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## **WORKING DOCUMENT**

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From:	Presidency
To:	Working Party on Animals and Veterinary Questions (Animal Welfare)
N° Cion doc.:	16405/23 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005 - Presidency concept paper

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In view of the upcoming Working Party on Animals and Veterinary Questions (Animal Welfare) that will take place on 5-6 February 2025, delegations will find in Annex The Presidency concept paper on maximum journey time and use of assembly centres (AC).

# PL PRES CONCEPT PAPER

## Maximum journey time and use of assembly centres (related to Article 22 and Chapter VI)

### Introduction

The Polish Presidency is pleased to present the following concept paper regarding the use of assembly centres. This paper shall be read in conjunction with the Presidency text suggestions for Chapter VI, which address, among other matters, the maximum duration of long journeys.

To prevent the need for animals to remain at each assembly centre (hereinafter referred to as AC) for a minimum of seven days, and to meet the needs regarding journey times, expressed by the majority of delegations in their responses to the questionnaire concerning Chapter VI, the Presidency would like to propose a new concept, to be discussed at the meeting of the Working Party on 5-6 February 2025. This proposal, outlined below, also seeks to avoid the use of a “provisional” place of destination when assembly centres are involved, as envisaged in the previous Presidency text for Chapter V of the legislative proposal, dated 20 November 2024 (ST 14743/1/24 REV 1).

### Objectives to be achieved:

1. Limit the overall journey times;
2. Limit the number of ACs used;
3. Reduce the total number of unloading and loading operations of the animals;
4. Avoid practices that nullify the objective of limiting overall journey time by cumulating subsequent journeys (e.g. via “assembly centre hopping”);
5. Minimise disruptions to current trading practice, which may result from limiting the overall journey time and limiting the number of ACs used;
6. Ensure clear legal liability and better implementation throughout the entire journey from the actual place of origin to the actual place of destination;
7. Encourage the use of local ACs rather than those located far from the farm of origin.

## Challenges encountered:

1. Limited traceability at the level of individual animals (animal identification not available for all species);
2. Uncertainty at the farm of origin about the subsequent steps of the journey after the animals will have arrived at an AC.

## Main aspects of the proposed concept:

1. The overall journey time for purposes other than slaughter should not exceed 63 hours (for one overall journey, from the actual farm of origin to the actual farm of destination);
2. The number of loading and unloading operations for one overall journey should not exceed 8 (each loading and each unloading being counted separately);
3. The number of ACs used in one overall journey should not exceed 2;
4. The number of control posts (CP) used in one overall journey should not exceed 2 (combined with points 2 and 3, this means, that it would be possible to use for one overall journey, maximum 2 CPs and 1 AC or maximum 2 ACs and 1 CP, provided the overall journey time of 63 hours is complied with);
5. Animals should always stay at the CP for a minimum of 24 hours;
6. Animals should stay at the AC for a minimum of 6 hours if the previous journey lasted 9 hours or less, or a minimum of 24 hours if the previous journey was a long journey;
7. Markets and auctions are included in the definition of an AC (as currently provided for in Regulation (EC) No 1/2005);
8. Where ACs are used, journeys to and from AC are considered separate journeys (within 1 overall journey);
9. Each of these journeys requires a separate journey log (for a short or long journey), except for journeys of less than 100 km to or from an AC;
10. The definition of 'journey' would be amended in order to include also journeys to and from an AC of departure and an AC of destination;
11. A new definition of 'overall journey' would be added to reflect the fact that an overall journey can be composed of maximum 3 journeys, and the maximum journey times, maximum number of loading and unloading operations and maximum number of ACs and CPs, which must be respected for that overall journey;

12. The templates for journey logs would be adapted to allow for a journey between the following:
- Place of departure,
  - Assembly centre of departure,
  - Assembly centre of destination,
  - Place of destination;
13. The operator of the AC would be responsible for maintaining the traceability of the animals when new consignments are formed and for providing the relevant information to the organizer of the subsequent journey so that the rules for the overall journey can be respected;
14. The organizer of the subsequent journey is responsible for compliance with the overall journey time of the animals, with the maximum number of loading and unloading operations and maximum number of CPs and ACs;
15. The requirement for the animals to have stayed at the place of destination for at least 7 days before they may be transported again is maintained.

