>By way of derogation, subject that the reason of the weakness in question does not cause pain likely to be aggravated by the planned transport, an animal prohibited to stay on all their legacy to maintain balance or prohibited to walk unassisted can be aggravated for a limited transport time, provided that all arrangements are made in advance, from the start of loading until the end of</u></p>

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	<p><u>unloading at the place of final destination, to assist, relieve and prevent any aggravation or further accident during transport.</u></p> <p>FR (MS Comments): The derogation could be defined here or in point 3.</p> <p>HR (Drafting Suggestions): they are unable to stand on all their legs, maintain balance, move independently without pain or to walk unassisted</p> <p>HR (MS Comments): Text was clear enough without addition</p> <p>NL (Drafting Suggestions): (c) they present a lameness score of 3 or higher are unable to stand on all their legs, maintain balance, move independently without pain or to walk unassisted;</p> <p>NL (MS Comments): There are several standardized lameness scores available (example: Sprecher, et. al, Theriogenology 47:1179, 1997). They mostly operate with a score of 1-5, in which 1 means a normal gait (no lameness) and 5 means severely lame. These scores are usually supported by photo material, showing what to look for in the animal to assess the locomotion. This would be making it a lot easier for the operators as well to assess the locomotion, since a standardized scale can be distributed among farmers, drivers,</p>

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	<p>transporters, caretakers and can be pinned at the stable, in the truck and so on.</p> <p>This is an objective and clear way to assess the locomotion, which would greatly harmonize this assessment throughout Europe. Furthermore this would support the developments in using smart camera's, sensors and artificial intelligence, since an objective standardized scoring system helps training the AI and supports the code behind it. The industry is already working on this with pilots.</p> <p>PT (MS Comments):</p> <p>We propose that the Comission issue delegated acts with guidelines on fitness (e.g. with scores for lameness and other issues).</p>
<p><u>[(ca) they are blind in both eyes.]</u></p>	<p>AT (Drafting Suggestions):</p> <p><u>[(ca) they are blind in both eyes.]</u></p> <p>AT (MS Comments):</p> <p>The transport of blind animals should still be possible, but under special arrangements for short distance transports or transports to the nearest slaughterhouse.</p> <p>BG (Drafting Suggestions):</p> <p><u>they are blind in both eyes.]</u></p> <p>BG (MS Comments):</p>

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	<p>Blind animals should not be excluded, as they follow their herd and walk together with the other animals.</p> <p>CZ (MS Comments):</p> <p>Any transport of animals blind in both eyes may be authorised only on the basis of a written confirmation by a veterinarian.</p> <p>DE (Drafting Suggestions):</p> <p>†(ca) they are blind in both eyes.†</p> <p>DE (MS Comments):</p> <p>We support the insertion of blind animals in the text, as blind animals have difficulty orientating themselves and therefore experience greater stress during transport.</p> <p>EE (Drafting Suggestions):</p> <p>(ca) they are blind in both eyes.†</p> <p>EE (MS Comments):</p> <p>EE is concerned of what should we do then with these animals. The blindness itself might not be a disease where transport is excluded and the minimum: transport for the slaughter or to the veterinary clinic needs to remain.</p> <p>EE suggest to take this out.</p> <p>ES (Drafting Suggestions):</p>

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	<p>they are totally blind, when such condition prevents them from maintaining balance, orientation or normal behaviour during transport.</p> <p>ES (MS Comments):</p> <p>We considers that blindness should not automatically make an animal unfit for transport. Animals blind in one eye, or even totally blind animals that can maintain balance, orientation and normal behaviour, should still be considered fit for transport. We therefore proposes to qualify this point to specify that only totally blind animals whose condition compromises their welfare during transport should be deemed unfit. This would ensure a proportionate and practical interpretation consistent with welfare objectives and field realities.</p> <p>FI (MS Comments):</p> <p>FI supports this addition</p> <p>FR (Drafting Suggestions):</p> <p>(ca) they are blind in both eyes. <u>By derogation, animals blind of both eyes can be transported, provided that they are accompanied by an animal which they are used to using as a guide and that all operators involved in his transport are aware of the situation, including at the place of destination.</u></p> <p>FR</p>

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	<p>(MS Comments): La dérogation pourrait être définie ici ou au point 3. FR</p> <p>(Drafting Suggestions): They are blind in both eyes. <u>By derogation, animals blind of both eyes can be distinguished, provided that they are accompanied by an animal which they are used to using as a guide and that all operators involved in his transport are aware of the situation, including at the place of destination.</u></p> <p>FR</p> <p>(MS Comments): The derogation could be defined here or in point 3. HR</p> <p>(Drafting Suggestions): <u>they are blind in both eyes</u></p> <p>HR</p> <p>(MS Comments): it should be allowed, with specific requirements, like blind horses in individual boxes</p> <p>IE</p> <p>(MS Comments): IE agrees with PT on retaining this point. While blind animals can often cope well with the demands of life on farm when accustomed to their surroundings, this is not the case during transport in connection with an economic activity. It is difficult for blind animals to keep on their feet during transport. There is a high risk of falling, disorientation, and significant fear / stress.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>LV (MS Comments): <u>We suggest adding specific requirements for short distance journeys for those animals.</u></p> <p>LV (MS Comments): <u>We suggest adding specific requirements for short distance journeys for those animals.</u></p> <p>PL (Drafting Suggestions): [(ca) they are blind in both eyes.]</p> <p>PL (MS Comments): Why blindness prevents transport, since the animal was also blind before transport, and what should be done with a blind animal?</p> <p>SI (Drafting Suggestions): (ca) they are blind in <u>one or</u> both eyes <u>and this condition would cause them suffering during transport and are transported separated from other animals.</u></p> <p>SI (MS Comments): Some animals react different than others. Blindness should not be cause for not being transported.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>(d) they are cachectic or severely dehydrated;</p>	<p>CZ (Drafting Suggestions): (d) they are cachectic or severely clinically dehydrated;</p> <p>HR (MS Comments): The capability for transport of cahectic and dehydrated animals should be assessed by the veterinarian, it shouldn't be generally baned</p> <p>NL (Drafting Suggestions): (d) <u>They present a Body Condition Score of 1 or lower</u> they are cachectic or are <u>clinically</u> severely dehydrated; <u>In the case of cats and dogs when they present a Body Condition Score of 2 or lower or 8 or higher.</u></p> <p>NL (MS Comments): There are several standardized Body Conditions Scores (BCS's) available for most species. They mostly operate with a score of 1-5, in which 1 means cachectic and 5 means morbidly obese. For dogs and cat the Voluntary Initiative Group on the welfare of dogs and cats recommended the BCS of the WSAVA (Body-Condition-Score-Dog.pdf), which scores the body condition from 1-9 (in which 1 is cachectic and 9 is morbidly obese). They also recommended that dogs and cats with a BCS of 1-2 or 8-9 are not fit for transport. These standardized body condition scores are usually supported by photo material, showing what to look for in the animal to assess the body condition. This would be making it a lot easier for the operators as well to assess the condition of an animal, since a</p>

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	<p>standardized scale can be distributed among farmers, drivers, transporters, caretakers and can be pinned at the stable, in the truck and so on.</p> <p>This is an objective and clear way to assess the condition, which would greatly harmonize this assessment throughout Europe and might also help in the development for smart sensor and camera technology.</p> <p>BuRO (an independent research facility within the competent authority of the Netherlands) researched the welfare concerns and risks for fitness of transport of end of career dairy cows and found that animals with a body condition score of one or lower are not fit for transport. Animals with a body conditions score between one and 2,5 are compromised and need to be taken extra care of during transport (limit the duration of the transport, no loading and unloading for multiple times, direct transport to the slaughterhouse without the use of an assembly centre etc.). We have included the paper of BuRO on this topic. At the end of the year, they're expected to deliver a similar risk analysis on pigs. Once that is published, we will be sure to share it with the presidency.</p> <p>It would also be more clear to assess whether an animal is clinically dehydrated (there are clear signs what to look for, such as deep set eyes, a dull coat and a skin that does not bounce back as fast when lifting it (turgor test) a.k.a. a bad turgor). This is much more clear than the term severe, because severity is in the eye of the beholder (and thus not objective). This would make it way easier to teach the operators what to look for in the animal as well when assessing the hydration. Yet again, this would make the assessment more objective, thus harmonizing it throughout Europe and benefitting the level playing field.</p> <p>PT (MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>We propose that the COM issue delegated acts with guidelines on fitness (e.g. with scores for body condition). It is sometimes very difficult to define what constitutes a emaciated animal (e.g. in birds). Laying hens at the end of their life have some degree of emaciation.</p>
<p>(e) they present a severe open unhealed wound, a hernia with complications or a prolapse;</p>	<p>BE (MS Comments): It's not clear what is meant with "complications". Preferably, this would be specified further. E.g. does this concern a hernia with open wounds or ulcers? Or hernias above a certain size?</p> <p>BG (MS Comments): It depends on the size of the hernia and the general condition of the animal. If te hernia is smaller than 15 sm (weight depending), with no sores/lesions and the animal's overall is well, the transport can be conducted.</p> <p>CY (Drafting Suggestions): (e) they present a severe open unhealed wound, a hernia that impedes movement without pain, restricts movement or endangers their health including cases where the hernia is swollen, strangulated, ulcerated or infected with complications or a prolapse;</p> <p>CY (MS Comments): We prefer retaining the term "open" instead of "unhealed", as we consider it easier to understand and apply in practice.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>The same rationale applies to the phrase “with complications”, since, as a criterion for fitness for transport, complications would need to be interpreted and assessed by all persons directly involved in the transport of animals, who are not veterinarians. Therefore, we would favour replacing the phrase “with complications” with more specific wording to facilitate practical implementation in the field.</p> <p>CZ (MS Comments): We support original wording “open wound”.</p> <p>DE (MS Comments): We support the insertion of “hernias” in the text. However, we ask for clarification in which cases hernias are considered to have complications. Mainly we think this depends on size and degree of damage to the skin. An explanation in the recitals could be a good aid to interpretation.</p> <p>EE (Drafting Suggestions): they present a severe open wound or a prolapse</p> <p>EE (MS Comments): Unhealed wound and a hernia with complications is not clearly understood and should be removed or specified.</p> <p>ES (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(e) they present a severe or extensive open unhealed wound, or a hernia or prolapse that clearly affects their welfare or ability to move without pain</p> <p>ES (MS Comments): We note that the concepts of “<i>severe open unhealed wound</i>” and “<i>hernia with complications</i>” are difficult to assess objectively in practice and may lead to inconsistent interpretation across Member States. We therefore suggest clarifying this point by specifying that only wounds or hernias that clearly compromise the animal’s welfare, mobility or cause evident pain should lead to non-fitness for transport. It would also be useful to distinguish between minor superficial wounds, which are frequent and do not affect welfare, and deep or infected wounds, which would justify non-aptitude. We considers that such clarification would improve practical enforcement and proportionality while maintaining a high level of animal welfare.</p> <p>FI (Drafting Suggestions): they present a severe open wound, <u>a hernia with complications</u> or <u>a prolapse</u></p> <p>FR (Drafting Suggestions): (e) they present a severe unhealed wound, a hernia with complications <u>or subjected to be tampered by other animals</u>, or a prolapse; <u>Minor open wounds or minor hernia must be protected from any risk of infection and aggravation in the event of rough</u></p>

