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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Animals and Veterinary Questions (Animal Welfare)
N° prev. doc.:	13246/25, 13228/25
N° Cion doc.:	16405/23 + ADD 1-6
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 VII of Annex I (Space allowance) and Chapter I of Annex I (Fitness for transport)

Delegations will find in Annex the Presidency text on Chapter VII of Annex I (Space allowance) (as in document 13246/25) and Chapter I of Annex I (Fitness for transport) (as in document 13228/25), in a table format for the submission of drafting suggestions.

The consultation table on Chapter VII of Annex I (Space allowance) contains several tables, delegations are invited to consult these tables in the document 13246/25 and insert their comments on these tables in the "Drafting suggestions" or "MS Comments" column as a free text.

Consultations will be launched shortly on the Delegates Portal.

Chapter I of Annex I (Fitness for transport)

Deadline: *24 October*
2025

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!

Presidency text	Drafting Suggestions	MS Comments
General comments		
CHAPTER I FITNESS FOR TRANSPORT		
1. Terrestrial animals shall not be considered fit for transport if:		
(a) they are injured, [or] ill [or in pain] ;		
(b) they present physiological weaknesses or pathological processes; ¹		

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

Presidency text	Drafting Suggestions	MS Comments
<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><u>[(ca) they are blind in both eyes.]</u></p>		
<p>(d) they are cachectic or severely dehydrated;</p>		
<p>(e) they present a severe open <u>unhealed</u> wound, <u>a hernia with complications</u> or <u>a</u> prolapse;</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 <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</u></p>		

Presidency text	Drafting Suggestions	MS Comments
<u>attendant, dedicated to them during the transport;</u>		
[(fa) <u>they are lactating females and milking every 12 hours during transport is not possible;</u>]		
(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>		
(h) they are calves of less than 5 weeks of age and weigh less than 50 kg , piglets, lambs or kids of less than 3 weeks, unless they are transported less than 100 km;		
(i) they are dogs and cats of less than 12 weeks of age;		

Presidency text	Drafting Suggestions	MS Comments
(j) they are rabbits of less than 48 hours of age;		
(k) they are cervid animals in velvet period <u>whose antlers are still innervated.</u>		
(l) <u>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>		
2. Except if accompanied by their dam, ‡The following <u>terrestrial</u> animals shall not be considered fit for long journeys:		
(a) <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>		

Presidency text	Drafting Suggestions	MS Comments
(b) — piglets, if their body weight is less than 10 kgs.		
<u>(c) calves, if they are less than 5 weeks of age except if accompanied by their dam;</u>		
<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>		
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:		
(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</u>		

Presidency text	Drafting Suggestions	MS Comments
<u>conditions that take into account the injury or illness;</u>		
(b) — transported under veterinary supervision for or following veterinary treatment or diagnosis, and no unnecessary suffering or ill treatment is caused to the animals concerned;²		
(c) animals that have been submitted to veterinary surgical procedures <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.		

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)).**

Presidency text	Drafting Suggestions	MS Comments
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>		
4. — Unbroken equine animals shall not be considered fit for transport on long journeys.		
7. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall immediately be given appropriate veterinary treatment without undue delay and if necessary, undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering. ³		
8. — Sedatives and tranquilisers shall not be used on animals to be transported unless it is necessary to ensure the welfare of the animals		

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

Presidency text	Drafting Suggestions	MS Comments
and safety of operators and shall only be used under supervision of a veterinarian.		
9. — Lactating females [of bovine, ovine and caprine species] not accompanied by their offspring shall be milked shortly before loading and at intervals of not more than 12 hours.⁴		
10. — Dogs and cats shall be considered fit for transport when they have completed the necessary preventive veterinary treatments to prevent stress-related and species-specific diseases.		
Footnotes		
¹ <u>Point 1(b) has been moved to point 1(l).</u>		
² <u>Point 3(b) is deleted because the transport of animals directly to or from</u>		

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

Presidency text	Drafting Suggestions	MS Comments
<u>veterinary practices or clinics are excluded from the scope of the proposal (see Article 2(3)(b)).</u>		
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>		
⁴ <u>Paragraphs 8 and 9 are proposed to be moved to point 3 of Chapter III of Annex I.</u>		

Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**' or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**).

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments ondocx**

Thank you for your cooperation!

