

3.12.2012

A7-0331/1

**Amendment 1**

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on behalf of the Verts/ALE Group

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**Report**

**A7-0331/2012**

**Janusz Wojciechowski**

Protection of animals during transport

COM(2011)0700 – 2012/2031(INI)

**Motion for a resolution (Rule 157(4) of the Rules of Procedure) replacing non-legislative motion for a resolution A7-0331/2012**

**European Parliament resolution on the protection of animals during transport**

*The European Parliament,*

- having regard to the report from the Commission to the European Parliament and the Council of 10 November 2011 on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport (COM(2011)0700),
- having regard to the communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee of 15 February 2012 on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 (COM(2012)0006),
- having regard to Article 13 of the Treaty on the Functioning of the European Union, which stipulates that in formulating and implementing the EU's policies, the EU and its Member States shall, since animals are sentient beings, always pay full regard to the welfare requirements of animals,
- having regard to its resolution of 12 October 2006 on a Community Action Plan on the Protection and Welfare of Animals 2006-2010<sup>1</sup>,
- having regard to its resolution of 22 May 2008 on a new animal health strategy for the European Union 2007-2013<sup>2</sup>,
- having regard to its resolution of 5 May 2010 on the evaluation and assessment of the Community Animal Welfare Action Plan 2006-2010<sup>3</sup>,
- having regard to its resolution of 15 November 1996 on the implementation of Council Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals

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<sup>1</sup> OJ C 308E, 16.12.2006, p. 170.

<sup>2</sup> OJ C 279E, 19.11.2009, p. 89.

<sup>3</sup> OJ C 81E, 15.3.2011, p. 25.

during transport<sup>1</sup>,

- having regard to its resolution of 30 March 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, which suggested a maximum journey time of 9 hours or 500 km for animals transported for the purpose of being slaughtered<sup>2</sup>,
  - having regard to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97<sup>3</sup>,
  - having regard to Written Declaration No 54/2009 of the European Parliament of 25 February 2010 on the transportation of horses to slaughter in the European Union,
  - having regard to Written Declaration No 49/2011 of the European Parliament of 30 November 2010 on the establishment of a maximum 8-hour journey limit for animals transported in the European Union for the purpose of being slaughtered,
  - having regard to the scientific opinion of the European Food Safety Authority (EFSA) concerning the welfare of animals during transport, published in January 2011<sup>4</sup>,
  - having regard to the 8hours.eu petition signed by over one million EU citizens calling for the maximum transport time for animals destined for slaughter to be limited to eight hours,
  - having regard to Rule 48 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinions of the Committee on the Environment, Public Health and Food Safety and of the Committee on Transport and Tourism (A7-0331/2012),
- A. whereas the protection of animals in the 21st century is an expression of humanity and a challenge facing European civilisation and culture; whereas all action designed to ensure the protection and welfare of animals should be based on scientific findings, as well as on the principle that animals are sentient beings whose specific needs should be taken into account, as laid down in Article 13 of the Treaty on the Functioning of the European Union;
- B. whereas the transport of animals is a result of economic and logistical factors, while at the same time it can give rise to additional social and environmental costs (increased road traffic, additional CO2 emissions);
- C. whereas the transport of animals needs to be dealt with from both within and outside the EU, and animals coming from third countries must be thoroughly controlled and monitored, thus ensuring both a more balanced competitive situation for European

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<sup>1</sup> OJ C 362/05, 2.12.1996, p. 331.

<sup>2</sup> OJ C 103E, 29.4.2004, p.36.

<sup>3</sup> OJ L 3, 5.1.2005, p.1.

<sup>4</sup> Official Journal of EFSA 2011:9(1):1966 (125 pp.)