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Presidency text	Drafting Suggestions and MS Comments
	<p><u>contact with vehicle equipment or other animals with which they travel.</u></p> <p>FR (MS Comments): La dérogation pourrait être définie ici ou au point 3.</p> <p>FR (Drafting Suggestions): (e) they present a severe unhealed wound, a hernia with complications <u>or aggravated to be tampled by other animals,</u> or a prolapse;</p> <p><u>Minor open wounds or minor hernia must be protected from any risk of infection and aggravation in the event of rough contact with vehicle equipment or other animals with which they travel.</u></p> <p>FR (MS Comments): The derogation could be defined here or in point 3.</p> <p>GR (Drafting Suggestions): (e) they present a severe open unhealed wound, a hernia <u>that impedes movement without pain, restricts movement or endangers their health including cases where the hernia is swollen, strangulated, ulcerated or infected</u> with complications or a prolapse;</p> <p>GR (MS Comments): We prefer retaining the term “open” instead of “unhealed”, as we consider it easier to understand and apply in practice.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>The same rationale applies to the phrase “with complications”, since, as a criterion for fitness for transport, complications would need to be interpreted and assessed by all persons directly involved in the transport of animals, who are not veterinarians. Therefore, we would favour replacing the phrase “with complications” with more specific wording to facilitate practical implementation in the field.</p> <p>HR (Drafting Suggestions): they present a severe open-unhealed wound, <u>a non-treated hernia with complications</u> or a prolapse</p> <p>IE (Drafting Suggestions): (e) they present a severe open-unhealed wound, a hernia with complications that poses a risk of causing suffering during the journey, or a prolapse.</p> <p>IE (MS Comments): There was some debate on this at the September WP, noting that both ‘open’ and ‘unhealed’ are imprecise – however it may not be straightforward to use more precise terms due to the diversity of wounds possible. Some MS have mentioned a scale for wound assessment which offers possibilities for a less subjective evaluation; however this would need to be easy to apply for non-veterinarian farmers and drivers on short journeys. On reflection, there may be merit in leaving the language as is, unless a simple and widely applicable wound classification system can be devised.</p> <p>IT</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions):</p> <p>they present a severe open <u>open</u> wound, <u>a hernia with complications</u> or <u>a prolapse</u>;</p> <p>LV</p> <p>(Drafting Suggestions):</p> <p>(e) they present a severe open <u>open or inflamed unhealed</u> wound, <u>a hernia with complications</u> or <u>a prolapse</u>;</p> <p>LV</p> <p>(Drafting Suggestions):</p> <p>(e) they present a severe open <u>open or inflamed unhealed</u> wound, <u>a hernia with complications</u> or <u>a prolapse</u>;</p> <p>NL</p> <p>(Drafting Suggestions):</p> <p>(e) they present an severe unhealed wound <u>that is of clinical relevance</u>, a hernia with complications <u>larger than 15 cm or a hernia with lesions on the skin</u> or a prolapse;</p> <p>NL</p> <p>(MS Comments):</p> <p>Severe is not a term that can be used in enforcement since it is too vague. The term unhealed on its own is also very vague, but by adding something along the lines of clinical relevance, it is more clear what is meant. The wound should not be of clinical relevance, meaning that it will not get worse during transport or hinder/hurt the animal in any way during transport.</p> <p>It is better to clearly describe what is meant by a hernia with complications (we would suggest to follow the indicator factsheets of EURCAW here: Fitness for transport, which state that a hernia</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>larger than 15-20 cm with sores/lesions makes an animal unfit for transport).</p> <p>PL (Drafting Suggestions):</p> <p>(e) — they present a severe open unhealed wound, a hernia with complications or a prolapse;</p> <p>PL (MS Comments):</p> <p>The problems mentioned in letter e are included in letter a. Also, as was mentioned by some delegations, it is unclear what would be “a hernia with complications”. How is an unhealed wound different from an injury mentioned in letter a?</p> <p>PT (Drafting Suggestions):</p> <p>(e) they present a severe open unhealed wound, a hernia with complications or a prolapse;</p> <p>PT (MS Comments):</p> <p>We have questions about what a hernia with complications is. Does it prevent the animal from moving, is it strangulated, does it have a wound?</p> <p>The complications of hernias must be properly defined. We do not agree with severe unhealed wounds. It should remain as it was..</p> <p>SI (Drafting Suggestions):</p> <p>(e) they present a severe unhealed wound, a prolapse or a hernia with that can cause complications;</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>(f) they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the <u>preceding</u> previous 7 days, <u>except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</u></p>	<p>BE (MS Comments): If the mating date is unknown and the permitted pregnancy rate is exceeded during transport, who is held responsible? The farmer or the transporter?</p> <p>CZ (Drafting Suggestions): (f) they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the preceding 7 days, <u>except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</u></p> <p>CZ (MS Comments): We see no reason for this exception for pregnant mares. We support the 80% limit.</p> <p>EE (Drafting Suggestions): (f) they are pregnant females for whom 80 60% or more of the expected gestation period has already passed, or females who have given birth in the <u>preceding</u> previous 7 days, <u>except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</u></p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>EE (MS Comments):</p> <p>80% of gestation is too long period. We think the consensus may be 60%. 80% is problem when we don't use bull instead of artificial insemination. It's important that, if we speak the long-distance transport, the animal must get used to the new environment before giving birth. But if we take 80% of gestation, then the time could be limited and due to stress of transport the animal may give birth the next day of voyage. But we must exclude the transport less than 100km.</p> <p>ES (MS Comments):</p> <p>We note that in practice it is often difficult to determine the exact stage of gestation, particularly in species other than equines. The reference to “80 % or more” of gestation should therefore be interpreted flexibly and based on veterinary judgement, to ensure proportionality and feasibility</p> <p>FI (Drafting Suggestions):</p> <p>they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the preceding previous 7 days, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>FI</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>The mares must be as well protected during late pregnancy, the mare should be in good time in the stable where they will give birth to a foal.</p> <p>FR</p> <p>(Drafting Suggestions):</p> <p>(f) they are pregnant females for whom 90% 80% or more of the expected gestation period has already passed <u>or are likely to be passed before the arrival at the place of destination</u>, or females who have given birth in the preceding 7 days <u>preceding the journey</u>, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p><u>By way of derogation, when animals are subject to disposal under animal health depopulation in accordance with the Animal Health Law (category A and B diseases) when slaughtering is permitted, pregnant females over 90% gestation may be transported provided that transport to the slaughterhouse is direct and as short as possible, and that all arrangements are made in advance, from the start of loading until the end of unloading at the place of final destination, to prevent any aggravation or further accident during transport.</u></p> <p>FR</p> <p>(MS Comments):</p> <p>Contrairement au seuil de 80% pour lequel il n'existe pas de critères de diagnose incontestables, le seuil de 90% est un paramètre qui peut être objectivé de manière certaine à l'abattoir (présence de phanères, pincés, toupillon) et sanctionné en conséquence.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>La France apprécie les spécificités accordées au transport des chevaux dans les activités de reproduction : transport des juments pour le poulinage, transport des poulains avec leur mère pour le suivi échographique</p> <p>La France souhaite proposer une dérogation à l'application du seuil de gestation pour les transports directs à destination de l'abattoir des animaux sous laissez-passer sanitaire dans le cas de maladies listées A et B (en application de la loi de santé animale)</p> <p>La France souhaite également proposer une dérogation à l'application du seuil de gestation dans le cas de femelles en retour d'estive (article 4 du corps du texte applicable, notamment l'aptitude au transport).</p> <p>Les dérogations pourraient être définies ici ou au point 3.</p> <p>FR (Drafting Suggestions):</p> <p>(f) they are pregnant females for whom 90% 80% or more of the expected gestation period has already passed <u>or are likely to be passed before the arrival at the place of destination</u>, or females who have given birth in the preceding 7 days <u>preceding the journey , except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are expected to be given birth in the preceding</u> 7 days preceding the journey , dedicated to them during the transport;</p> <p><u>By way of derogation, when animals are subject to disposal under animal health depopulation in accordance with the Animal Health Law (category A and B diseases) when slaughtering is allowed, pregnant females over 90% gestation may be provided that transport</u></p>

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Presidency text	Drafting Suggestions and MS Comments
	<p><u>to the slaughterhouse is direct and as short as possible, and that all arrangements are made in advance, from the start of loading until the end of unloading at the place of final destination, to prevent any aggravation or further accident during transport.</u></p> <p>FR (MS Comments):</p> <p>Contrary to the 80% threshold for which there are no undeniable diagnostic criteria, the 90% threshold is a parameter that can be objectified with certainty at the slaughterhouse (presence of phanères, pliers, toupillon) and sanctioned accordingly.</p> <p>France appreciates the specificities granted to the transport of horses in breeding activities: transport of mares for pudding, transport of foals with their mother for ultrasound follow-up</p> <p>France wishes to propose a derogation from the application of the gestation threshold for direct transport to the slaughterhouse of animals under animal health laissez-passer in the case of listed diseases A and B (pursuant to the Animal Health Law)</p> <p>France also wishes to propose a derogation from the application of the gestation threshold in the case of females returning from grazing lands (Article 4 of the body of the applicable text, in particular fitness for transport).</p> <p>Derogations could be defined here or in point 3.</p> <p>HR (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the <u>preceding</u> previous 7 days, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the animals mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>HR (MS Comments): Exception should be applicable to all pregnant animals</p> <p>IE (MS Comments): IE is grateful for the inclusion of this derogation.</p> <p>IT (Drafting Suggestions): they are pregnant females for whom 90% or more of the expected gestation period has already passed, or 80% of the expected gestation in case of long journeys to third Countries; or females who have given birth in the <u>preceding</u> previous 7 days, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>PL (Drafting Suggestions): (f) they are pregnant females for whom 890 % or more of the expected gestation period has already passed, or females who have given birth in the preceding previous 7 days, except in case</p>

