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

Compromise Amendments

Chapter: General findings (par.1-6)

Compromise on Paragraph 1

Covers the following amendments:

AM 114 (Carmen Avram, Paolo De Castro, Clara Aguilera, Juosaz Olekas) + 115 (Hazekamp, Matias, Bompard) + AM 116 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 118 (Wiesner) + AM 119 (Kelleher, Vautmans, Christensen) + AM 120 (Buda) + AM 121 (Vautmans) + AM 122 (Noichl) + 123 (Wiezik, Hojsík, Noichl)

1. Emphasises that transport is stressful for animals, regardless of the means of transport (115) and often (120) has a negative (115, 116, 122) impact on their health and welfare and on consumer health, especially when poorly planned or reliant on outdated technology and equipment (118,119), or otherwise not properly conducted (114).

Compromise on Paragraph 3

Covers the following amendments:

AM 137 (Lundgren) + AM 138 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 139 (Hazekamp, Matias, Bompard)

3. Recalls that the Commission, in its 2011 report on the impact of Regulation (EC) No 1/2005, identified a gap between the requirements of the legislation and the available scientific evidence; additionally, the Commission (137, 138, 139) identified the enforcement of the regulation as a major challenge, partly because of differences in the interpretation of the requirements and partly because of the lack of controls by the Member States

Compromise on Paragraph 4

Covers the following amendments:

AM 144 (Pietikäinen, Durand, Vrecionová) + AM 146 (Lundgren) + AM 148 (Buda) + AM 149 (Hazekamp, Matias, Bompard)

4. Stresses (149) that Regulation (EC) No 1/2005 is not always complied within Member States and (148) and does not fully take into account the different transport needs of animals, according to species, age, size and physical condition, or specific physiological and ethological aspects (148) and on feeding and watering requirements as well as on temperature, humidity and handling (144, 146, 149);

Compromise on Paragraph 5

Covers the following amendments:

AM 159 (Hazekamp, Matias, Bompard) + AM 160 (Pietikäinen, Durand, Noichl, Vrecionová + AM 161 (Lundgren) + AM 162 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 163 (Noichl) + AM 164 (Buda) + AM 166 (Kelleher, Durand, Vautmans, Wiesner, Hojsík, Christensen)

5. Concludes that many of the problems in animal transport originate from unclear legislative provisions misleading (159, 160, 161) requirements and lack of clear definitions which leave room for interpretation (159, 160, 161); stresses that all of this, is often at the source of systematic violations (160, 161) and unharmonised (162) and uneven application of the rules (164), increasing risks for animals and for their wellbeing (159); further stresses that this undermines the level playing field (162) between operators in the sector, leaving companies and Member States (160, 161, 166) which abide by the rules facing unfair competition from those which do not, which in turn can lead to a 'race to the bottom' regarding animal welfare standards during transport (163); Considers, therefore, that undertakings, whether they are responsible for breeding, fattening, transportation or imports or exports, must fulfil their responsibilities entirely (167);

Chapter: Enforcement of Regulation (EC) No 1/2005 (par.7-16)

Compromise on Paragraph 7

Covers the following amendments:

AM 193 (Lundgren) + 194 (Hazekamp, Matias, Bompard) + 195 (Lundgren) + 196 (Pietikäinen, Durand, Noichl, Vrecionová) + 198 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

7. Calls attention to the *recurring audits* (198) reports and information from citizens, NGOs and *public authorities* (198) on animal welfare problems during transport and non-compliance with the regulation, in particular concerning long journeys and transport to third countries, compromising the European Union *capacity to meet its* obligation to ensure the protection of animal welfare during transport *from loading until final destination* (193, 194, 196), both within EU and in third countries (195).

Compromise on Paragraph 8

Covers the following amendments:

AMs 199 (Hazekamp, Matias, Bompard) + 201 (Hazekamp, Matias, Bompard) + 202 (Noichl) + 204 (Lundgren) + 205 (Wiezik, Hojsík, Noichl) + 206 (Pietikäinen, Durand, Noichl)

8. Recalls (202) the information provided by NGOs over the previous decades (201) and the complaints lodged with the Commission and on the alleged failure to comply with Regulation (EC) No 1/2005; takes note of their conclusions of systematic breaches of the regulation; Expresses concern about the information provided by DG SANTE in its official Audit Report regarding the failure of the Member States audited in implementing Regulation (EC) No 1/2005, as well as the risk of animals suffering during transport (199,204,205,206).

