

Protection of animals during transport

2012/2031(INI) - 10/11/2011 - Non-legislative basic document

PURPOSE: presentation of the European Commission's report on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport.

CONTENT: in accordance with the provisions of Council Regulation (EC) No 1/2005, the purpose of this report is to examine the impact of the Regulation on the welfare of animals being transported and on the trade flows within the EU, its socio-economic and regional impact, as well as the implementation of navigation systems. Furthermore, the report contains information in relation to enforcement of the EU legislation.

It should be borne in mind that the Regulation applies to the transport of vertebrate animals transported in connection with an economic activity. It does not take the transport of other species, such as dogs and cats, poultry, animals kept for scientific purposes, and exotic species, into account.

Specific problems and actions concerning the transport of fish - identified under the [Commission Strategy for the Sustainable Development of European Aquaculture](#) – are also examined in the context of this report.

Main conclusions: based on the information presented in the report, the following main conclusions can be drawn:

- The Regulation has had **beneficial impacts** on the welfare of animals during transport.
- 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 the industry or to improve official controls is not being utilised.
- According to the available data, the Regulation has **not had any impact on the volume of the intra-Union trade in live animals**.
- 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, likely 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.
- According to the EFSA opinion, it appears that parts of the Regulation are **not fully in line with the current scientific knowledge**.
- **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.

The Commission's position: although the Regulation has had a beneficial impact on the welfare of animals during transport, it appears that there is **room for improvement**. Those improvements could be achieved by different actions and it should be emphasized that for the vast majority of animals falling under the scope of the Regulation, the Commission **does not see that an amendment would be the most appropriate approach** to address the identified problems.

As regards the gap between the requirements of the legislation and available scientific evidence, the Commission sees that, for the time being, this is best addressed by the adoption of **guides to good practices**.

As regards **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.

Actions to be undertaken: to correct the identified problems, the appropriate enforcement of existing rules should remain the priority. For that purpose, the Commission will consider the following actions for the near future:

1) Adopt implementing measures concerning **navigation systems** and establish a **simplified version of the journey log**, in accordance with point 8 of Annex II to the Regulation. Furthermore it should, in close co-operation with the European GNSS Supervisory Authority (GSA), be ensured that drivers are informed on how to take the best profit of the device.

- **Objective:** Improved harmonisation of the implementation of the Regulation, and improved animal welfare through increased possibility to control 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.

2) 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.

- **Objective:** An increase in the number of inspections, where needed, should lead to improved enforcement. The information received from the Member State 's reports would provide better and more comparable data when based on the same structure and would then offer more useful information for the FVO when auditing the Member States.

3) Commence a **study on the welfare of fish during transport**. The current work to launch a study on the welfare of fish during stunning will continue.

- **Objective:** To receive an overview of the current situation regarding the welfare of fish during transport, with a view to identifying and addressing possible shortcomings of the EU legal framework in this context, in accordance with the commitments undertaken under the Commission Aquaculture Strategy.

4) Increase **co-operation and communication** with the competent authorities of the Member States and stakeholders, including Non Governmental animal welfare Organisations. The contact points for the Regulation, and existing working groups such as the Advisory group on the Food Chain and Animal and Plant Health, could be used for this purpose.

- **Objective:** Collect and analyse information on difficulties and share experiences on possible solutions related to the implementation of the Regulation.

5) Dissemination of **Commission guidance** on the interpretation of the Regulation and support of the development of guides to good practice, as foreseen in the Regulation. Guides could focus on different aspects of day-today management that may be problematic and would encourage best practice that considers the latest scientific knowledge.

- **Objective:** Would cover some ambiguities and inefficiencies in the current animal welfare legislation and would 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.

Based on the elements above, the Commission invites the European Parliament and the Council to discuss the issues highlighted in this Report.