

# Review of the rules on the protection of animals during transport

## OVERVIEW

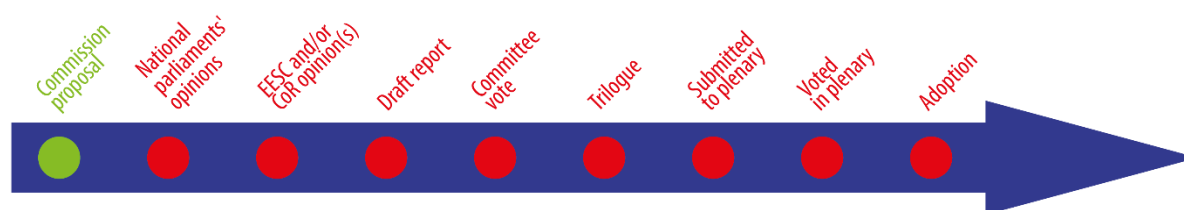
In December 2023, the Commission presented a proposal on the protection of animals during transport, with a view to replacing and updating Council Regulation (EC) No 1/2005.

This proposal, along with another on welfare and traceability of dogs and cats, is part of a legislative package to reform the current EU rules on animal welfare. The reform was announced in 2020 with the launch of the 'farm to fork' strategy, which aims to create a fairer, healthier and more environmentally friendly food system.

The proposed text introduces stricter rules regarding travel times, the minimum space between animals, transport conditions for vulnerable animals, transportation in extreme temperatures, safeguarding of animals transported to third countries, the utilisation of technological systems and the protection of cats and dogs in commercial transport.

In the European Parliament, the file has been assigned to the Committee on Agriculture and Rural Development (AGRI) and to the Committee of Transport and Tourism (TRAN), with Daniel Buda (EPP, Romania) and Anna Deparnay-Grunenberg (Greens/EFA, Germany) as co-rapporteurs.

| <b>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</b> |   |   |
|--|---|---|
| <i>Committees responsible:</i>   | Agriculture and Rural Development (AGRI)<br>Transport and Tourism (TRAN)  | COM(2023)770<br>7/12/2023<br>2023/0448(COD)   |
| <i>Rapporteurs:</i>  | Daniel Buda (EPP, Romania)<br>Anna Deparnay-Grunenberg (Greens/EFA, Germany)  | Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision') |
| <i>Shadow rapporteurs:</i>   | Benoît Lutgen (EPP, Belgium)<br>Marianne Vind (S&D, Denmark)<br>Elsi Katainen (Renew, Finland)<br>Rosanna Conte (ID, Italy) |   |
| <i>Next steps expected:</i>  | Publication of draft report   |   |



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## Introduction

In May 2020, the Commission launched the '[farm to fork strategy](#)', the core of the [European Green Deal](#), aimed at achieving a fair, healthy and environmentally-friendly food system and at ensuring food security through a neutral or positive environmental impact and securing a fairer economic return for the EU supply sector.

As a first step toward this goal, the Commission announced the complete revision of the animal welfare legislation. This includes a detailed revision of the Directive on the protection of animals kept for farming purposes, as well as the four directives that lay down minimum standards for the protection of laying hens, broilers, pigs and calves. Additionally, there will be a review of the regulations on the protection of animals during transport and at the time of killing. The Commission aims to prepare a proposal for new legislation on animal welfare labelling.

The revision is also [planned](#) to align the legislation with the latest scientific developments, as well as meet [public expectations](#) and demands for enhanced animal welfare. Additionally, there will be a simplification of rules.

On 7 December 2023, the Commission adopted a [proposal](#) for a regulation of the Council and the European Parliament on the protection of animals during transport, with the aim of replacing and updating [Council Regulation \(EC\) No 1/2005](#).

## Existing situation

For over 40 years, the European Union has earned global recognition as a leader in animal welfare, with some of the most stringent standards worldwide and a positive impact on animal welfare outside the EU. However, according to the fitness check performed by the Commission in 2022, current rules are difficult to implement uniformly throughout the EU. This has led to an uneven playing field in the EU internal market and fragmented implementation.