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	<p>of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>PL (MS Comments): Increasing the gestational age to 90% to ensure greater flexibility and competitiveness of EU agriculture.</p> <p>The exception provided for mares does not take into account the upper gestational age limit, meaning transport would be possible just before parturition, which would reduce the mare's welfare compared to 1/2005. It should be considered whether the procedure in the event of a possible birth should be included in training or in the contingency plan. Additionally, an "attendant" is always present, and his task is to attend to the transported animals. We wish to request clarification on the situations referred to in the regulation, i.e., when health and welfare conditions will be better if, for example, it is not a clinic (transport to veterinary clinics is excluded from the scope of the regulation).</p> <p>PT (Drafting Suggestions):</p> <p>(f) they are pregnant females for whom 80 60% or more of the expected gestation period has already passed, or females who have given birth in the preceding previous 7 days, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>PT (MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>We propose that the limit be 60% of the pregnancy. This provides a greater margin of safety. (To prevent births from occurring during the journey. Eg. at slaughter house, control post, ...).</p> <p>SE (Drafting Suggestions):</p> <p>(f) they are pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the preceding previous 7 days, <u>except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</u></p> <p>SE (MS Comments):</p> <p>SE would like to remove this exemption. There is already the possibility in the COM proposal to transport pregnant animals after 80 % pregnancy has passed, either for shorter distance (50 km) from the establishment, or to veterinary.</p> <p>SI (Drafting Suggestions):</p> <p>they are pregnant females for whom 60 % or more of the expected gestation period has already passed, or females who have given birth in the preceding 7 days, except in case of pregnant mares if the purpose of the journeys is to improve the health and welfare conditions of birth, provided that the mares are permanently accompanied by an attendant, dedicated to them during the transport;</p> <p>SI</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>We believe that the most appropriate period is 60%, mainly due to the difficulty of determining the state of pregnancy. Anything over 60% is impossible to determine very accurately and there is a high risk that the animal will give birth during transport.</p>
<p><u>[(fa) they are lactating females and milking every 12 hours during transport is not possible;]</u></p>	<p>BE (MS Comments):</p> <p>This is probably not possible for all species (e.g. horses). More specification is needed.</p> <p>CY (Drafting Suggestions):</p> <p>[(fa) they are lactating females and milking every 12 hours during transport is not possible;]</p> <p>CY (MS Comments):</p> <p>In our opinion, lactating animals are fit for transport. The requirement that needs to be ensured is regular milking. Since this requirement is already addressed in paragraph 9 (which is proposed to be moved to point 3 of Chapter III of Annex I), we propose the deletion of this point.</p> <p>DE (Drafting Suggestions):</p> <p>[(fa) they are lactating females not accompanied by their offspring and milking at least every 12 hours during transport is not possible;]</p> <p>DE</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>We welcome the inclusion of this provision as new (fa). As the duration of journeys can vary extensively and take up to more than a day without unloading (e.g. using a sea leg) we believe that every (= high and low) lactating female can experience painful milk stasis during a journey if they are not milked at least every 12 hours or not accompanied by their offspring.</p> <p>ES</p> <p>(Drafting Suggestions):</p> <p>they are lactating females for which measures cannot be taken to prevent udder discomfort or suffering during transport, according to the species and physiological condition</p> <p>ES</p> <p>(MS Comments):</p> <p>We agree with the objective of avoiding suffering of lactating females due to engorgement or lack of milking. However, not all species can be milked, such as sows, mares or small ruminants in some production systems. Therefore, this provision should focus on preventing discomfort or welfare problems, rather than establishing a fixed milking interval or an obligation that is not feasible for all species. We suggest keeping a species-specific and practical approach, ensuring animal welfare without creating unworkable requirements.</p> <p>FI</p> <p>(Drafting Suggestions):</p> <p>[(fa) — they are lactating females and milking every 12 hours during transport is not possible;]</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>FI (MS Comments): This is not matter of fitness for transport, but must be considered when planning the journey.</p> <p>FR (Drafting Suggestions): [(fa) — they are lactating females and milking every 12 hours during transport is not possible;</p> <p>FR (MS Comments): Cette disposition correspond au point numéroté « 9 » dans la proposition initiale, pour lequel il est précisé plus bas dans ce tableau (au niveau de la note de bas de page n°4 qui correspond à ce point 9) : « <i>il est proposé que les paragraphes 8 et 9 soient déplacés au point 3 du Chapitre III de l'annexe I</i> ».</p> <p>La France propose de supprimer ce paragraphe (fa) et de déplacer l'obligation de traite toutes les 12 heures au niveau du chapitre relatif aux pratiques de transport.</p> <p>La traite imposant un déchargement des animaux dans un poste de contrôle équipé à cet effet, une mention relative à cette obligation devrait également être intégrée dans la partie du règlement relative aux intervalles de route/déchargement.</p> <p>La mention de la présence de femelles en lactation dans un lot dont le transport est soumis à carnet de route devrait aussi être prise en considération dans le modèle de carnet de route.</p> <p>FR</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions):</p> <p>[(fa) — they are lactating females and milking every 12 hours during transport is not possible;</p> <p>FR</p> <p>(MS Comments):</p> <p>This provision corresponds to the point numbered "9" in the initial proposal, for which it is specified below in this table (at the level of footnote 4 which corresponds to this point 9): <i>‘It is proposed that paragraphs 8 and 9 be moved to point 3 of Chapter III of Annex I’.</i></p> <p>France proposes deleting this paragraph (fa) and moving the obligation to milk every 12 hours to the chapter on transport practices.</p> <p>Since milking requires animals to be unloaded in a control post equipped for this purpose, a reference to this obligation should also be included in the part of the Regulation relating to feed/watering intervals.</p> <p>The indication of the presence of lactating females in a consignment subject to journey log should also be taken into account in the journey log template.</p> <p>GR</p> <p>(Drafting Suggestions):</p> <p>[(fa) — they are lactating females and milking every 12 hours during transport is not possible;]</p> <p>GR</p> <p>(MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>In our opinion, lactating animals are fit for transport. The requirement that needs to be ensured is regular milking. Since this requirement is already addressed in paragraph 9 (which is proposed to be moved to point 3 of Chapter III of Annex I), we propose the deletion of this point.</p> <p>NL (Drafting Suggestions):</p> <p>[(fa) they are lactating females from a dairy breed and milking every 12 hours during transport is not possible;]</p> <p>NL (MS Comments):</p> <p>It might be good to distinguish here between animals bred for dairy production (for example dairy cows and dairy goats) and other animals. Because it will be very dangerous to milk for example beef cattle that are not used to being handled that way.</p> <p>PL (Drafting Suggestions):</p> <p>[(fa) they are lactating females and milking every 12 hours during transport is not possible;]</p> <p>PL (MS Comments):</p> <p>Even if it is not possible to milk animals every 12 hours, it should be possible to transport animals for less than 12 hours, e.g. short journeys. Also, this is not the proper place for this kind of provision, as the obligation to milk cows seems to pertain to obligations during transport and not fitness for transport.</p> <p>PT</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions):</p> <p>[(fa) they are lactating females of bovine, ovine and caprine species and milking every 12 hours during transport is not possible;]</p> <p>PT</p> <p>(MS Comments):</p> <p>We agree that this standard should apply to females used for milk production (cattle, sheep, goats), but we have reservations about whether it should apply in the same way to females not used for this purpose (beef cattle, sows, dogs, cats, rabbits, etc.).</p> <p>SE</p> <p>(Drafting Suggestions):</p> <p>[(fa) they are lactating females <u>of ovine or caprine species or females of bovine species lactating above 20 kg per day,</u> and milking every 12 hours during transport is not possible;]</p> <p>SE</p> <p>(MS Comments):</p> <p>SE propose a definition of high-lactating animals (especially cattle) and exempting the low-lactating females from the requirement to milk every 12 hours.</p> <p>It is impossible or almost impossible to milk a cow in a means of transport or in the slaughterhouse. Bovines that are used to being milked by a robot or suckled by a calf are very difficult to milk by hand with or without a milking machine. Normally, high-lactating cows are milked before transport and slaughtered immediately upon arrival at the slaughterhouse. High-lactating cows are prioritised at the slaughterhouse. Although it is not a problem for the majority of dairy cows, there is a need to make a distinction between low-lactating and high-lactating animals, where the low-lactating animals are excluded. For that reason, a</p>

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	<p>milk yield that represents a high-lactating animal, especially for bovines, should be proposed.</p> <p>SE suggest that the definition of low-lactation in cattle should be maximum 20 kilograms per day. Above 20 kg may be considered to be high-lactating bovines.</p> <p>The current legislation specifies that lactating females of cattle, sheep and goats that are not transported with their offspring must be milked at least every 12 hours. In the case of sheep and goats, there is no indication that the requirement poses any particular problem. However, SE question whether the requirement should apply to all animal species. Horses and pigs, for example, are difficult or not possible to milk manually in the vast majority of cases.</p>
<p>(g) they are new-born mammals in which the navel has not completely healed <u>unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</u></p>	<p>FI (Drafting Suggestions):</p> <p>(g) they are new-born mammals in which the navel has not completely healed <u>unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</u></p> <p>FI (MS Comments):</p> <p>The presence of dam does not change the situation from the new-born animal welfare point of view.</p> <p>HR (Drafting Suggestions):</p> <p>they are new-born mammals in which the navel has not completely healed <u>unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</u></p>