Compromise on Paragraph 9

Covers the following amendments:

AMs 207 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 208 (Hazekamp, Matias, Bompard) + 210 (Wiesner, Durand, Hojsík) + 211(Lundgren) + 213 (Pietikäinen, Durand, Noichl, Vrecionová) + 214 (Kelleher, Durand, Vautmans, Wiesner, Hojsík, Christensen)

9. Acknowledges the letters sent by the Commission, in the framework of the Farm to Fork strategy, asking Member States to ensure immediate and full compliance with EU requirements, including on animal welfare during transport, and expressing its determination to take legal action in the event of systemic or repeated (208) non-compliance; notes the lack of follow-up investigations resulting from the information provided by citizens and NGOs (207); regrets (207, 208, 214) that unfortunately (211, 213) no infringements proceedings have been opened by the Commission against any Member State, which should be made in the case of non-compliance (210), despite repeated violations of Regulation 1/2005 by some Member States (208);

Compromise on Paragraph 10

Covers the following amendments:

AM 218 (Hazekamp, Matias, Bompard) + AM 219 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 220 (Lundgren) + AM 221 (Wiezik, Hojsík, Noichl) + AM 223 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 224 (Buda) + AM 30 (Noichl, Fuglsang) + AM 31 (Noichl, Fuglsang) + AM 33 (Noichl, Fuglsang) + AM 226 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 227 (Lundgren) + AM 228 (Wiezik, Hojsík, Noichl) + AM 229 (Hazekamp, Matias, Bompard)

10. Notes that the most frequently documented violations during transports are linked to the lack of headroom, animals being unfit for transport, overcrowding (33), inappropriate watering devices or lack of water supply and food (30, 31,218,219,220,221) causing animals' dehydration (218,219,220, 221, 224), transport during extreme temperatures and inadequate ventilation inside the means of transport (221, 224) and considerably prolonged (223) journey duration and failure to observe resting times (30, 218); takes note as well of other

common violations such as disregard for the CJEU ruling C-424/13, non-realistic journey logs and non-feasible contingency plans; Notes that the most frequently documented violations on transport by sea are the lack of trained personnel handling the animals and of contingency plans for transporters (226, 227, 228, 229).

Compromise on Paragraph 13

Covers the following amendments:

AM 243 (Pietikäinen, Durand, Noichl, Vrecionová) part + AM 244 (Lundgren) part + AM 245 Hazekamp, Matias, Bompard) part + AM 246 (Buda) + AM 247 (Vautmans) + AM 259 (Lundgren) part + AM 260 (Pietikäinen, Durand, Noichl, Vrecionová) part + AM 261 (Buda) part + AM 262 (Hazekamp, Matias) part

13. Recognises that *negligent practices* (243,244,245) have been reported in the loading of animals without observing the requirements for their separation in accordance with age, *namely by,mixing weaned and unweaned animals* (259, 260, 261, 262) different species and (247) sizes and whether they have horns and whether they are pregnant heifers (243,244,245), whilst acknowledging the exceptions provided for in point 1.13 of Chapter II of Annex I of Regulation 1/2005 (246);

Compromise on Paragraph 14

Covers the following amendments:

AM 248 (Hazekamp, Matias, Bompard) + AM 249 (Noichl) + AM 250 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 251 (Wiesner, Durand, Hojsík) + AM 252 (Pietikäinen, Noichl, Vrecionová) + AM 253 (Lundgren) + AM 243 (Pietikäinen, Durand, Noichl, Vrecionová) part + AM 244 (Lundgren) part + AM 245 (Hazekamp, Matias, Bompard) part