- producers and an incentive for improving standards of animal transport in third countries;
- D. whereas EU rules on animal welfare must take account of the particular disadvantageous geographical situation of the peripheral and outermost regions;
  - E. whereas the transport of meat and other animal products is technically easier and ethically more rational than the transport of live animals for the sole purpose of being slaughtered;
  - F. whereas the transport of animals over significant distances in unhygienic and unfavourable conditions may increase the risk of transmission and spread of diseases;
  - G. whereas maintaining the principles of animal welfare can influence the quality of animal products;
  - H. whereas animal slaughter and meat processing at the closest possible proximity to the breeding location can help stimulate rural areas and their sustainable development; whereas it should be recognised that there is not always a variety of appropriate slaughterhouses available in sufficient proximity and there are serious economic challenges involved in sustaining small local slaughterhouses; whereas high standards of hygiene and other requirements under EU legislation on this type of installation have brought about a restructuring of slaughterhouses and a decline in their numbers; whereas, therefore, it is necessary to investigate ways of making local slaughterhouses economically viable;
  - I. whereas the conditions under which animals are transported are a matter of interest to all;

#### **Overall assessment of the Commission report**

1. Takes note of the Commission report presenting the state of implementation of Council Regulation (EC) No 1/2005, which contains the conclusion that the Regulation has had a positive impact on the welfare of animals during transport, but notes that severe problems during animal transport persist, due mainly to poor compliance and implementation in the Member States;
2. Calls on the Commission to ensure an effective and uniform enforcement of existing EU legislation on animal transport across all Member States; considers that better enforcement is central to ensuring the effectiveness and workability of the existing legislation in order to improve transport conditions and avoid distortion of competition across EU Member States;
3. Strongly condemns the weak scientific basis and data on which the Commission report is based, such as a study from an external contractor based mainly on a survey to be completed by parties directly involved in or having a direct interest in the transport of animals;
4. Expresses concern that there is a risk that in some instances the data from the Member States contained in the report, without any possibility of exact verification, may not fully reflect the actual state of affairs with regard to the transport of animals because of the differing methods and control mechanisms used in individual Member States;

5. Is concerned that the degree of implementation of the rules governing the transport of animals varies significantly between individual Member States, and therefore calls on the Commission to adopt measures to secure full and uniform monitoring of adherence to the transport conditions;
6. Urges the Commission to take measures to increase cooperation and communication between the competent authorities in different Member States;
7. Points out that the Commission report does not contain a full evaluation of all the costs of animal transport, limiting itself to the impact on intra-EU trade, regional and socioeconomic implications, effects on animal welfare, scientific underpinning and control, and compliance with and enforcement of Regulation (EC) No 1/2005; therefore calls on the Commission to present a full evaluation of all the economic, environmental and social costs and benefits incurred by the transport of animals, including a comparison between the transport of animals for slaughter and the transport of carcasses and food products, as well as the effect of transport on the price of meat products, paying particular attention to the outermost regions and involving all stakeholders;
8. Calls on the Commission to implement an extensive consumer information campaign on the subject of the European regulations on animal welfare, providing continuous information on the changes being required of European producers for the purposes of raising the profile of their work and improving the added value of their production;
9. Points out that during the 2005-2009 reporting period the number of animals transported increased significantly: cattle by 8 %, pigs by 70 % and sheep by 3 %, and that only for horses was there a decrease of 17 %; stresses that two-thirds of consignments concern transport periods of less than 8 hours, while 4 % of transports are longer than the maximum journey time and thus require offloading and resting before continuing the journey; regrets that for nearly 2 % of consignments journey times were not available, which represents a more than fivefold increase compared to 2005;
10. Believes that animals should as a principle be slaughtered as close to their place of rearing as possible; notes in this connection that consumers are in favour of shorter transport times for animals destined for slaughter, but at the same time prefer to buy fresh meat; calls on the Commission, therefore, to explain what consequences are to be drawn from this; acknowledges that owing to lack of enforcement the Regulation has not fulfilled the aim of limiting the transport of live animals for slaughter, but that it has made a contribution to improving animal welfare during transport; calls on the Member States to properly implement the existing legislation on animal transport, and calls on the Commission to promote, where possible, local processing; believes that EU policy should aim at helping create short and transparent supply chains, while safeguarding market supply in all Member States and in the outermost regions; stresses that EU hygiene legislation, while ensuring the highest level of protection for consumers, should not unnecessarily hamper the development of mobile or small-scale regional slaughter and processing facilities;
11. Calls on the Commission to come up with a clear definition of what local slaughterhouses are;