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	<p>NL (Drafting Suggestions): (g) they are new-born mammals in which the navel has not completely healed unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</p> <p><u>(ga) they are unweaned animals that are not able to drink on their own.</u></p> <p>NL (MS Comments): Before young, unweaned animals are fit for transport, they have to know how to drink on their own from the drinkers that are available during transport. Otherwise they should be assessed as not fit for transport.</p> <p>PL (Drafting Suggestions): (g) they are new-born mammals in which the navel has not completely healed unless they are transported with their dam, or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</p> <p>PL (MS Comments): How can the dam's presence compensate for an unhealed navel?</p> <p>PT (Drafting Suggestions): (g) they are new-born mammals in which the navel has not completely healed unless they are transported with their dam, <u>separately from the rest of</u></p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>the other animals or in case of unweaned farmed lagomorphs of at least 48 hours, transported in the nest;</p> <p>PT (MS Comments):</p> <p>We believe that this type of transport may pose a risk to newborns, especially if they are transported together with other animals. There is a risk of crushing, omphalophlebitis, or other injuries. Therefore, we believe that the mother and her offspring should be separated from the other animals during transport.</p>
<p>(h) they are calves of less than 5 weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;</p>	<p>AT (MS Comments):</p> <p>Austria welcomes the minimum transport age of 3 weeks for short distance transports.</p> <p>BE (MS Comments):</p> <p>A higher minimum transport age for calves has clear advantages for animal welfare, but part of the livestock sector has expressed concerns because the existing infrastructure would not be designed to accommodate calves for longer periods. So far, there's no political agreement in Belgium on a definitive position on this matter.</p> <p>BG (Drafting Suggestions):</p> <p>they are calves of less than 10 days of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km.</p> <p>BG (MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>In Bulgaria small age male calves from milk farms are often distributed to other farms for nurture and fattening. It is not possible and very expensive for milk farms to take care of them. So it would be very difficult and in some cases leading to bankruptcy for the above mentioned milk farms to nurture calves aged up to 3 weeks.</p> <p>CZ (Drafting Suggestions): they are calves, piglets, lambs or kids of less than 2 weeks, unless they are transported less than 100 km;</p> <p>CZ (MS Comments): We could accept a limit of 2 weeks for calves and lambs. Currently, it is possible to transport lambs older than 7 days and calves older than 10 days on short journeys.</p> <p>DE (Drafting Suggestions): (h) they are calves of less than 4 weeks of age of less than 5 weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;</p> <p>DE (MS Comments): We suggest a minimum of 4 weeks for calves as an acceptable risk-based compromise to the 5 weeks recommended by EFSA. The literature analysed by EFSA shows that the immunity of animals is lowest at 2 to 3 weeks of age and that the healing of the navel takes 3 to 4 weeks. To be on the safe side in terms of calf health, we consider 4 weeks as the better compromise.</p> <p>EE</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>EE welcomes the 3 week approach.</p> <p>ES</p> <p>(MS Comments):</p> <p>We welcomes the reduction from 5 weeks to 3 weeks for calves, which reflects more realistic field conditions.</p> <p>However, We considers that the 3-week limit for lambs and kids remains too restrictive, particularly for traditional production systems such as the “cordero lechal”, where short and supervised journeys of less than one week-old animals are common and do not compromise welfare.</p> <p>This category also includes products covered by officially recognised EU quality schemes (PGI and PDO designations), which have been previously approved and recognised by the European Commission as traditional and compliant with strict production and welfare standards. Spain therefore believes that these well-established systems should be duly taken into account when defining minimum age limits.</p> <p>We also believe that the 100 km distance limit is arbitrary and should be interpreted flexibly, since in some regions the nearest slaughterhouse or collection point may exceed that distance</p> <p>FI</p> <p>(Drafting Suggestions):</p> <p>(h) they are calves of less than 5 weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 <u>2</u> weeks, unless they are transported less than 100 km;</p> <p>FI</p> <p>(MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>It is good that age limit is lower now, and the weight limit is removed. Finland can accept 3 weeks, but 2 weeks would be better, because of our milking sector processes, where calves are moved to calf rearing units at early age. The majority of calves reared for slaughter come from dairy farms that do not have the necessary facilities for rearing cattle for slaughter. Hence, this provision leads to unnecessary culling of bull calves due to lack of space and staff, which is not sustainable.</p> <p>FR (Drafting Suggestions):</p> <p>(h) they are calves of less than 10 days, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;</p> <p>FR (MS Comments):</p> <p>Si une augmentation de l'âge (par rapport à l'âge prévu dans le R(CE)1/2005) devait être retenue, elle devrait à minima s'accompagner d'une augmentation conséquente de la distance possible en dessous de laquelle le transport est possible (200 ou 300 km à vol d'oiseau)].</p> <p>FR (Drafting Suggestions):</p> <p>(h) they are calves of less than 10 days, piglets, lambs or kids of less than 3 weeks, unless they are typical less than 100 km;</p> <p>FR (MS Comments):</p> <p>If an increase in age (compared to the age provided for in Regulation (EC) No 1/2005) were to be retained, it should at least be accompanied by a consequent</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>increase in the possible distance below which transport is possible (200 or 300 km as the crow flies).</p> <p>IE (MS Comments): IE agrees with deleting the provision on 5 weeks and 50kg.</p> <p>IT (Drafting Suggestions): they are calves, lambs or kids of less than 2 weeks of age of less than 5 weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;</p> <p>NL (Drafting Suggestions): (h) they are calves of less than [5] weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km 3 hours;</p> <p>NL (MS Comments): We are strongly opposed to deleting the 5 weeks and 50 kg for unweaned calves. There is clear scientific evidence showing that calves before 4-5 weeks of age are in their immunity gap and thus very susceptible for all types of pathogens (Effects of transport age and calf and maternal characteristics on health and performance of veal calves - PubMed, Effects of transport age (14 versus 28 days of age) on blood total cholesterol, insulin, and insulin-like growth factor-1 concentrations of veal calves - PubMed). Especially when introducing them to strange animals (for example in an assembly centre), this affects the health and welfare tremendously. Therefore we strongly suggest to keep the 5 weeks and 50 kg in place for all</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>transport. Of course we know that a lot of member states are not in favour of this, so we are open for discussing 4 weeks for short transports and 5 weeks for long transports.</p> <p>Furthermore we would suggest to restrict on time instead of distance. Because with a restriction on the amount of Km's it is still possible to transport certain animals (the ones that are loaded the first) for long hours (for example a livestock trader has to pick up calves from 5 different farms, with which he will not exceed the 100 Km's, but he just takes a long time collecting them all because on farm 1 he has trouble loading, on farm 2 he decides to drink coffee with the farmer after loading, after loading on farm 3 he has to take his mandatory rest because he already drove a lot that day etc. This way the transport of the calves that were first loaded could take up to 8 hours, without the CA being able to prove that the transport took that long on purpose because the transporter can always argue that he just had trouble loading on all the farms).</p> <p>PL (Drafting Suggestions):</p> <p>(h) they are calves of less than <u>2</u> 5 weeks of age and weigh less than 50 kg, piglets, lambs or kids of less than 3 weeks of age or lambs and kids of less than 1 week of age, unless they are transported less than 100 km;</p> <p>PL (MS Comments):</p> <p>Thank you for removing the weight criterion for calf transport and for lowering the age of calves compared to the EC proposal. However, we would prefer to set the minimum age for calves to two weeks and for kids and lambs to one week.</p> <p>SI</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions):</p> <p>(h) they are calves, piglets, lambs or kids of less than 5 weeks, unless they are transported less than 100 km;</p>
<p>(i) they are dogs and cats of less than 12 weeks of age;</p>	<p>AT</p> <p>(Drafting Suggestions):</p> <p><u>... unless they are accompanied together with their mother.</u></p> <p>CZ</p> <p>(MS Comments):</p> <p>We propose harmonization with Article 56 of Regulation 688/2020 and newly drafted regulations on pet animal movements, where the possibility of granting an exemption is assumed for the transport of dogs or cats under 12 weeks of age (except of imports).</p> <p>DE</p> <p>(MS Comments):</p> <p>We are in favour of a minimum age of 12 weeks for dogs and cats that are transported within the scope of this regulation.</p> <p>ES</p> <p>(Drafting Suggestions):</p> <p>they are dogs and cats of less than 12 weeks of age in case of transport between member states and less than 8 weeks of age for national movement.</p> <p>ES</p> <p>(MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>We support allowing the movement of dogs and cats from 8 weeks of age for national transport.</p> <p>For welfare reasons, it is preferable that animals reach their final destination before the end of the socialisation period, to avoid stress or behavioural problems associated with delayed adaptation</p> <p>FI (Drafting Suggestions):</p> <p>(i) they are dogs of less than 8 weeks of age and or cats of less than 12 weeks of age</p> <p>FI (MS Comments):</p> <p>Dogs can be weaned earlier than cats, but cats need more time with their dams to ensure their welfare and thus that can be weaned later than dogs.</p> <p>FR (Drafting Suggestions):</p> <p>(i) they are dogs and cats of less than 8 weeks 12 weeks of age;</p> <p>FR (Drafting Suggestions):</p> <p>(i) they are dogs and cats of less than 8 weeks 12 weeks of age;</p> <p>HR (MS Comments):</p> <p>Should be harmonised with dogs and cats regulation – minimal age to sell the animal</p> <p>IT (Drafting Suggestions):</p> <p>they are dogs and cats of less than 8 weeks of age</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>NL (Drafting Suggestions):</p> <p>(i) they are dogs and cats of less than 12 16 weeks of age;</p> <p>NL (MS Comments):</p> <p>From an animal welfare perspective, we can support this measure. However, we would suggest to also keep animal and human health in consideration here. We know this regulation is about animal welfare, but since animal welfare and animal health are very closely related and influence each other greatly (there can be no good animal welfare without good animals health and vice versa), we would suggest to follow the recommendations of the Voluntary Initiative on the welfare of dogs and cats and make it 16 weeks, so the animals can be fully vaccinated against rabies before being fit for transport. We are open for 15 weeks as well. This will lessen the risk of spreading rabies and lessen the risk of having to cull animals because of a rabies suspicion.</p>
<p>(j) they are rabbits of less than 48 hours of age;</p>	<p>DE (MS Comments):</p> <p>We are in favour of the deletion. Please see also our comments of the last consultation on this chapter.</p>
<p>(k) they are cervid animals in velvet period <u>whose antlers are still innervated.</u></p>	<p>DE (MS Comments):</p> <p>We can generally support a further clarification, but worry if/how the status of innervation of the antlers can be determined.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>ES (Drafting Suggestions): they are cervid animals in velvet period showing signs of sensitivity, bleeding or pain associated with the antlers.</p> <p>ES (MS Comments): We notes that the concept of “<i>antlers still innervated</i>” is very difficult to assess in practice, as it requires specific anatomical or behavioural evaluation not feasible during transport inspections. We therefore suggests clarifying that only animals showing signs of sensitivity, bleeding or pain related to their antlers should be considered unfit for transport. This would provide clearer and more objective criteria, ensuring both animal welfare and practical applicability for field assessments.</p> <p>FI (Drafting Suggestions): (k) they are cervid animals in velvet period <u>and antlers have not yet ossified. whose antlers are still innervated.</u></p> <p>FI (MS Comments): Ossification is easier to estimate than innervation of antlers. Castrated male reindeers have velvet cover on their antlers for longer periods than intact male reindeers due to the lack of reproductive behaviour when the breeding season is approaching. When antlers have ossified there is no risk for sensation of pain in antlers which could induce suffering and prevent transport.</p> <p>PL</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions):</p> <p>(k) they are cervid animals in velvet period whose antlers are still innervated.</p> <p>PL</p> <p>(MS Comments):</p> <p>It seems unlikely that a person may determine innervation simply after following the course. The previous wording was sufficient.</p>
<p><u>(l) they present physiological or pathological conditions other than those mentioned in points (a) to (k) that are likely to cause pain, suffering, or a decline in health during transport;</u></p>	<p>DE</p> <p>(MS Comments):</p> <p>We are in favour of this provision which also replaces (b). We also agree with the term ‘conditions’, as it is more comprehensive than the terms used in (b) (‘weaknesses’ and ‘processes’)</p> <p>HR</p> <p>(Drafting Suggestions):</p> <p><u>(l) they present physiological or pathological conditions other than those mentioned in points (a) to (k) if they according to veterinary assessment are likely to cause pain, suffering, or a decline in health during transport</u></p> <p>IT</p> <p>(Drafting Suggestions):</p> <p><u>(l) they present physiological or pathological conditions other than those mentioned in points (a) to (k) that are likely to cause pain, suffering, or decline in health worsening of health conditions during transport;</u></p> <p>NL</p>