14. Takes note of several reports of incorrect handling during animal loading and unloading, causing unnecessary stress, suffering, injuries and increased mortality including when it comes to particularly fragile species such as poultry or rabbits (250); stresses that proper animal handling results in better welfare for the animals (248, 252, 253), potentially shorter loading and unloading times, reduced weight loss, fewer injuries and wounds, reduced instances of disease (248,252,253) and health risk (250), and, ultimately, a (250) better meat quality, and reduced risk of Antimicrobial Resistance (AMR), which rises when animals are transported in close and stressful spaces (251); Recognises the existence of unsuitable loading facilities and improper handling of animals during loading of vessels (243, 244, 245), such as by using sticks and electric prods (249);

Compromise on Paragraph 16

Covers the following amendments:

AMs 259 (Lundgren) part* + AM 260 (Pietikäinen, Durand, Noichl, Vrecionová) part* + AM 261 (Buda) + AM 262 (Hazekamp, Matias) part* + AM 263 (Bompard) part* + AM 264 (Wiezik, Hojsík, Noichl) part* + AM 266 (Fuglsang, Chahim, Guteland, Noichl, Christensen) + AM 267 (Kelleher, Christensen, Durand, Vautmans, Wiesner) + AM 268 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

- * all except vulnerable animals (unweaned, pregnant and end of career animals) next new comp
- 16. Stresses that according to Regulation (EC) No 1/2005, the farmer, the driver and transport companies share responsibility for assessing whether animals are fit for transport but, although having different responsibilities in reality (261), the division is ill-defined in the regulation and should be better addressed (268), namely regarding liability issues (262, 263); points out that this shared responsibility risks giving each party involved responsibility for breaches on animal welfare over which they have no control, and have no possibility to detect (266), as farmers are the ones that know the history and status of the animals prior to transport (267); notes further that the transporter generally has limited previous information of the animals (in particular concerning pregnant females) and only a short period before the loading phase to check it (261);

16a. notes that the most common breaches in this respect concern the transport of pregnant animals, animals more than 90 % of the way through gestation, which sometimes give birth on board, downers (with physiological weakness and/or wounds or a pathological condition), animals with wounds or prolapses;

Chapter: Authorisation procedures and approval of means of transport (Par. 17-28)

Compromise on Paragraph 17

Replaces the following amendments:

AMs 286 (Buda) + 287 (Pietikäinen, Durand, Noichl, Vrecionová) + 288 GUE (Hazekamp, Matias, Bompard), 289 (Lundgren),

17. Is very concerned about the number of reports of inappropriate vehicles being used to transport live animals, whether by land or by sea, and recognises the major differences between the Member States in interpreting and enforcing the regulation, as far as the approval of the means of transport is concerned, *especially on road vehicles' legislative requirements* regarding the watering system (287, 288, 289), with particular attention for unweaned animals (287, 288, 289)

New paragraph on means of transport (vessels) and approvals

Compromise on Vessels

Covers the following amendments:

AM 291 (Hazekamp, Matias, Bompard + 308 (Noichl, Fuglsang) + 323 (Waitz, Metz, Roose, Evi, Keller, Deparnay-Grunenberg, Guerreiro, Holmgren) + 547 (Noichl, Fuglsang))

New. 17a Recalls the vessels transporting live animals generally have not been built for livestock transport, are very old (547), often not appropriately converted (308), and thus not meeting animals' behavioural and species-specific needs in these cases (291) and presenting a risk for the well-being of humans and animals alike (547); highlights that there are a total of 80 vessels with a European license, of which 54% are licensed in countries blacklisted for poor performance under the Paris Memorandum of understanding (323, 291);

Compromise on Paragraph 18

Covers the following amendments:

AMs 293 GUE (Hazekamp, Matias, Bompard) + 295 (Aguilera) + 297 Renew (Kelleher, Durand, Vautmans, Wiesner, Hojsík, Christensen)

18. Points out with concern that the inspection and certification procedures for livestock vessels are not harmonised, and lack mandatory inspection criteria *in some Member States* (295), which is aggravated by the fact that the results of these procedures are not communicated between Member States, leading to *situations where* (293) a vessel that has been rejected in

one Member State is (293) being approved in another, while it also appears that vessels could suddenly operate under a different name and in this way request a new license (293); notes and is deeply concerned (297) that in some cases there is evidence that the authorities in some Member States have approved and/or permitted the use of vessels which do not comply with the EU rules on animal welfare, noting that a vessel may operate from every Member State once approved by a single Member State(293);