The current legislative framework on animal welfare during transport was introduced almost 50 years ago, with a major revision in 2004. It affects 1.6 billion animals transported yearly in the EU. Ensuring better animal welfare [guarantees](#) better animal health and higher-quality food, preventing risks to public health such as [zoonosis](#) and [antimicrobial resistance](#). Additionally, the latest developments in science and technology are not reflected in Regulation (EC) No 1/2005, and neither are the increasing sustainability challenges and societal concerns.

The current legislation establishes general requirements to maintain animal welfare standards and minimize any potential harm or distress to the animals. The main points are outlined below.

- Animals must be in a suitable condition for transport and transportation should be organised to be as short as possible, in a manner that is unlikely to cause them injury or undue suffering.
- Transport vehicles and facilities for loading and unloading must be designed, maintained, and operated in a manner that prevents injury and suffering and ensures the safety of the animals. Adequate headroom and floor space must be provided for the animals and the means of transport must be approved by the competent authorities.
- The personnel responsible for handling animals must undergo adequate training and demonstrate competence.
- Provision of water, feed, and rest must be ensured as necessary during transportation.
- For long journeys between Member States (more than 8 hours) and to destinations outside the EU, checks by the authorities should be performed at the point of departure and on a random basis during the journey.

## Parliament's starting position

In February 2019, the European Parliament adopted a [resolution](#) on the implementation of Council Regulation (EC) No 1/2005 on the protection of animals during transport within and outside the EU. The resolution called, among other things, for better application of the current legislation, enhanced support for training for drivers and transport companies, and better dissemination of guidelines and fact sheets. It also highlighted that journey times should not be unjustifiably long, reminding that 'long journeys are likely to have more detrimental effects on the welfare of animals than short ones'. The resolution also stressed the importance of science and the latest technology to ensure the welfare of transported animals, called for economic support for improved animal welfare conditions and requested the Commission to demand compliance with the EU welfare rules during trade negotiation with third countries.

In June 2020, the European Parliament set up a Committee of inquiry on the protection of animals during transport ([ANIT](#)) to investigate alleged violations in the application of European Union law on the protection of animals during transport and related operations within and outside the EU. At the conclusion of its 18-month mandate, in its [final report](#) ANIT urged the Commission to draft an action plan. This plan should include a proposal for a dedicated fund aimed at facilitating the transition from transporting breeding stock to shipping semen or embryos, as well as shifting towards transporting carcasses and meat instead of live animals for slaughter. Additionally, it recommended adjusting journey durations based on the age and species of the animals. Furthermore, it proposed that live animal exports should only be permitted if EU animal welfare standards are upheld throughout the entire journey to the final destination.

## Council starting position

During the first Agriculture Council meeting of 2023, the Portuguese delegation on behalf of the French, Greek, Irish, Latvian, Lithuanian, Portuguese, Romanian and Spanish delegations forwarded an [informative note](#) on the revision of animal transport legislation.

The note acknowledged that the current legal framework ([Council Regulation \(EC\) No 1/2005](#)) considerably improved the transport condition of livestock across the EU; however, due to the increased societal expectation and ethical concerns, as well as scientific and technological developments and future sustainability challenges, it called for a revision of this legislation.

The Member States' demands included:

- a better definition of the transporters' and organisers' responsibilities and authorisations;
- harmonisation of the training of drivers;
- a better definition of the primary responsibility for animal welfare by the transporters;
- improvement of the means of transport conditions and space afforded to animals;
- more specific requirements for the fitness for transport of different species.

The revision should be based on strong technical and scientific knowledge and prohibit or limit certain types of transport.

The Working Party on Animals and Veterinary Questions (Chief Veterinary Officers) [met](#) on 25- 26 January 2024 to discuss the proposal.

## Preparation of the proposal

With the adoption of the 'farm to fork' strategy in May 2020, the Commission announced its plans to revise the EU legislation on animal welfare, as part of its work programme for 2023.