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	<p>(Drafting Suggestions):</p> <p>(l) they present physiological or pathological conditions other than those mentioned in points (a) to (k) that are likely to cause pain, suffering, physiological weakness, or a decline in health during transport;</p> <p>NL</p> <p>(MS Comments):</p> <p>We think that the proposed text does not take physiological weakness (as it was described in the deleted (b)) into account enough. There are a lot of conditions/illnesses which do not cause pain or suffering in the strict sense of these terms, but do cause physiological weakness, making it hard for animal to balance and keep upright during transport. And thus risking the animal falling and not being able to get back up again. That is why we suggest to add physiological weakness here.</p>
<p>2. Except if accompanied by their dam, The following terrestrial animals shall not be considered fit for long journeys:</p>	
<p>(a) animals of the domestic equine species animals, if they are younger than 4 months except if accompanied by their dam, or if they are unbroken;</p>	<p>AT</p> <p>(MS Comments):</p> <p>OK</p> <p>DE</p> <p>(MS Comments):</p> <p>Several delegations raised concerns about the term ‘unbroken’. In general, we would support a different wording for horses that are not halter trained.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>FI (Drafting Suggestions): (a) <u>animals of the domestic</u> equine <u>species</u> animals, if they are unbroken or younger than 4 months <u>except if accompanied by their dam, or if they are unbroken;</u></p> <p>FI (MS Comments): Unbroken equines (not trained for transport) or foals under 4 months without their mother should not be transported for long journeys.</p> <p>FR (Drafting Suggestions): (a) animals of the domestic equine species if they are <u>unbroken, or</u> younger than 4 months <u>except if accompanied by their dam, or if they are unbroken;</u></p> <p>FR (MS Comments): Cette formulation clarifie la proposition et réduit le risque de confusion juridique</p> <p>FR (Drafting Suggestions): (a) animals of the domestic equine species if they are <u>unbroken, or</u> higher than 4 months <u>except if referred by their dam, or if they are unbroken;</u></p> <p>FR (MS Comments): This wording clarifies the proposal and reduces the likelihood of legal confusion</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>HR (Drafting Suggestions): <u>animals of the domestic</u> equine <u>species</u> animals, if they are younger than 4 months <u>except if accompanied by their dam, or if they are unbroken</u></p> <p>PT (Drafting Suggestions): a) <u>animals of the domestic</u> equine <u>species</u> animals, if they are <u>unbroken or if</u> younger than 4 months <u>except if accompanied by their dam, or if they are unbroken</u>;</p> <p>PT (MS Comments): We believe that this sentence should be clearer with regard to unbroken horses.</p> <p>SE (Drafting Suggestions): (a) animals of the domestic equine species, if they are younger than <u>4</u> months except if accompanied by their dam, or if they are unbroken<u>unhandled</u>;</p> <p>SE (MS Comments): Foals should not be weaned before the age of 6 months at the earliest and therefore not transported without the mare before then. SE propose that 4 months should be changed to 6 months.</p> <p>SE also suggest that the term <i>unbroken</i> is replaced with <i>unhandled</i>. The term "unbroken" basically means that the horse is unriden, or unbroken if it is a horse for driving. It should be called "unhandled" because there is no requirement that the horses have been driven or ridden, only handled.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>(b) piglets, if their body weight is less than 10 kgs.</p>	<p>DE (Drafting Suggestions): undo</p> <p>DE (MS Comments): We suggest to keep this provision for piglets, which is also in place according to current Regulation 1/2005. We are concerned that piglets weighing less than 10 kgs at age of 3 weeks or higher have the capacity to withstand the challenges of a long journey.</p> <p>HR (MS Comments): HR supports the deletion</p> <p>NL (Drafting Suggestions): <u>(b) piglets, if their body weight is less than 10 kgs.</u></p> <p>NL (MS Comments): We understand that the presidency wants to focus on just one parameter and has chosen for age over weight. Even though we appreciate this simplification, it might not be good for animal welfare, since there is a lot of individual variation in weight. And since a lot of piglets are transported over long distances (or at least that is true for the Netherlands), we would suggest to keep the measure in (b) in place. Especially young animals need a little of body weight to be robust enough to withstand long distance transports, for example for thermoregulation and to be able to cope</p>

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Presidency text	Drafting Suggestions and MS Comments
	with the stress related to transport. They need some sort of reserve.
<p><u>(c) calves, if they are less than 5 weeks of age except if accompanied by their dam;</u></p>	<p>AT (MS Comments): In general, raising the minimum transport age for long-distance transports is welcomed. Austria would like to express its reservation regarding the 5 weeks, because the calves would have to stay much longer on the farm of origin, which presents a challenge for farms due to geographical conditions in Austria.</p> <p>BG (Drafting Suggestions): calves, if they are less than 14 days of age.</p> <p>BG (MS Comments): It is a good practice to stick to the requirements that work at the moment and are not outstepped. We have no reporting for bad animal welfare conditions to calves above 14 days of age, long journey transported.</p> <p>CZ (Drafting Suggestions): (c) calves, if they are less than 4 5 weeks of age except if accompanied by their dam;</p> <p>CZ (MS Comments): Currently, calves aged 14 days can be transported on long journeys. This is a change that would have a significant impact on the sector. We propose 4 weeks of age instead of 5 weeks.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>DE (MS Comments): We are in favour of this minimum age limit for calves as it is in line with EFSA's opinion.</p> <p>ES (MS Comments): We note an inconsistency between this point and point 1(h), where the Presidency text already reduces the minimum age for calves from 5 weeks to 21 days. We maintain that the reference to 5 weeks is too restrictive and not adapted to practical conditions, as healthy calves of 3 weeks and approximately 50 kg can be transported safely when properly managed. We therefore propose to align this point with 1(h), keeping the limit of 3 weeks (21 days), and ensuring that fitness is assessed based on the animal's health and welfare, not on a fixed age threshold alone.</p> <p>FI (Drafting Suggestions): <u>(c) calves, if they are less than 2.5 weeks of age except if accompanied by their dam;</u></p> <p>FI (MS Comments): The majority of calves reared for slaughter come from dairy farms that do not have the necessary facilities for rearing cattle for slaughter. Hence, this provision leads to unnecessary culling of bull calves due to lack of space and staff, which is not sustainable. There are already other requirements in this act for</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>long transports of calves such as increased space requirement, feeding system etc. Finland is big and sparsely populated country and 10-20 % of our calf transports are over 8 hours. However, so far only domestic long transports are carried out mostly, so they are under efficient supervision and do not last over 12 hours. Calves that are transported to another MS could be older.</p> <p>FR (Drafting Suggestions): (c) calves, if they are less than 15 days 5 weeks of age except if accompanied by their dam</p> <p>FR (Drafting Suggestions): (c) calves, if they are less than 15 days 5 weeks of age except if them by their dam</p> <p>HR (Drafting Suggestions): <u>calves, if they are less than 3 5 weeks of age except if accompanied by their dam</u></p> <p>IE (Drafting Suggestions): (c) <u>calves, if they are less than 53 weeks of age except if accompanied by their dam;</u></p> <p>IE (MS Comments): As mentioned at the WP, IE has particular needs in this area but is open to further discussion on this point.</p> <p>IT</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(Drafting Suggestions): <u>calves, if they are less than 5 3 weeks of age except if accompanied by their dam</u></p> <p>LV (Drafting Suggestions): <u>(c) calves, if they are less than 5 3 weeks of age except if accompanied by their dam;</u></p> <p>LV (Drafting Suggestions): <u>(c) calves, if they are less than 5 2 weeks of age except if accompanied by their dam;</u></p> <p>NL (MS Comments): We really appreciate the 5 weeks for long distance transport.</p> <p>PT (Drafting Suggestions): <u>(c) calves, if they are less than 4 5 weeks of age except if accompanied by their dam;</u></p> <p>PT (MS Comments): We agree with 4 weeks for long duration.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p><u>[(d) end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p>	<p>AT (MS Comments): OK, The term ‘end of career’ requires a clear definition in order to enable uniform enforcement practice in all Member States and prevent abuse of this provision.</p> <p>BG (Drafting Suggestions): <u>end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p> <p>BG (MS Comments): To remain only a slaughterhouse, with each farmer deciding which slaughterhouse would be most profitable for him, to have the right to choose. Economically, they may find themselves in a disadvantageous position.</p> <p>CY (Drafting Suggestions): [(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</p> <p>CY (MS Comments): We suggest deleting this point, as we consider that the assessment of fitness for transport should be based on the actual condition of the animals, rather than solely on their age or the owner’s decision driven by economic reasons.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>CZ (Drafting Suggestions):</p> <p>d) [end of career sows, end of career dairy cows and end of career laying and breeder hens], except if they are transported to the nearest suitable slaughterhouse.</p> <p>CZ (MS Comments):</p> <p>“end of career” - There is no definition of which animals are included under this term. Does it now replace the term "vulnerable," animals at the end of their productive life, or any animal removed from production (culled animal)? We do not consider the chosen term to be appropriate, mainly because it does not include other vulnerable animals (young, weak, or injured animals). It is unclear why only females are included here.</p> <p>DE (Drafting Suggestions):</p> <p><u>‡(d) end of career sows, end of career dairy cows, goats and sheep and end of career laying and breeder hens, except if they are transported directly to the nearest slaughterhouse adapted to the type and number of animals.‡</u></p> <p>DE (MS Comments):</p> <p>We support the introduction of this provision as we see the need to better protect the listed vulnerable animals (including dairy goats and sheep). Even if they are not considered sick or injured at the place of departure or do not have any other physiological condition of concern, there is a risk that their condition will deteriorate significantly during long journeys. We</p>