Compromise on Paragraph 19

Covers the following amendments:

AMs 298 Greens (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 300 (Lundgren) + 301 (Avram, De Castro, Aguilera, Olekas) + 302 GUE (Hazekamp, Matias, Bompard) + 303 (Pietikäinen, Durand, Noichl, Vrecionová)

19. Takes note of the Commission's findings that, with some exceptions, the systems in place for livestock vessel approval are insufficient to minimise the risks, mainly because the majority of the competent authorities inspecting livestock vessels do not have adequate procedures, or access to specific technical expertise, to verify vessels' emergency systems (301), systems for water pumps and feeding, (e.g. a veterinarian, a marine surveyor)(300, 302, 303), ventilation and drainage, all of which are critical for animal welfare during a journey on a livestock vessel and require sufficient controls; regrets that veterinary and maritime authorities usually work in an isolated way, while their knowledge and work are complementary for carrying out proper checks of vessels (298);

Compromise on Paragraph 21

Covers the following amendments:

AMs 310 Greens (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 311 GUE (Hazekamp, Matias, Bompard) + 312 (Noichl)

21. Acknowledges the existence, in general, of national guidelines for the approval of livestock vehicles for road transport, but regrets a lack of harmonisation of these guidelines (310) that they are not always followed during the approval procedures which keep them from being coherent and efficient (310) as well as the lack of guidelines for the approval of vessels (311);

Compromise on Paragraph 23

Covers the following amendments.

AMs 316 (Aguilera) +317 (Pietikainen, Vrecinova) + 318 (Lundgren) + 319 (Anja Hazemkamp, Marisa Matias, Manuel Bompard) + 321 (Kelleher, Vautmans, Wiesner, Christensen) +322 (Maria Noichl)

23. Acknowledges that some road transport vehicles, particularly if carrying animals for which they were not authorised (316), are not structurally appropriate and do not guarantee appropriate drinking facilities (317, 318, 319), safety and comfort to the transported animals and can create unfair competition (316); regrets that appropriate (317, 318, 319) new and

innovative solutions for watering and feeding systems, as well as solutions to better accommodate live animals during all (322) journeys covered by Regulation 1/2005, are still lacking or have not yet been introduced by all operators (321); stress that stability and predictability is needed for those companies working correctly to promote investments in their infrastructures; (316)

Compromise on Paragraph 24

Covers the following amendments

AMs 325 (Sirpa Pietikäinen, Maria Noichl, Veronika Vrecionová) + 326 (Lundgren) + 327 (Hazekamp, Matias, Bompard) + 328 (Aguilera)

24. Notes that in a high number of vehicles, drinking facilities are not adapted to the specific drinking behaviour or size of the transported animals: are out of reach for the animals or are not available in sufficient number or with adequate distribution; regrets the fact that the current Regulation (EC) No 1/2005 does not give precise *species-and category-specific* (325, 326, 327) indications about the type or required number of watering devices inside the transport vehicle; regrets that repeated incidents of animal suffering occur during transport due to the lack of water (325, 326, 327); recalls that EU authorisations protocols for vehicles are needed(328)

Compromise on Paragraph 25

Covers the following amendments.

AMs 329 (Lundgren) + 330 (Pietikäinen, Durand, Noichl, Vrecionová) + 331 (Hazekamp, Matias, Bompard) + 332 (Wiezik, Hojsík, Noichl) + 333 (Kelleher, Christensen, Durand, Vautmans, Wiesner, Hojsík) + 335 (Noichl)

25. Notes that the vehicles used for transporting animals inside and outside the Union are often not equipped with air cooling systems; highlights that *despite* ventilation systems moving air through the animal compartment, the *internal* vehicle temperature will nevertheless *generally be higher than* (329, 330, 331, 332) the external temperature, as a result of the animals' own body heat (329, 330, 331, 332), in particular when the vehicle is stationary, and this is not sufficiently reflected in the regulation (332, 335); recognises that new and innovative solutions for temperature regulations on vehicles have not been implemented in most cases (333);

Compromise on Paragraph 26

Covers the following amendments.