Presidency text	Drafting suggestions	MS Comments
General comments		
CHAPTER VII SPACE ALLOWANCE FOR TRANSPORTS BY ROAD, RAIL OR SEA <u>OR AIR</u>		
1. <u>Allometric equation to calculate space allowance for animals of bovine, porcine, ovine</u>		

Presidency text	Drafting suggestions	MS Comments
<p><u>and caprine species, weaned farmed lagomorphs and poultry other than day-old chicks</u></p>		
<p>1.1.1. Space allowance for transport <u>of bovine, porcine, ovine and caprine species, weaned farmed lagomorphs and poultry other than day-old chicks</u> by road, by rail, or by sea <u>or air</u>, including transport in containers, <u>shall be</u> is calculated using the following allometric equation:</p>		
<p>$A = kW^{(2/3)}$,</p>		
<p>whereby: A=area per animal [m² <u>for animals of bovine, porcine, ovine and caprine species</u> or cm² for <u>weaned farmed lagomorphs and poultry other than day-old chicks</u> for transport of birds and rabbits in containers], W=live weight [kg], k= k-value <u>which is</u> (specific to species/category, as <u>and is</u> laid down in tables below).</p>		

Presidency text	Drafting suggestions	MS Comments
<p><u>1.1.2. The time mentioned in the tables below includes the time the animal spends on a road or rail vehicle, including any time the road or rail vehicle is on board of a roll-on roll-off vessel.</u></p>		
<p>1.2. Bovine species</p>		
<p><u>1.2.1.—Space allowance in m² area per animal [m²] during for transport of bovine species by road, by rail, or by sea, shall be calculated using the following k-values:</u></p>		
<p><i>see table 1.2.1. for bovine animals in document 13246/25</i></p>		
<p><u>1.2.2. If the external temperature is predicted to be above 30°C at the place of departure and the place of destination, and where relevant at assembly centres, ports, airports, control posts, border crossings between Member States, border</u></p>		

Presidency text	Drafting suggestions	MS Comments
<p><u>crossings between third countries and exit points from the Union, and the means of transport is not equipped with a temperature control system as described in Article 31(1b), the space allowance per animal shall be increased by at least 10 percent, except where the above table sets a k-value of 0,0340.</u></p>		
<p><u>1.2.3. In case of transport of bovine animals with horns, space allowance shall be increased on the basis of the above table to accommodate the physical size of all animals and prevent injuries.</u></p>		
<p><u>1.3. Porcine species</u></p>		
<p><u>1.3.1. Space allowance in m² per animal for the transport of porcine species shall be calculated using the following k-values:</u></p>		
<p><i>see table 1.3.1. for porcine animals in document 13246/25</i></p>		

Presidency text	Drafting suggestions	MS Comments
<p><u>1.3.2. If the external temperature is predicted to be above 30°C at the place of departure and the place of destination, and where relevant at assembly centres, ports, airports, control posts, border crossings between Member States, border crossings between third countries and exit points from the Union, and the means of transport is not equipped with a temperature control system as described in Article 31(1b), the space allowance per animal shall be increased by at least 10 percent, except where the above table sets a k-value of 0,0270.</u></p>		
<p><u>1.4. Ovine and caprine species</u></p>		
<p><u>1.4.1. Space allowance in m² per animal for the transport of ovine and caprine species shall be calculated using the following k-values:</u></p>		

Presidency text	Drafting suggestions	MS Comments
<i>see table 1.4.1 for ovine and caprine animals in document 13246/25</i>		
<p><u>1.4.2. If the external temperature is predicted to be above 30°C at the place of departure and the place of destination, and where relevant at assembly centres, ports, airports, control posts, border crossings between Member States, border crossings between third countries and exit points from the Union, and the means of transport is not equipped with a temperature control system as described in Article 31(1b), the space allowance per animal shall be increased by at least 10 percent, except where the above table sets a k-value of 0,0370.</u></p>		
<p><u>1.4.3. If unshorn ovine animals are transported, the space allowance per animal shall be increased</u></p>		

Presidency text	Drafting suggestions	MS Comments
<u>by at least 10 percent, except where the above table sets a k-value of 0,0370.</u>		
<u>1.4.4. In case of transport of ovine or caprine animals with horns, space allowance shall be increased on the basis of the above table to accommodate the physical size of all animals and prevent injuries.</u>		
<u>1.5. Weaned farmed lagomorphs</u>		
<u>1.5.1. Space allowance in cm² per animal for the transport of weaned farmed lagomorphs shall be calculated using the following k-values:</u>		
<i>see table 1.5.1. for weaned farmed lagomorphs in document 13246/25</i>		