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	<p>assume that the competent authorities and animal owners know what is meant by ‘end of career’. If necessary, clarifications in the recitals could serve the purpose. We also suggest including further parameters regarding the suitability of the slaughterhouse.</p> <p>EE (MS Comments):</p> <p>With all the slaughterhouse points: We need to maintain free market and not limit our producers with the <i>nearest</i> slaughterhouse. EE, as many other MS, is a small country and we need to make sure that our animals are slaughtered the best way possible. Current market has found solutions, that provides good animal welfare during the way to the slaughter and during the process of slaughter and we must maintain it: in some cases, the difference is in 100 km or even less and freedom in options must remain.</p> <p>ES (Drafting Suggestions):</p> <p>only when their condition does not allow safe transport, or when they are transported to an approved slaughterhouse under appropriate welfare conditions.</p> <p>ES (MS Comments):</p> <p>We consider that not all end-of-career animals are necessarily unfit for transport. Their aptitude should be assessed individually, according to their health and physical condition, rather than presumed by category. The requirement that these animals may be transported only to the nearest slaughterhouse is too restrictive and not welfare-based, since distance alone is not a reliable indicator of risk.</p>

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	<p>We stress that if an animal is deemed fit for transport, the distance of the journey should not be further limited, as fitness by definition implies that the animal can safely complete the intended journey under the appropriate welfare conditions.</p> <p>We therefore suggests focusing on ensuring adequate conditions and fitness assessment, rather than imposing fixed geographical restrictions. This approach ensures proportionality, coherence and practical applicability, while safeguarding animal welfare</p> <p>FI (Drafting Suggestions): <u>{(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.}</u></p> <p>FI (MS Comments): It is hard to define end of career animal, points a-k cover.</p> <p>FR (Drafting Suggestions): <u>{(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.}</u></p> <p>FR (MS Comments): La définition d'un animal en fin de carrière est trop complexe et n'est pas un critère d'inaptitude au transport systématique de tous ces animaux.</p>

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	<p>De plus, la durée de transport à destination de l'abattoir a déjà été limitée à l'article 28 en fonction des espèces.</p> <p>Enfin, la désignation de l'abattoir le plus proche serait complexe, dépendant de l'espèce, du gabarit, mais également des capacités et du volume quotidien prévu à l'abattoir. Au final, c'est une notion difficile à contrôler et contraire aux flux du marché.</p> <p>FR (Drafting Suggestions): <u>{(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are deemed to the slaughter slaughterhouse.}</u></p> <p>FR (MS Comments): The definition of an end-of-career animal is too complex and is not a criterion of unfitness for systematic transport of all such animals.</p> <p>In addition, the duration of transport to the slaughterhouse has already been limited to Article 28 depending on the species.</p> <p>Lastly, the designation of the nearest slaughterhouse is complex, depending on the species, the size, but also the capacity and the daily volume expected at the slaughterhouse. In the end, it is a concept that is difficult to control and contrary to market flows.</p> <p>GR (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>[(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</p> <p>GR (MS Comments): We suggest deleting this point, as we consider that the assessment of fitness for transport should be based on the actual condition of the animals, rather than solely on their age or the owner’s decision driven by economic reasons.</p> <p>HR (Drafting Suggestions): <u>end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p> <p>HR (MS Comments): It should be decided under point 1</p> <p>HU (MS Comments): With regard to animals at the end of their production period, the provision requires that they be transported to the nearest slaughterhouse. We do not agree with this approach, as the nearest slaughterhouse may not necessarily be the most suitable one, and such a requirement could also have market-distorting effects.</p> <p>LT (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>[(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</p> <p>LT (MS Comments):</p> <p>This provision is to be applied for really old animals. When we speak about end of career dairy cows, we should consider that these cows can be relatively young animals as lactation period for many dairy cows is very short, e.g. 1,5-1,7 year. Especially for those animals which are kept in intensive industrial farms with a high turnover of animals. Having no clear definition of “end of career” animals the meaning of this provision is misleading.</p> <p>LV (Drafting Suggestions):</p> <p><u>[(d) end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p> <p>LV (MS Comments):</p> <p>The definition of “End of career animal” should be included in the Regulation, if it is used in the text. We suppose that as “end of career animal” is meant to be old, but in agricultural practices old animals can be seen rare, mostly in very small farms. We share the view, that this article should be excluded from the Regulation.</p> <p>LV (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p><u>[(d) end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p> <p>LV (MS Comments):</p> <p>The definition of “End of career animal” should be included in the Regulation, if it is used in the text. We suppose that as “end of career animal” is meant to be old, but in agricultural practices old animals can be seen rare, mostly in very small farms. We share the view, that this article should be excluded from the Regulation.</p> <p>NL (Drafting Suggestions):</p> <p><u>[(d) end of career sows, end of career dairy cows, en of career dairy goats and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</u></p> <p><u>Suggestion for definitions to be added to article 3:</u></p> <p><u>End of career dairy cows are cows of dairy breeds that are sent to slaughter because they can no longer be used for dairy production.</u></p> <p><u>End of career dairy goats are goats of dairy breeds that are sent to slaughter because they can no longer be used for dairy production.</u></p> <p><u>End of career sows are sows that are used for breeding and multiplying purposes that are sent to slaughter because they can no longer fulfil their role as breeding animals.</u></p>

Presidency text	Drafting Suggestions and MS Comments
	<p><u>End of career layer hens are hens that are sent to slaughter because they are at the end of their production cycle and can no longer be used to lay eggs.</u></p> <p><u>End of career breeder hens are hens that are sent to slaughter because they are at the end of their production cycle and can no longer be used to lay eggs for breeder production.</u></p> <p>NL (MS Comments): We are very much in favour of this addition! We really think there should be more attention towards the end of career animals, since they run the biggest risk of experiencing animal welfare concerns, since they are usually in suboptimal shape to cope with transport conditions. We do suggest to have clear definitions of what an end of career animal is. We have suggested some in the draft suggestions column. We would also suggest to add end of career dairy goats.</p> <p>PL (Drafting Suggestions): [(d) — end of career sows, end of career dairy cows and end of career laying and breeder hens, except if they are transported to the nearest slaughterhouse.]</p> <p>PL (MS Comments): We request that this point be deleted due to the need to ensure economic freedom and competitiveness (the use of the nearest slaughterhouse cannot be imposed). Furthermore, transport to the slaughterhouse is carried out using assembly points, which means that the number of journeys will be two. There is no definition of</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>end-of-career animals and there will be uncertainties in the implementation and monitoring of this requirement. Animals sent to slaughterhouses are not always in poor physical condition, and their sale is due to, for example, a decline in milk production. Essentially, any animal sent to a slaughterhouse can be considered a post-production animal, as it is reaching the end of its life. Furthermore, it is possible for such an animal to be sold to another farm that will continue to use it. While the need for special protection for certain animals particularly vulnerable to the rigors of travel cannot be denied, it is difficult to single out such animals in the proposed regulation, as all animals sent for slaughter, both end-of career and not, will have the same defined destination of the journey: a slaughterhouse.</p> <p>Also, a provision obligating transport only to the nearest slaughterhouse causes the creation of monopolists which is utterly unacceptable as it is anti-competition. It may cause situations where a slaughterhouse becomes a monopolist in a given area and will have unfair advantage over the farmers.</p> <p>PT (MS Comments):</p> <p>There should be a definition for animals at the end of their productive life, or cull animals (cull cows, sows, etc.).</p> <p>We agree with the restrictions on the duration of journeys for this type of animal.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>When you mention “the nearest abattoir”, does that mean that long journeys can only be made if there are no abattoirs within short travelling distance? And in that case, do they have to go to the nearest abattoir?</p> <p>RO (MS Comments): The maximum distance to the “nearest slaughterhouse” should be provided. The procedure to be followed when there are no slaughterhouses nearby should be provided for.</p> <p>SE (MS Comments): SE is hesitant to exempt transport to the nearest slaughterhouse if this is further than 9 hours away. End-of-career sows, dairy cows, laying hens and broiler mother and grandparents are vulnerable categories of animals that should not be transported on long journeys, even if the nearest slaughterhouse is further away. However, if this is to be allowed, a clear definition of what is the "nearest" slaughterhouse is needed. It has to be made clear that it is the closest slaughterhouse that slaughters this category of animals and that has the capacity, not necessarily the slaughterhouse with which the farmer has an agreement. Economy cannot be the prioritizing factor.</p> <p>According to the Commission, only a few slaughterhouses are more than 12 hours away from the establishments that deliver to them, but many MS have nevertheless stated that they need more time to reach their "nearest" slaughterhouses.</p>

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<p>3. By way of derogation from points 1 (a) and (b), animals may be considered fit for transport <u>for short journeys or journeys to the nearest slaughterhouse</u> if they are:</p>	<p>AT (MS Comments): The clear reference to the ‘nearest slaughterhouse’ is welcomed. The following additional requirements for transport in the case of minor injuries or minor illness, especially to the slaughterhouse, would in any case be necessary from an enforcement perspective:</p> <ul style="list-style-type: none"> • Animals must always be healthy or fit for slaughter (no systemic feverish illness or similar). • Mandatory written order for transport by a veterinarian at the point of departure. • Transport only permitted to the nearest slaughterhouse (it would be sensible to specify a maximum permissible distance in kilometres) and without stopovers/additional loading (direct transport from the farmer to the slaughterhouse) • Transport individually in a compartment or in a separate transport with appropriate accommodation (e.g. bedding, soft surface) • Slaughterhouse must be suitable for this purpose <p>CY (Drafting Suggestions): 3. By way of derogation from point 1 (a), animals may be considered fit for transport for short journeys, or <u>for long journeys to the nearest slaughterhouse adapted to the species and category of animals transported,</u> if they are:</p> <p>CY (MS Comments): We believe it should be made clear that these animals may be transported for short journeys, as well as for long journeys to the</p>