12. Recalls that Article 32 of the aforementioned regulation states that the Commission report must take into account ‘scientific evidence on welfare needs of animals’, and may be accompanied if necessary by appropriate legislative proposals concerning long journeys;
13. Welcomes Written Declaration No 49/2011 of the European Parliament supporting an eight-hour journey limit for animals to be slaughtered; calls on the Commission to bring forward legislative proposals to limit the journey time for animals to be slaughtered to eight hours;
14. Highlights the fact that the Commission’s report stresses in particular in its conclusions, in agreement with the opinion of EFSA, that ‘it appears that parts of the Regulation are not fully in line with the current knowledge’; believes that for this reason it is important to underline the need to consider the latest scientific knowledge in preparing regulations on animal welfare; highlights the fact that the EFSA opinion<sup>1</sup> stresses that other aspects come into play in the welfare of animals aside from the duration of the journey, such as proper loading and unloading, as well as the design of the vehicles;

#### **Economic, social and environmental costs of transport and the level playing field**

15. Is aware of the considerable investments made by many transporters under difficult economic conditions and welcomes the improvements in terms of the training of drivers, enhanced vehicle specifications and the quality of animal transport noted in the Commission’s report; regrets, however, that the Commission’s findings lack sufficient reliable data; takes note that owing to the considerable investments required, many producers and slaughterhouses, most of them small ones, have ceased activity, especially in isolated and peripheral areas of Europe;
16. Points to the considerable differences existing between Member States as regards the costs of upgrading vehicles (for example a range of € 250 to € 6000 for the installation of satellite navigation), which seriously affect the level playing field within the Internal Market, and criticises the Commission for not having investigated the reasons for these differences;
17. Calls on the Commission, in view of the situation described above, to present a full evaluation of all the economic, environmental and social costs incurred by the transport of animals;
18. Believes that animal welfare legislation, as a matter of principle, should be based on science; calls on the Commission, therefore, to update the rules on animal transport in relation to the gaps existing between the legislation and the latest scientific evidence as identified by EFSA;
19. Welcomes the fact that in its report the Commission used the scientific research presented by EFSA, which highlights the need to significantly reduce the length of transport time for horses and correlates with the suggestions advanced in Parliament’s Written Declaration of 25 February 2010;

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<sup>1</sup> Official Journal of EFSA 2011:9(1):1966 (125 pp.)

20. Regrets that despite the new scientific evidence on horse transportation times submitted by EFSA, no recommendations for legislative changes were included in the Commission's report; requests that the Commission propose a considerably shortened maximum journey limit for all movements of horses for slaughter, in accordance with Council Directive 2009/156/EC; insists furthermore on a thorough, science-based review of welfare standards for horses, if necessary accompanied by legislative proposals, including a reconsideration of vehicle design standards, space allowances and water provision;
21. Points out that Recital 9 of Council Regulation (EC) No 1/2005 requires that suitable provisions should be proposed for poultry as soon as the relevant EFSA assessments are available; regrets, therefore, that the Commission's report does not take the transport of poultry into account, despite the fact that poultry constitute the main category of animals transported in Europe; calls on the Commission, accordingly, to review the existing EU legislation on the transport of poultry on the basis of the latest scientific evidence;
22. Calls on the Commission and Council to review Council Regulation (EC) No 1/2005 in the light of the latest scientific evidence published by EFSA, and to introduce improvements relating in particular to space allowances, such as using a kg/m<sup>2</sup> calculation for horses and an allometric equation relating size to body weight for cattle and sheep, and linking the maximum stocking density of broilers in containers to thermal conditions;
23. Requests the Commission, in its bilateral trade negotiations with third countries, to demand implementation of the EU's animal welfare rules and to defend the internationalisation, within the framework of the World Trade Organisation, of the Community provisions on the subject;