## Practical scenarios:

To help you better visualize the examples of practical implementation of these principles, please refer to the scenarios below, which consider the longest possible journey - specifically a long journey of animals being transported for purposes other than slaughter.

To start with, please see below a graphic example of the initial Commission proposal:

INITIAL COMMISSION PROPOSAL (animals transported for purposes other than slaughter)							Longest overall journey time	Total number of loading or unloading operations	Number of journey logs	Place of departure and place of destination
Farm if less than 100 km from AC	100 km	▲ Place of departure (Farm, AC) 7 days stay OR assembly centre if farm is less than 100 km from the AC	Travel 21 h	● Control post  Stay 24 h	Travel 21 h	▲ Place of destination (Farm)  7 days stay	100 km + 21 h + 21 h = <b>100 km + 42 h</b>	4 OR 6 if the farm is less than 100 km from the AC	1 approved by CA (long journey)	Farm to farm OR AC to farm
loading		unloading, loading		unloading, loading		unloading				

Please review the following scenarios prepared based on the key elements of the PRES concept paper:

**Scenario 1:** illustrates the longest possible overall journey of 63 hours, achievable with direct farm-to-farm transport.











**Scenario 2:** involves the longest possible overall journey using 2 ACs (one AC to assemble animals into a single consignment and another AC to distribute the animals from this consignment to different places of destination) with the journeys to/from AC being short journeys. In this scenario, the overall journey time would be 60 hours.

63 hours of overall journey time would be allowed, however at least one of the short journeys to/from AC in this scenario would be substituted with a long journey which would cause the need to stop the vehicle, feed the animals and possibly stay at the AC for 24 h.

**Scenarios 3 and 4:** explore the possible journeys using a single AC. In Scenario 3 the overall journey time is 60 hours, achieved by combining both long and short journeys to/from the AC. 63 hours of overall journey time would still be possible, as described in Scenario 2. Scenario 4 demonstrates how in practical terms auction and market operations could be continued effectively when the short journeys are used for transport to/from the ACs.

<b>Scenario 1:</b> Direct journey from a farm to a farm						Longest overall journey time	Total number of loading or unloading operations	Number of journey logs	
▲ Farm (Place of departure)	→ Travel 21 h	● Control post  Stay 24 h	→ Travel 21 h	● Control post  Stay 24 h	→ Travel 21 h	▲ Farm (Place of destination)	21 h+21 h+21 h <b>=63 h</b>	6	1 approved by CA (long journey)
loading		unloading, loading		unloading, loading		unloading			
1 journey (and also 1 overall journey)									

<b>Scenario 2:</b> Overall journey from a farm to a farm <u>via 2 assembly centres</u>								Longest overall journey time	Total number of loading or unloading operations	Number of journey logs	
▲ Farm (place of departure)	→ Travel 9 h  OR  under 100 km  →	★ Assembly centre (AC of destination /departure)  Stay 6 h	→ Travel 21 h	● Control post  Stay 24 h	→ Travel 21 h	★ Assembly centre (including markets and auctions) (AC of destination/ departure)  Stay 24 h	→ Travel 9 h  OR  → under 100 km  OR* 12 h	▲ Farm (place of destination)	9 h+21 h+21 h+9 h <b>=60 h</b>  OR 100 km+21 h+21 h+9 h <b>=100 km + 51 h</b>  OR* 9h +21 h + 21 h + 12 h <b>=63 h</b>	8	1 approved by CA (long journey between the ACs) 2 unapproved (short journeys to/from the AC)  OR* 1 unapproved and 2 approved
loading		unloading, loading		unloading, loading		unloading, loading		unloading	Please note that the journeys to and from the ACs may be done by different organizers and/or different operators. The last alternative with an asterisk (*) shows that 63 hours hours of overall journey time would still be possible.		
1st journey		2nd journey				3rd journey					
short journey log except if the farm is less than 100 km from the AC		long journey log approved by the CA				short journey log except if the farm is less than 100 km from the AC					
1 overall journey											