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	<p>nearest slaughterhouse adapted to the species and category of the animals concerned, and not to any slaughterhouse.</p> <p>CZ (Drafting Suggestions):</p> <p>3. <u>By way of derogation from points 1 (a), animals may be considered fit for transport for short journeys or journeys to the nearest slaughterhouse if they are:</u></p> <p>CZ (MS Comments):</p> <p>We do not support the inclusion of exemptions from transport eligibility and allowing short-distance transport or transport for the purpose of slaughtering or euthanizing sick, exhausted, or injured animals. We see great potential here for abuse, circumvention of the rules, and deterioration of animal welfare. For these reasons, we propose deleting the whole point 3.</p> <p>DE (Drafting Suggestions):</p> <p>3. By way of derogation from points 1 (a) and (ca) and (b), animals may be considered fit for transport <u>for short journeys or journeys to the nearest slaughterhouse</u> adapted to the type and number of animals if they are:</p> <p>DE (MS Comments):</p> <p>We are in favour of the inserted restrictions but see the need for further clarification for the term ‘nearest slaughterhouse’ (please refer to our comment under point 2(d)). We suggest a further exemption for blind animals. Please see below under (aa).</p> <p>FI</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>The structure with derogations is hard to comprehend.</p> <p>GR</p> <p>(Drafting Suggestions):</p> <p>3. By way of derogation from point 1 (a), animals may be considered fit for transport for short journeys, or for long journeys to the nearest slaughterhouse <u>adapted to the species and category of animals transported</u>, if they are:</p> <p>GR</p> <p>(MS Comments):</p> <p>We believe it should be made clear that these animals may be transported for short journeys, as well as for long journeys to the nearest slaughterhouse adapted to the species and category of the animals concerned, and not to any slaughterhouse.</p> <p>HR</p> <p>(Drafting Suggestions):</p> <p>By way of derogation from points 1 (a) and (b), animals may be considered fit for transport <u>for short journeys or journeys to the nearest slaughterhouse</u> if they are:</p> <p>HU</p> <p>(Drafting Suggestions):</p> <p>3. By way of derogation from points 1 (a) and (b), animals may be considered fit for transport <u>for short journeys or journeys to the nearest slaughterhouse</u> if they are:</p> <p>HU</p> <p>(MS Comments):</p> <p>see above</p>

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	<p>NL (MS Comments): We really appreciate the work the presidency has done here. It is very important to adjust the transport to the needs of the animals, especially when the animals are slightly ill or injured.</p> <p>SE (MS Comments): For the same reasons as in the comment on p.2d) SE is hesitant to exempt transport to the “nearest slaughterhouse” if this is further than 9 hours. If this is to be allowed, a clear definition of what is the "nearest" slaughterhouse is needed.</p>
<p>(a) slightly injured or ill, and <u>their</u> transport would not cause additional suffering <u>or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</u></p>	<p>AT (MS Comments): The word ‘slightly’ could lead to legal uncertainty, as it is difficult to assess objectively. Therefore, a precise definition of the criteria is necessary to ensure a uniform approach in all Member States.</p> <p>CZ (Drafting Suggestions): (a) — slightly injured or ill, and their transport would not cause additional suffering or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</p> <p>EE (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>slightly injured or ill, and their transport would not cause additional suffering <u>or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</u></p> <p>EE (MS Comments): It's not allowed to send ill/sick animals to slaughterhouse.</p> <p>ES (MS Comments): We consider that the terms “shorter journeys” and “to the nearest slaughterhouse” are too vague and not welfare-based. If an animal is deemed fit for transport despite a slight injury or illness, the determining factor should be the animal’s condition and the measures applied, not the distance of the journey. We therefore proposes to remove the geographical reference and to focus the provision on ensuring that transport does not cause additional pain or deterioration of health</p> <p>HR (Drafting Suggestions): (a) slightly injured or ill, and their transport would not cause additional suffering <u>or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness</u></p> <p>IT (Drafting Suggestions): slightly injured or ill, and their transport would not cause additional suffering <u>or decline in health worsening of health conditions during</u></p>

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Presidency text	Drafting Suggestions and MS Comments
	<p><u>transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</u></p> <p>LV (Drafting Suggestions):</p> <p>(a) slightly injured or ill, and <u>their</u> transport would not cause additional suffering <u>or decline if the health condition can get worse during the transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</u></p> <p>LV (Drafting Suggestions):</p> <p>(a) slightly injured or ill, and <u>their</u> transport would not cause additional suffering <u>or decline if the health condition can get worse during the transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</u></p> <p>NL (MS Comments):</p> <p>We would like to point out the risk analysis from BuRO which we mentioned earlier and included as an annex, especially annex D of that analysis. This annex lists all the welfare risks for end of career dairy cows and which risk decreasing measures can be taken to mitigate those risks. Those measures make clear what is necessary to transport the animals in such a way that takes the injury or illness into account. They are currently working on a similar report on pigs. We expect this to be published by the end of this year.</p> <p>PL (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(a) slightly injured or ill, and their transport would not cause additional suffering or decline in health during transport. In such cases, animals shall be transported under conditions that take into account the injury or illness;</p> <p>PL (MS Comments): The term "slightly" is vague and could lead to abuse. An animal, whose condition is not mentioned in point 1 is fit for transport. It is not specified who sets these conditions that take into account the injury or illness. Is it the veterinarian mentioned in the text below, or does he only advise as to the fitness for transport?</p> <p>PT (MS Comments): The part stating that ‘animals must be transported in conditions that take into account their injury or illness’ seems vague and difficult to apply/control.</p>
	<p>DE (Drafting Suggestions): <u>(aa) blind but otherwise healthy and are transported under conditions that prevent them from harm and suffering as documented by a veterinarian in writing. In such cases, the veterinary documentation shall accompany the animal;</u></p> <p>DE (MS Comments): It should be possible to transport blind but otherwise healthy animals under veterinary advice between farms or to slaughter.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>(b) — transported under veterinary supervision for or following veterinary treatment or diagnosis, and no unnecessary suffering or ill treatment is caused to the animals concerned;²</p>	<p>CZ (Drafting Suggestions): (b) — transported under veterinary supervision for or following veterinary treatment or diagnosis, and no unnecessary suffering or ill treatment is caused to the animals concerned;³</p> <p>HR (MS Comments): HR supports the deletion</p>
<p>(c) animals that have been submitted to veterinary surgical procedures <u>outside veterinary practices or clinics</u>, provided that wounds are not <u>inflamed and there are no signs of</u> bleeding and measures are taken to minimise physical contact with the wound.</p>	<p>CZ (Drafting Suggestions): (c) — animals that have been submitted to veterinary surgical procedures outside veterinary practices or clinics, provided that wounds are not inflamed and there are no</p> <p>ES (MS Comments): Regarding point (c), we support allowing transport of animals that have undergone minor veterinary procedures outside clinics (e.g. dehorning, castration), as long as wounds are clean, healed or not inflamed, and adequate measures are taken to protect them.</p>

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

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

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Presidency text	Drafting Suggestions and MS Comments
	<p>FI (Drafting Suggestions): c) animals that have been submitted undergone veterinary surgical procedures <u>outside veterinary practices or clinics</u>, provided that wounds are not <u>inflamed and there are no signs of</u> bleeding and measures are taken to minimise physical contact with the wound.</p> <p>FI (MS Comments): “Submitted to” has a meaning, that an animal is sent somewhere for surgical procedure, we suggest more clear wording. Veterinary practice can also mean certain area not explicitly a premise or building. Could clinics as a concept also include practices as well as hospitals?</p> <p>HR (Drafting Suggestions): animals that have been submitted to veterinary surgical procedures <u>other than outside veterinary practices or clinics</u>, provided that wounds are not <u>inflamed and there are no signs of</u> bleeding and measures are taken to minimise physical contact with the wound</p> <p>IE (Drafting Suggestions): (c) animals that have been submitted to veterinary surgical procedures <u>outside other than at veterinary practices or clinics</u>, provided that <u>transport is not likely to cause pain, suffering, or a decline in health,</u> wounds are not <u>inflamed open or painful, and there are no signs of</u> bleeding, and measures are taken to minimise physical contact with the wound.</p> <p>IE</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>(MS Comments):</p> <p>‘Outside veterinary practices or clinics’ conveys the meaning of procedures carried out in a trailer or yard, at, or immediately outside of, a veterinary practice premises.</p> <p>It is not fully clear what is meant by ‘wounds are not inflamed’, since the body always produces a degree of inflammation after any surgical procedure.</p> <p>It is important that there would be no possible interpretation of the text that could allow the transport of cattle that have undergone surgical procedures such as dehorning or castration a few hours or days before transport. Incentives exist for such practices in the current market. In these procedures the wounds are left open. Animals in the days following such procedures are in significant pain, which is not readily apparent to a non-veterinary operator, even if their wounds are not bleeding any more. Transport stress is highly likely to cause unnecessary suffering and decline in animal health.</p> <p>NL</p> <p>(Drafting Suggestions):</p> <p>(c) animals that have been submitted to veterinary surgical procedures outside veterinary practices or clinics, provided that wounds are at least 10 days old and not inflamed and there are no signs of bleeding and measures are taken to minimise physical contact with the wound.</p> <p>NL</p> <p>(MS Comments):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>We need objective and scientifically based measures. This will benefit both enforcement, the operators and the level playing field. That is why we suggest to take a clear threshold into account here to provide for adequate healing before transport. This is also necessary because (surgical) wounds, even if they are not bleeding, are very vulnerable and during transport there is great risk of the wound opening again or starting to bleed. The way this article is formulated now, it would create a back door for animals that underwent surgery on the farm (for example a caesarean section or abomasum surgery) and during the surgery the prognosis appears to be bad. The wound is closed and the animal is transported to the slaughterhouse the next day, without receiving any pain medication because that is not allowed prior to slaughter. This will cause a lot of pain and suffering for the animal on the farm as well as during transport. We see things like this a lot in The Netherlands and under the current regulation we can enforce this by seeing it as a severe wound, since the European Practical Guidelines to assess the fitness for transport say that a fresh/new surgical wound makes an animals unfit for transport (Transport guidelines EN.pub page 32). But with the formulation used in this proposal, we will not be able to do so anymore.</p> <p>PL (Drafting Suggestions):</p> <p>animals that have been submitted to veterinary surgical procedures outside veterinary practices or clinics, provided that wounds are dressed are not inflamed and there are no signs of bleeding and measures are taken to minimise physical contact with the wound.</p> <p>PL (MS Comments):</p>