AMs 336 (Hazekamp, Matias, Bompard) + 337 (Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg);

26. Recalls that, while under the current legislation, the submission of contingency plans in the

event of emergencies is a legal requirement to obtain transporter authorisations for long journeys, this is not *implemented(337)* for each journey and the possible specific needs thereof; observes with concern that few competent authorities, road transporters and transport organisers have feasible contingency plans to respond to emergency situations and when available, they do not always cover a broad enough range of scenarios (337); notes that this can have huge consequences especially for animals transported at sea if emergencies arise (336); notes that the crew's and the driver's knowledge of contingency plans is not always verified (337)

Compromise on Paragraph 28

Covers the following amendments.

343 (Hazemkamp, Matias, Bompard) + 341 (Greens (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

28. Recognises that training and education are essential to safeguarding the welfare of animals during transport, to guaranteeing that transport operators are well-prepared for activating contingency planning and ensuring that species-specific requirements are properly met; recognises that the workers responsible for the handling of animals in the ports, in particular, do not always receive appropriate training and the welfare of the animals is not always guaranteed and often violated (343); notes the fact that training of staff involved in the transport of animals as well as their loading and unloading varies in quality in different Member States and the minimum requirements for driver training are insufficient, and transporters have to organize staff training by themselves (341);

Chapter: Controls and Data Collection and exchange (par. 29 to 39)

Compromise on paragraph 29

Covers the following amendments:

AMs 347 (Lundgren) + 348 (Pietikäinen, Durand, Noichl, Vrecionová) + 349 (Hazekamp, Matias, Bompard) + 350 (Pietikäinen, Noichl, Vrecionová) + 351 (Hazekamp, Matias, Bompard) + 352 (Lundgren)

29. Recalls that the Official Controls Regulation (EU) No 2017/625 will replace, as of 15 December 2022, several provisions of Regulation (EC) No 1/2005, namely on checks on long journeys, training of the competent authorities' staff, checks at exit points, emergency measures in the case of non-compliance, mutual assistance and exchange of information, infringements and on-the-spot checks by the Commission, and emphasizes the need for frequent and thorough inspections; (347,348, 349); Calls on the Commission to make sure that the content of Art. 14 of the current legislation 1/2005 remains compulsory also after 15th of December 2022 (350, 351, 352).

Compromise on paragraph 32

Covers the following amendments:

AMs 356 (Waitz, Metz, Roose, Evi, Deparnay-Grunenberg, Guerreiro, Holmgren) + 358 (Pietikäinen, Durand, Noichl, Vrecionova) + 359 (Hazekamp, Matias, Bompard) + 360 (Lundgren)

32. Notes that further improvements to data collection systems and to TRACES can and should (358, 359, 360) be made in the current legislative framework, to help harmonize procedures between Member States' competent authorities; recalls that the development of software to handle long and cross-border journeys is still ongoing, but could, if applied EU wide, largely harmonized the clearance and the underlying plausibility check to verify route planning and weather conditions; reminds that any of the aspects to be monitored for the plausibility check can be digitalized or are already available in digitized form; (356)

Compromise on paragraph 33

Covers the following amendments:

AMs 362 (Waitz, Metz, Roose, Evi, Deparnay-Grunenberg, Guerreiro, Holmgren) + 363 (Hazekamp, Matias, Bompard)

33. Expresses concern that the Member States are not required to record data on the transport of animals directly exported from their territories to outside the EU in TRACES;; regrets the absence of an EU-wide collection of transport data, which leads to a lack of comprehensive data in Member States as well as the European Commission: points out that the collected data in the Member states and in the TRACES system has not yet been centralised making

it impossible to follow up on systemic breaches of Regulation (EC) No 1/2005(362) and likewise regrets the continuing lack of data collection and reporting from third countries (363)

Compromise on Paragraph 35

Covers the following amendments:

