

Protection of animals during transport

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The Commission presents a report on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport. The report describes the impact of the Regulation on animal welfare and intra-Union trade, its socio-economic and regional implications as well as the implementation of the navigation systems. It also contains information in relation to enforcement of the EU legislation.

Main conclusions

Animal welfare: the Regulation has had beneficial impacts on the welfare of animals during transport. Available data indicate that since 2005 the overall quality of animal transport on long journeys has improved, notably due to improved vehicles and better handling of the animals. The latter appears to be the result of the proper implementation of the stricter training obligations for personnel handling animals, which was introduced by the Regulation.

The percentage of transported animals with lameness, injuries, dehydration and exhaustion decreased, or remained unchanged, between 2006²⁹ and 2009. Concerning the animals reported "dead on arrival", the numbers decreased significantly from 2005 to 2009. The difference was greater for long transport than for shorter transport. There has also been a significant decrease in the number of animals "observed unfit for travel upon arrival at destination".

Even though animal welfare in general has improved after the introduction of the Regulation, the available information shows that severe animal welfare problems during transport persist. Most of these problems appear to be related to **poor compliance of some requirements of the Regulation**. Available information shows there are some recurring examples of poor compliance such as transport of unfit animals, overstocking of vehicles, transport of animals in vehicles in which the internal height of the compartments is inappropriate, and animals being transported longer than the maximum allowed travelling time. Often, poor compliance appears to be related to improper enforcement.

The Commission does not believe that an amendment would be the most appropriate approach to address problems. A steady legal situation will allow Member States and stakeholders to focus on enforcement within a stable legal framework.

Navigation systems: the Regulation introduced the requirement for vehicles approved for long journeys to be equipped with navigation systems. However, it appears that the full potential of the systems to decrease the administrative burden for industry and to improve official controls is not being utilised. Despite the fact that the Regulation has been applied for more than four years, there are still important differences between Member States as regards the implementation of the requirements related to navigation systems. Most Member States do not yet have a comprehensive approach on how to check whether the systems installed comply with the Regulation, and few controlling authorities use the data collected via the navigation system to carry out checks in accordance with the Regulation. In many cases the data is only considered after the competent authority has detected an infringement during a physical control before or during transport or at the place of destination. It is therefore concluded that the navigation systems are not used in a wide perspective to improve controls.

Volume of trade: according to the available data, the Regulation has not had any impact on the volume of the intra-Union trade in live animals.

Costs: the Regulation appears not to have provoked any impact on the animal production in remote regions. The introduction of the Regulation has led to an increase of transport costs but, probably due to competition in the transport sector, this increase has not been evenly distributed along the food chain and transport operators are mainly bearing the extra costs.

Scientific knowledge: in the EFSA opinion adopted on 2 December 2010 scientists recognise that parts of the Regulation are not in line with current scientific knowledge, and point out specific areas where future research is recommended. In particular, scientists recommend that transport time for horses for slaughter should be shorter than that provided in the Regulation. The Commission feels that, for the time being, this is best addressed by the adoption of guides to good practices.

Enforcement: enforcement of the Regulation remains a major challenge, partly because of differences in interpretation of the requirements and because of lack of controls by the Member States. Furthermore, the quality of monitoring data, submitted to the Commission by Member States, is often insufficient to provide a clear analysis of the situation and to allow planning of specific corrective measures at EU level.

Live fish: the Commission will launch a study on the welfare of fish during transport, with a view to determining the appropriateness of a revision of the provisions of the Regulation to improve the clarity of the legal framework on the transport of live fish for aquaculture operators, in accordance with the Commission Aquaculture Strategy.

To correct the problems identified, the appropriate enforcement of existing rules should remain the priority. The Commission will consider the following actions for the near future:

- adopt implementing measures concerning navigation systems as provided by the Regulation, and establish a simplified version of the journey log. Furthermore, in close co-operation with the European GNSS Supervisory Authority, it should be ensured that drivers are informed on how to profit from the device. The objective is to improve harmonisation of the implementation of the Regulation, and improve animal welfare through controlling the journey times, space allowance etc. of animal transports. This action should also contribute to a reduced administrative burden for the transporters, but may increase the administrative burden for Member State authorities. However, this should result in better enforcement of animal transport legislation;
- adopt implementing measures concerning the controls to be performed by the competent authorities of the Member States, in accordance to Article 27(1) of the Regulation. At the same time, the structure of the reporting system should be further harmonized. The objective is to increase in the number of inspections, which should lead to improved enforcement. The information received from Member State's reports would provide better and more comparable data when based on the same structure;
- increased co-operation and communication with the competent authorities of Member States and stakeholders, including non-governmental animal welfare organisations. The objective is to collect and analyse information on difficulties and share experiences on possible solutions related to the implementation of the Regulation;
- dissemination of Commission guidance on the interpretation of the Regulation and supporting the development of guides to good practice. These could focus on different aspects of day-to-day management that may be problematic and would encourage best practice that considers the latest scientific knowledge. The aim is to resolve ambiguities and inefficiencies in the current animal

welfare legislation and improve harmonisation of the implementation of the rules. At the same time it would encourage industry and other relevant parties to exceed the minimum welfare standards for transporting animals.

The Commission invites the European Parliament and the Council to discuss the issues highlighted in this Report