To achieve this, the Commission launched a [fitness check](#) of the current EU animal welfare framework and published a [roadmap](#) in the same month. The fitness check, finalised in 2022,

covered animal welfare at the farm level, during transport and at slaughter, and animal welfare labelling. The Commission also launched a [public consultation](#) to gather views from stakeholders and citizens in support of the fitness check and the revision of the EU animal welfare legislation.

The public consultation collected almost 60 000 contributions and the following findings regarding livestock transport:

- 95 % of respondents supported the introduction of maximum journey times, with the lowest support – 53 % – coming from business organisations and companies;
- 95 % of respondents and 32 % of business organisations believed that the export of live animals to non-EU countries for slaughter should be prohibited;
- 94 % of respondents and 20 % of business organisations were in favour of prohibiting the transport of unweaned calves and other vulnerable animals.

The fitness check concluded that 'increasing societal expectations and ethical concerns, scientific and technological developments and future sustainability challenges are not fully reflected in current rules'. This conclusion is supported by two [studies](#) from external contractors. One of these studies, carried out in cooperation with the Commission's Joint Research Centre, focuses on the [modelling of packages of policy options](#).

Finally, the Commission mandated EFSA to deliver scientific opinions on animal welfare between 2022 and 2028, as outlined in the [roadmap](#).

With regard to transport, EFSA has already published scientific opinions on the welfare of [pigs](#), [bovines](#), [equids](#), [small ruminants](#) and on [animals transported in containers](#).

## The changes the proposal would bring

The proposal would replace Regulation (EC) 1/2005. Below are some of the important changes it introduces.

- Fitness for transport: Stricter requirements have been introduced for vulnerable animals (pregnant animals, unweaned animals and animals that have undergone surgical procedures). New species – cats, dogs, rabbits – have been added.
- Journey times have been shortened. During long journey, animals would have to be unloaded to rest, eat and drink. Special rules would apply to animals designated for slaughter, and to vulnerable animals such as pregnant ones, unweaned calves and end-of-career laying hens (Articles 17, 28 and 29).
- Space allowance: The minimum space afforded to animals has been increased and adapted to the different transported species.
- Transport conditions: Tighter rules have been introduced regarding external temperatures. For instance, transport is only allowed at night if the temperature exceeds 30°C. If the temperature exceeds 30°C at night, space allowances are increased by 20 %. When the temperature drops below 0°C, road vehicles would have to be covered and internal air circulation controlled. For temperatures below -5°C, only transports shorter than 9 hours would be allowed (Article 31).
- Means of transport: There are new provisions for roll-on-roll-off vessels and for road transport of certain species. Additionally, to facilitate the enforcement of transport rules, digital tools have been introduced, such as real-time positioning of vehicles and a central database.
- Better protection for livestock going to and from non-EU countries: Under the responsibility of the organiser, for exports, EU transport conditions would have to be guaranteed from the place of departure to the destination. In the case of imports, a journey log, completed in the EU's online TRACES certification system, would have to specify the place, date, and time of departure from the non-EU country (Article 14). Other requirements are also specified.

## Advisory committees

Neither of the advisory committees has issued an opinion yet.

## European Court of Auditors

In its [special report](#) on Animal welfare in the EU: closing the gap between ambitious goals and practical implementation from October 2018, the European Court of Auditors (ECA) found that the existing rules had contributed to the achievement of major improvements in some areas. However, there were persistent weaknesses and delays in the implementation of the rules in other areas, such as animal transport. In January 2023, the ECA published a [review](#) of EU legislation on animal welfare during transport, highlighting similar concerns. The review describes challenges and opportunities, identifying alternatives to live animal transport and promoting structural changes to achieve a more sustainable food supply chain.

## National parliaments

The deadline for the submission of reasoned opinions on the grounds of subsidiarity is [15 April 2024](#). No reasoned opinions have been submitted as yet.

## Stakeholder views<sup>1</sup>

The Federation of Veterinarians of Europe (FVE) [welcomed](#) the Commission's proposal to update Regulation (EC) No 1/2005, after the lapse of 20 years since its entry into force. Particular satisfaction was shown regarding the shortening of journey times, especially for slaughter animals.