AM 368 (Wiezik, Hojsík, Noichl) + AM 375 (Noichl, Fuglsang) + AM 389 (Buda)

35. Recalls that Member State authorities frequently delegate the responsibility for carrying out the risk analyses for transport inspections to local or regional authorities (375); Highlights the complexity, ineffectiveness and poor digitalization (368) of the reporting systems, involving several entities at local and national level in each Member State; is aware that this results in communication difficulties between central, regional and local authorities, and among Member States; Observes that insufficient exchange of information between authorities leads to inadequate enforcement of Community legislation for the protection of animals during transport (389)

Compromise on Paragraph 36

Covers the following amendments:

AM 370 (Avram, De Castro, Aguilera, J Olekas) + AM 371 (Kelleher, Christensen, Durand, Vautmans, Wiesner, Hojsík) + AM 372 (Dorfmann) + AM 373 (Hazekamp, Matias, Bompard) + part AM 362 (Waitz, Metz, Roose, Evi, Deparnay-Grunenberg, Guerreiro, Holmgren)

36. Points out that Member States are solely responsible for creating sanction systems, which ultimately leaves each of them to define their own administrative and sanctioning procedures, as well as the level of penalties for infringements in the event of animal welfare violations during transport, thereby resulting in very different systems, sanctions that are inefficient and not dissuasive enough (373) as well as unfair competition between operators (370) all across the EU, and avoidance of some routes, leading, in some cases, to longer transport distances and times (370); highlights the challenges in sanctioning drivers coming from other EU Member States in the case of animal welfare violations (371); Underlines the importance of a harmonised system of sanctions (372) and regrets that no progress has been made in this direction (362 part)

Compromise on Paragraph 37

Covers the following amendments:

AM 376 part (Wiezik, Hojsík, Noichl) + AM 377 part (Hazekamp, Matias, Bompard) + AM 378 (Waitz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 379 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 380 (Lundgren)

37. Expresses concerns over the fact (377, 378) that checks are insufficient and of varying quality (378) in the majority of the (376, 377, 379, 380) Member States, in particular road checks and retrospective checks, which often results in bypassing the area of some Member States and unnecessary prolongations of the journey (376);

Compromise on Paragraph 37 (new)

Covers the following amendments:

AM 376 part (Wiezik, Hojsík, Noichl) + AM 377 part (Hazekamp, Matias, Bompard) + AM 382 (Hazekamp, Matias, Bompard) + AM 384 (Waitz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 385 (Avram, De Castro, Aguilera, Olekas) + AM 271 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 272 (Hazekamp, Matias, Bompard) + AM 273 (Lundgren)

37 (new) Points out that the level of police training and the number of police officers trained to inspect animal transport varies greatly between Member States and is insufficient in several countries, with proper control often being the result of individual efforts (271, 272, 273); highlights further that the number of official veterinarians and other authorized personnel, to carry out inspections of vehicles and vessels transporting animals is also insufficient (384); notes that this situation, to which is added the lack of equipment and infrastructure, results in insufficient regular and proper checks on animal welfare during transport (376, 377, 385); Stresses that the total number of checks carried out by national competent authorities pursuant to Regulation (EC) No 1/2005 has fallen, despite the number of consignments in the EU containing live animals having increased (382);

Chapter: Journey times and resting periods (par. 40 to 43)

Compromise on paragraph 40

Covers the following amendments:

AM 403 (Hazekamp, Matias, Bompard) + 404 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 405 (Hazekamp, Matias, Bompard) + 406 (Fuglsang, Chahim, Guteland, Noichl) + 407 (Buda) + 408 (Hazekamp, Matias) + 409 (Buda) + 410 (Wiezik, Hojsík, Noichl) + 411 (Pietikäinen, Durand, Noichl, Vrecionová) + 412 (Lundgren)

40. Points out that the welfare of live animals during transport must be assured at all times, from loading to destination, regardless of the length of the journey (409); recalls that, according to Article 3 of Regulation (EC) No 1/2005, all necessary arrangements shall be made in advance to minimise the length of the journey and meet the animals' needs during the journey (407), but notes that there are recurrent breaches of the Regulation in this regard (404); recalls that the length of a journey is one of the factors that increases the stress and suffering of animals during transport (404), and considers that many of the severe problems are related to the length of transport (408); recalls that, according to Annex I, chapter V, point 1.2, journey times should not exceed 8 hours (406) but may be extended if the additional requirements of Chapter VI are met; recalls that expert opinions in OIE, EFSA and FVE state that journeys should be as short as possible (403, 408, 410, 411, 412); takes note of the increase in the number of long and very long journeys from 2005 to 2015 (405).