Presidency text	Drafting suggestions	MS Comments
<p><u>1.5.2. If the external temperature is predicted to be above 30°C at the place of departure and the place of destination, and where relevant at assembly centres, ports, airports, control posts, border crossings between Member States, border crossings between third countries and exit points from the Union, and the means of transport is not equipped with a temperature control system as described in Article 31(1b), the space allowance per animal shall be increased by at least 10 percent, except where the above table sets a k-value of 350.</u></p>		
<p><u>1.6. Poultry other than day-old chicks</u></p>		
<p><u>1.6.1. Space allowance in cm² per animal for the transport of poultry other than day-old chicks shall be calculated using the following k-values:</u></p>		
<p><i>see table 1.6.1. for poultry other than day-old chicks in document 13246/25</i></p>		

Presidency text	Drafting suggestions	MS Comments
<p><u>1.6.2. If the external temperature is predicted to be above 30°C at the place of departure and the place of destination, and where relevant at assembly centres, ports, airports, control posts, border crossings between Member States, border crossings between third countries and exit points from the Union, and the means of transport is not equipped with a temperature control system as described in Article 31(1b), the space allowance per animal shall be increased by at least 10 percent, except where the above table sets a k-value of 290.</u></p>		
<p><u>2. Space allowance for the transport by road, rail, sea or air of equines, day-old chicks, unweaned farmed lagomorphs and dogs and cats</u></p>		

Presidency text	Drafting suggestions	MS Comments
<u>2.1. Space allowance for transport of equine species</u>		
<u>2.1.1. When equines are transported in groups or when a mare is transported with her foal, the stocking density in the animal compartment or in the pen shall not exceed 200 kg/m².</u>		
<u>2.1.2. When equine species are transported in individual stalls¹, the width of the stall shall allow for at least 20 cm on each side of the animal where the animal is widest. The length of the stall shall allow for at least 50 cm of free space in front of the head of the animal while the neck is parallel to the ground.</u>		
<u>2.1.3. [Air transport of equines – to be decided]</u>		

¹ **A new point 5.2a will be added in Chapter III of Annex I: “Animals of the equine species other than unbroken horses and mares with their foals shall be transported in individual stalls.”**

Presidency text	Drafting suggestions	MS Comments
<p><u>2.2. The space allowance for transport of day-old chicks shall be at least 21 cm² per chick.</u></p>		
<p><u>2.3. Where unweaned farmed lagomorphs are transported in their nest, the space allowance shall be sufficient to accommodate the nest and preserve the thermal comfort and air circulation.</u></p>		
<p><u>2.4. For dogs and cats transported in containers, the space allowance shall meet at least the following requirements:</u></p>		
<p><u>i. The animal is able to assume standing and sitting posture without being in any way obstructed by the structure of the container.</u></p>		
<p><u>ii. The animal is able to assume sternal recumbency.</u></p>		

Presidency text			Drafting suggestions		MS Comments
375	1,40	1,52	1,77		
400	1,47	1,59	1,85		
450		1,71	2,00		
500		1,84	2,14		
550		1,96	2,28		
600		2,08	2,42		
650		2,19	2,55		
700		2,30	2,68		
750		2,41	2,81		
800		2,52	2,93		
850			3,05		
900			3,17		
950			3,29		
1000	-		3,40		
3. Space allowance in area per animal [cm ²] for poultry and rabbits transported in containers shall comply at least with the figures below:					
-	£	£			
approximate	poultry	rabbits			
live weight	k=290	k=270			
1	290	270			

Presidency text				Drafting suggestions	MS Comments
1,5	380	354			
2	460	429			
2,5	534	497			
3	603	562			
3,5	669	622			
4	731	680			
4,5	790	736			
5	848	789			
4. — Equine animals other than unbroken horses and mares with their foals shall be transported in individual stalls.					
The length of the individual stall shall be at least 40 cm greater than the length of the equine animal measured from the tail to the nose while with the neck is parallel to the ground, and additional 50 cm greater if feed in a hay net is provided in transit.					
The width of the individual stall shall be in total at least 40 cm greater than the width of the animal at its widest point.					

Presidency text	Drafting suggestions	MS Comments
Footnote 1		
<p><u>A new point 5.2a will be added in Chapter III of Annex I: “Animals of the equine species other than unbroken horses and mares with their foals shall be transported in individual stalls.”</u></p>		