The animal welfare NGO Eurogroup for Animals expressed its [dissatisfaction](#) with the proposal, claiming that the Commission did not acknowledge several EFSA opinions on critical issues, allowing livestock transport to third countries, especially by sea, where no time limits are set. Additionally, the group stated that vulnerable animals were not sufficiently protected, and that the measures for the protection of livestock in case of extreme temperatures and humidity were as inadequate.

The International Road Transport Union (IRU) [welcomed](#) the Commission's initiative and highlighted that the proposal addresses some concerns while leaving out others that need to be considered. IRU expressed satisfaction with the Commission's acknowledgement of the transporters' efforts and called for the involvement of all professionals in animal transport, to guarantee an appropriate level of animal welfare.

The European Livestock and Meat Trades Union (UECBV) [welcomed](#) the Commission's proposal. However, the group insisted on the strict and harmonised implementation of the current EU rules, rather than for the adoption of additional ones. UECBV emphasised that some aspects of the proposal are extremely challenging to comply with without jeopardising the value chain. It furthermore pointed out that financial support should be provided throughout the transitional period.

AnimalhealthEurope, the association representing manufacturers of animal medicines, vaccines and other animal health products, in its [press release](#) expressed satisfaction with the scientific updates and the new tools and technologies that the Commission introduced in the proposal.

In a press release [issued](#) on 8 December 2023, the group representing farmers and agri-cooperatives (Copa-Cogeca) emphasised that some of the rules in the Commission proposal are stringent and challenging to implement, which has the potent to cause discrimination against certain Member States.

The European Forum of Farm Animal Breeders (EFFAB) [recognised](#) the efforts by the Commission into the proposal; it however expressed concerns regarding the lack of flexibility on journey and

resting times, temperature limits and the absence of recognition of the special health status of breeding animals.

The animal welfare NGO Compassion in World Farming [criticised](#) the lack of ambition in the Commission's proposal. The group claimed that the provisions will not prevent animals from suffering during transport, despite the reduction of some journey times and the limits placed on the transport of vulnerable animals.

The lack of ambition was also [highlighted](#) by the animal welfare NGO Four Paws. The group called for a complete ban on long transports, third country exports, sea transports, as well as the transport of unweaned animals and urged the European Parliament and the Council to address these shortcomings.

A [public consultation](#) has been opened until 3 April 2024. The Commission will summarise the feedback it receives and present it to the European Parliament and Council to assist with the legislative debate.

## Legislative process

The Commission proposal was published and submitted to the Parliament and the Council on 7 December 2023.

In Parliament, the file has been assigned to the Committee for Agriculture and Rural Development (AGRI) and the Committee on Transport and Tourism (TRAN) as joint committees, with the Committee on Fisheries (PECH) as an associated committee and the Committee on the Environment, Public Health and Food Safety (ENVI) as a committee for opinion.

Daniel Buda (EPP, Romania) and Anna Deparnay-Grunenberg (Greens/EFA, Germany) were [appointed](#) as co-rapporteurs for AGRI and TRAN respectively, on 22 February 2024.

## EUROPEAN PARLIAMENT SUPPORTING ANALYSIS

European Parliament, [Report on the investigation of alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union](#) and its [Recommendations](#), Committee of Inquiry on the Protection of Animals during Transport, 2022.

Margaras V. and Vinci C., [Animal welfare – Pre-legislative synthesis of national, regional and local positions on the European Commission's initiative](#), EPRS, European Parliament, December 2023.

Rojek B., [Animal welfare protection in the EU: Strategy and law](#), EPRS, European Parliament, May 2023.

Vinci C., [ANIT inquiry committee concludes its work](#), EPRS, European Parliament, 2021.

## OTHER SOURCES

[Protection of animals during transport and related operations](#), European Parliament, Legislative Observatory(OEIL).

## ENDNOTES

- <sup>1</sup> This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'European Parliament supporting analysis'.

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