<b>Scenario 3:</b> Overall journey from a farm to a farm <u>via 1 assembly centre</u> (Assembly centres include markets and auctions)								Longest overall journey time	Total number of loading or unloading operations	Number of journey logs			
 Farm (place of departure)	 Travel 9 h  OR   under 100 km	 Assembly centre (AC of departure/ destination)  Stay 6 h	 Travel 21 h	 Control post  Stay 24 h	 Travel 21 h	 Control post  Stay 24 h	 Travel 9 h	 Farm (place of destination)	9 h+21 h+21 h+9 h <b>=60 h</b>  OR 100 km+21 h+21 h+9 h <b>=100 km + 51 h</b>	8	1 approved by CA (long journey between AC)  1 unapproved (short journey)		
loading		unloading, loading		unloading , loading		unloading, loading		unloading	Please note that the short and long journeys to/from the AC may be inversed.  In that case, the animals should stay at the AC for 24 hours. 63 hours of overall journey time would still be possible as shown in Scenario 2.				
1st journey		2nd journey											
short journey log except if the farm is less than 100 km from AC		long journey log approved by the CA											
1 overall journey													

<b>Scenario 4:</b> Overall journey from a farm to a farm <u>via 1 assembly centre in short journeys</u> <i>(i.e. a scenario to be used by most markets)</i>					Longest overall journey time	Total number of loading or unloading operations	Number of journey logs
▲ Farm (place of departure)	→ Travel 9 h  OR  → under 100 km	★ Assembly centre (AC of departure/ destination)  Stay 6 h	→ Travel 9 h  OR  → under 100 km	▲ Farm (place of destination)	9 h+9 h <b>=18 h</b>  OR 100 km+100 km <b>=200 km</b>  OR <b>=100 km + 9 h</b>	4	2 unapproved (short journey)
loading		unloading, loading		unloading	If the journey to or from the AC is a long journey, then please refer to Scenario 3.		
1st journey		2nd journey					
short journey log except if the farm is less than 100 km from the AC		short journey log except if the farm is less than 100 km from the AC					
1 overall journey							

## Summary

### Journey time:

As illustrated by the above graphic examples, the Presidency proposes to add an additional 21 hours part to the Commission's proposal for a long journey consisting of 21 hours of transport, followed by 24 hours of rest, and then 21 hours of transport, in case where the transport is for purposes other than slaughter and no assembly centre is used. This means that the concept paper put forward by the Presidency allows for a total of 63 h of journey time.

### Liability and knowledge of next stages of the journey:

Given that journeys to an assembly centre may be organized and carried out by different entities, for example: one organizer (transporter) arranges the journey from the farm of origin to the first assembly centre, while another organizer (transporter) forms a larger consignment and coordinates the journey from an assembly centre to the final place of destination or to another assembly centre serving as a distribution centre - the Presidency believes it is important for these stages to be considered as separate journeys, each with separate journey log, to ensure clear liability.

This approach is further supported by the fact that when assembly centres are used, the organizer responsible for the journey of the animals from the place of departure (farm of origin) often does not know the animal's final destination and knows only the location of the first assembly centre. By reducing the required length of stay at the assembly centre to 6 hours for animals arriving within a short journey, the Presidency aims to prevent unnecessarily long periods of staying at the assembly centre.

Additionally, the proposal takes into account the need to limit the number of loading and unloading operations.

### Journey logs:

Journey logs would need to be adapted in order to cover the following stages:

- 1<sup>st</sup> journey log: from the place of departure to the assembly centre of destination,
- 2<sup>nd</sup> journey log: from the assembly centre of departure to the assembly centre of destination,
- 3<sup>rd</sup> journey log: from the assembly centre of departure to the place of destination.

### Assembly centre hopping:

The animal would be required to stay at the place of destination for minimum 7 days before this place can be considered a place of departure, and thus, serve as the starting point for another journey. This measure intends to discourage “assembly centre hopping”. However, in the rare case where the overall journey time beyond 63 hours is necessary, it would be permitted, provided that there would be a minimum 7-day break between these journeys.

### Responsibilities of assembly centre operators:

It is important to note that the organizer of subsequent stage of the journey must possess information about the previous journey completed by the animals, being retrieved from the assembly centre. Operators of assembly centres would be responsible for ensuring the traceability of the animals admitted to the assembly centre, enabling efficient cooperation with the organizers of subsequent journeys.

### Conclusion:

The Presidency sincerely hopes that this approach will enable Member States to maintain the current trading practice of using assembly centres for operations of assembling and distributing the animals without compromising their welfare as well as traceability and compliance with the overall allowed journey time for the animals.