### **Control and implementation**

24. Welcomes the information on the introduction of a navigation system for monitoring the transport of animals, but is disappointed that large differences in implementation exist between Member States and that overall this system is being used only to a limited extent for the purposes of monitoring the transport of animals; requests that the Commission make legislative proposals before 1 January 2014, aimed at creating an EU-wide common framework for data collection and control through satellite navigation, based on the uploading of data in real time;
25. Expresses disappointment that better use has not been made of emerging technologies which would assist in this area and reduce costs in the long run;
26. Calls for a transition to electronic technologies so that Member States can make things easier for companies by facilitating the storage and communication of data requested by the various administrative offices;
27. Calls on the Commission to undertake research into how new and existing technology can be applied in livestock vehicles to regulate, monitor and register temperature and humidity, which are essential elements for controlling and protecting the welfare of specific categories of animals during transport, in line with the EFSA recommendations;
28. Stresses that inspections must be carried out uniformly throughout the Union and on an

adequate proportion of the animals transported each year within each Member State, in order to guarantee and maintain the proper functioning of the internal market and avoid distortions of competition within the EU; calls, in addition, on the Commission to increase the number of unannounced FVO spot inspections focused on animal welfare and the transport of animals; believes that differing methods of data collection and control mechanisms make it difficult to establish an accurate picture of compliance in individual Member States; calls therefore on the Commission to adopt a more harmonised reporting structure and to undertake further analysis of the data generated by FVO inspection reports and from Member States' returns relating to their Multiannual National Control Plan (MANCP);

29. Urges the Commission to ensure that veterinary controls on animals to be transported take place at the end of their transport.
30. Is concerned that significant differences have arisen in individual Member States' interpretation of the rules, since this threatens the aims of the Regulation and distorts competition; calls on the Commission, therefore, to publish appropriate clarification and guidance documents for the Regulation so as to eliminate the possibility of it being interpreted arbitrarily;
31. Notes that any deficiencies in implementation are frequently the result of legal requirements which cannot be implemented in practice or which are incompatible with national law; calls on the Commission to check the current Regulation for such incompatibilities;
32. Is concerned that certain Member States are prepared to tolerate blatant infringement of the provisions of the Regulation, such as the acceptance of transport schedules which are impossible to fulfil, overstocked vehicles and inadequate space allowances;
33. Calls also on the border authorities of each Member State to collaborate and share information regarding the crossborder transportation of animals;
34. Calls on the Member States to introduce effective, proportionate and dissuasive sanctions for infringements of the Regulation, pursuant to Article 25 thereof; draws attention to the differing levels of penalties and sanctions for the same infringement in different Member States, and calls for a greater harmonisation of sanctions across the EU to ensure better enforcement of the Regulation; requests that the Commission present, before 1 July 2013, a report analysing the penalties for serious infringements relating to animal welfare in road transport in all Member States, comparable to its report on penalties in the area of social rules in road transport<sup>1</sup>;
35. Draws attention to the rules on responsibility, in which responsibility for the transport of unfit animals is not sufficiently clearly defined to ensure that animals unfit for transport are not transported, while the persons sanctioned are not necessarily in a position to prevent the transport;
36. Calls on the Commission to pursue legal action against, and impose sanctions on, those

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<sup>1</sup> COM(2009)225.

Member States which fail to apply the Regulation correctly;

37. Calls on the Member States to strengthen controls across the entire production chain in order to halt practices that infringe the Regulation and worsen the conditions for the transport of animals, such as allowing overstocked vehicles to continue their journeys, or permitting control posts with inadequate facilities for resting, feeding and watering the animals to continue in use;
38. Is of the opinion that the appropriate education and training of freight carriers and transporters is indispensable for the proper treatment of animals, thus forming a basis for their protection and wellbeing; calls on all Member States to improve or extend their education and training programmes, as obligatory under Regulation (EC) No 1/2005; notes that the duration and standard of training courses vary greatly between Member States; demands, therefore, the preparation of clear EU guidelines with a view to developing better and more uniform training courses for drivers and animal handlers;
39. Stresses the key role to be played by retailers, food service companies and food manufacturers in ensuring that in their private standards meat originates from animals which have been reared and slaughtered locally and have been transported in conditions that respect their welfare;
40. Expresses concern at the number of reports of inappropriate vehicles being used to transport live animals both on land and at sea, and calls for the monitoring of such practices to be stepped up;
41. Instructs its President to forward this resolution to the Council and to the Commission.

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