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	<p>Nevertheless, we believe that if procedures are not done in clinics, they are done in holdings. So if they are done in the holding where the animal is kept, why can't the animal wait until the wound is healed before transport, so as not cause incompliance with point 1a (wounded or injured)? It is still unclear what is the scope of situations covered by this letter and what is the aim to be achieved.</p> <p>SE (Drafting Suggestions):</p> <p>(c) animals that have been submitted to veterinary surgical procedures outside veterinary practices or clinics <u>or to zootechnical procedures such as dehorning or castration</u>, provided that wounds are not inflamed and there are no signs of bleeding and measures are taken to minimise physical contact with the wound.</p> <p>SE (MS Comments):</p> <p>It may be appropriate to have such an exemption, for example for transports of animals that have undergone dehorning/debudding or castration, under the conditions mentioned in the paragraph: that the wounds are not inflamed or bleeding and that measures are taken to minimise physical contact with the wound. Neither dehorning nor castration are necessarily veterinary procedures but rather zootechnical procedures.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>For the purposes of point (a), in cases of doubt, veterinary advice shall be sought <u>and written documentation of such advice shall be kept.</u></p>	<p>CY (Drafting Suggestions): For the purposes of point (a), in cases of doubt, veterinary advice shall be sought and written documentation of such advice shall be kept, <u>shall accompany the animals during the journey and shall be made available to the competent authority upon request.</u></p> <p>CY (MS Comments): We believe that the said documentation should accompany the animals during the journey and be made available to the competent authority upon request, in order to facilitate enforcement.</p> <p>CZ (Drafting Suggestions): <u>For the purposes of point (a), in cases of doubt, veterinary advice shall be sought and written documentation of such advice shall be kept.</u></p> <p>DE (Drafting Suggestions): For the purposes of point (a) and (c), in cases of doubt, veterinary advice shall be sought <u>and written documentation of such advice shall be kept accompany the animal.</u></p> <p>DE (MS Comments): All of the above exceptions may be questionable, especially when it comes to assessing the degree of disease, injury or inflammation, and</p>

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	<p>should therefore be subject to veterinary judgement. As mentioned in the ‘General comments’ at the beginning of the document, we propose to use the recitals as a tool to list example descriptions of doubtful vs. undoubtful cases. The veterinary advice should accompany the animal so that keepers, attendants and the competent authority are aware of it.</p> <p>GR (Drafting Suggestions):</p> <p>For the purposes of point (a), in cases of doubt, veterinary advice shall be sought and written documentation of such advice shall be kept, <u>shall accompany the animals during the journey and shall be made available to the competent authority upon request.</u></p> <p>GR (MS Comments):</p> <p>We believe that the said documentation should accompany the animals during the journey and be made available to the competent authority upon request, in order to facilitate enforcement.</p> <p>IE (Drafting Suggestions):</p> <p>For the purposes of points (a) and (c), in cases of doubt, veterinary advice shall be sought <u>and written documentation of such advice shall be kept.</u></p> <p>IE (MS Comments):</p> <p>See comment in 3(c) immediately above. Sick, injured and post-surgical animals should not be routinely transported without veterinary advice. There are currently economic incentives for</p>

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	<p>some operators to have sick or injured animals transported from a 'hospital pen' to a slaughterhouse in the hope that some of the animals in the consignment will pass ante-mortem inspection and yield a profit. To prevent this problem, it would be better to require that veterinary advice is sought.</p> <p>NL (Drafting Suggestions):</p> <p>For the purposes of point (a), in cases of doubt, veterinary advice shall be sought and written documentation <u>signed by the veterinarian</u> of such advice shall be kept <u>and a copy shall accompany the animal during the transport.</u></p> <p>NL (MS Comments):</p> <p>It is important that the veterinarian signs the documentation, otherwise the keeper of the animals can just write down anything he/she would like to benefit him/herself. It would also be good if a copy of the documentation accompanies the animals during the transport, so it is clear for the competent authority that checks the transport along the way or at the slaughterhouse knows exactly what's going on.</p> <p>PL (MS Comments):</p> <p>It is not specified who sets these conditions that take into account the injury or illness. Is it the veterinarian or does the veterinarian only advise as to the fitness for transport?</p> <p>PT (MS Comments):</p> <p>We agree, because the vet's decision is in writing.</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>4. Unbroken equine animals shall not be considered fit for transport on long journeys.</p>	<p>HR (MS Comments): HR supports the deletion</p>
<p>7. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.⁴</p>	<p>DE (Drafting Suggestions): Move to another more suitable chapter likewise to point 8. and 9.</p> <p>DE (MS Comments): We believe that this provision is not adequately addressed elsewhere in the text, particularly when animals are on a vehicle. The attendant/driver should be obliged to take the remedial actions mentioned as far as possible. This action could be driving to the next control post or any other facility to unload animals. Emergency killing of severely suffering animals should also remain a possible option for animals on vehicles. We emphasise that we do not see an absolute obligation for attendants to carry out emergency killing if this is not possible due to safety concerns or national law.</p> <p>FI (Drafting Suggestions): When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary</p>

⁴ **Paragraph 7 is proposed to be deleted. It is already covered by Article 20(2a) for assembly centres, control posts and handling facilities at port and airports, and partially by Article 21(3) for livestock vessels.**

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Presidency text	Drafting Suggestions and MS Comments
	<p>treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.</p> <p>FI (MS Comments):</p> <p>Also in road and trail transport, measures must be taken to ensure animal welfare if illness or injury are observed during the journey.</p> <p>FR (Drafting Suggestions):</p> <p>7. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering</p> <p>FR (MS Comments):</p> <p>Supprimer ce paragraphe 7 laisse un vide juridique dans le cas où un animal se blesse en cours de transport et pour les suites à donner, lors de la surveillance régulière des animaux en cours de transport par un conducteur.</p> <p>En d'autres termes, cette obligation ne serait pas opposable aux conducteurs, qui pourraient continuer jusqu'au lieu de destination sans apporter aucune assistance aux animaux.</p> <p>FR (Drafting Suggestions):</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>7. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without delay and if necessary, undergo emergency slaughter or killing in a way that does not cause them any unnecessary suffering.</p> <p>FR (MS Comments): Delete this paragraph 7 leaves a legal vacuum in the event that an animal is injured during transport and for actions to be taken, during the regular monitoring of animals during transport by a driver. In other words, that obligation cannot be enforced against drivers, who may continue to the place of destination without providing any assistance to the animals.</p> <p>HR (MS Comments): HR supports the deletion</p> <p>HU (MS Comments): We do not agree with the complete deletion of this point, even though similar provisions are partly covered in relation to control posts and assembly centres. If an animal is injured during the journey in a way that requires immediate action, measures should not only be taken upon arrival at a control post or similar facility — particularly if that is several hours away. We consider it important that the transporter retains responsibility during the journey itself.</p>

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Presidency text	Drafting Suggestions and MS Comments
	<p>NL (Drafting Suggestions):</p> <p><u>7. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.</u></p> <p>NL (MS Comments):</p> <p>It is true that this is covered in article 20 for assembly centres, control posts and handling facilities at ports and airports, but we need to make sure that this is also taken into account during the transport itself. It need to be part of the contingency plan and first aid should also be given as soon as possible during the transport itself. That is why we suggest to not delete article 7.</p> <p>PT (MS Comments):</p> <p>We agree that it is difficult to make this separation in road transport, but should we not allow for the possibility of ending the journey early, for treatment, or going to the nearest slaughterhouse in the case of animals for slaughter?</p>
<p>8. Sedatives and tranquilisers shall not be used on animals to be transported unless it is necessary to ensure the welfare of the animals and safety of operators and shall only be used under supervision of a veterinarian.</p>	<p>SI (Drafting Suggestions):</p> <p>Zakaj je šlo to ven?</p>

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Presidency text	Drafting Suggestions and MS Comments
<p>9. Lactating females [of bovine, ovine and caprine species] not accompanied by their offspring shall be milked shortly before loading and at intervals of not more than 12 hours.⁵</p>	<p>FR (MS Comments): cf point 1(fa) et la note de bas de page n°4</p> <p>FR (MS Comments): cf. point 1(fa) and footnote 4</p>
<p>10. Dogs and cats shall be considered fit for transport when they have completed the necessary preventive veterinary treatments to prevent stress related and species specific diseases.</p>	<p>NL (MS Comments): We are opposed to this deletion. As already stated before, we would suggest to also keep animal and human health in consideration here. We know this regulation is about animal welfare, but since animal welfare and animal health are very closely related and influence each other greatly (there can be no good animal welfare without good animals health and vice versa), we would suggest to keep this measure in place, so the animals can be fully vaccinated against rabies before being fit for transport. This will lessen the risk of spreading rabies and lessen the risk of having to cull animals because of a rabies suspicion.</p>
Footnotes	

⁵ Paragraphs 8 and 9 are proposed to be moved to point 3 of Chapter III of Annex I.

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Presidency text	Drafting Suggestions and MS Comments
<p>¹ <u>Point 1(b) has been moved to point 1(l).</u></p>	
<p>² <u>Point 3(b) is deleted because the transport of animals directly to or from veterinary practices or clinics are excluded from the scope of the proposal (see Article 2(3)(b)).</u></p>	
<p>³ <u>Paragraph 7 is proposed to be deleted. It is already covered by Article 20(2a) for assembly centres, control posts and handling facilities at port and airports, and partially by Article 21(3) for livestock vessels.</u></p>	<p>FR (MS Comments): Cf point 7 FR (MS Comments): See point 7</p>
<p>⁴ <u>Paragraphs 8 and 9 are proposed to be moved to point 3 of Chapter III of Annex I.</u></p>	<p>FR (MS Comments): La France appuie cette proposition. FR (MS Comments): France supports this proposal.</p>