Compromise on paragraph 41

Covers the following amendments:

AM 418 (Aguilera) + 420 (Avram, De Castro, Aguilera, Olekas) + 421 (Lundgren) + 422 (Pietikäinen, Durand, Noichl, Vrecionová) + 423 (Hazekamp, Matias, Bompard)

41. Regrets the fact that, in spite of the mandatory use of control post facilities for unloading, watering, feeding and resting of animals during long journeys, the availability and quality of them is not always sufficient to house the animals properly or (418) the vehicles (420) drivers do not always stop or unload the animals (420) as required by (421, 422, 423) in the regulation, as has been reported on various occasions; Regrets that the evaluation of the suitability of control posts is not harmonised (424), and calls for improved availability and quality of resting posts(418).

41a new. Regrets the fact that control post facilities for unloading, watering, feeding and resting of animals during long journeys are not always identified on journey logs, as required.

Compromise on paragraph 43

Covers the following amendments:

AM 430 (Hazekamp, Matias, Bompard) + 431 (Lundgren) + 432 (Dorfmann) + 433 (Wiezik; Hojsik, Noichl) + 434 (Pietikäinen; Durand, Noichl, Vrecionova)

43. Takes note of the indications that many competent authorities often approve and stamp journey logs with unrealistically short estimated journey times, as well as with other missing information (433), in clear contravention of the provisions of regulation 1/2005 (430, 431, 434); considers that the calculation of journey times must be as accurate as possible, including in the TRACES system (432). Regrets that the GPS tracking data are not mandatorily and automatically shared for the purpose of retrospective and real time monitoring and assessing information on the journey and journey times (436).

Chapter: Temperature during transport (par. 44 to 46)

Compromise on paragraph 44

Covers the following amendments:

AM 442 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 443 (Buda) + 444 (Wiezik, Hojsík, Noichl) + 445 (Hazekamp, Matias, Bompard) + AM 455 (Hazekamp, Matias, Bompard) + 35 (Noichl, Fuglsang) + 332* recommendations (Hazekamp, Matias, Bompard)

44. Points out that exposure to temperatures outside the *legal* range *allowed by Regulation* (EC) No 1/2005 (444), between $+5^{\circ}C$ and $+30^{\circ}C$ degrees (442), occurs often and (444) is one of the main causes of animal welfare problems, in particular exposure to high temperatures which leads to heat stress, including shortness of breath, exhaustion, suffering and, in extreme cases, even death (445) during transport; recalls that exposure to very low temperatures can cause hypothermia, including shivering, stiff muscles and freezing (455, 332*); acknowledges the existence of a $+/-5^{\circ}C$ tolerance granted by the regulation for the temperature inside the vehicle, that should not be interpreted as the legal range (442); calls on the Member States to require the use of new temperature technology inside vehicles to ensure optimal temperature during transport, regardless of the time of year (443).

Compromise on paragraph 45

Covers the following amendments:

AM 447 (Hazekamp, Matias, Bompard) + 448 (Kelleher Christensen, Durand, Vautmans, Wiesner, Hojsík) + 449 (Lundgren) + 450 (Pietikäinen, Durand, Noichl, Vrecionová) + 453 (Hazekamp, Matias, Bompard) + 337* recommendation (Hazekamp, Matias, Bompard)

45. Regrets (447, 449, 450) that Regulation (EC) No 1/2005 only contains a general provision on temperature, lacking indications about the temperature-humidity index, given the influence of humidity in heat stress in animals at various temperatures, even below 30°C (447, 453, 337*), or about species, category and (447, 449, 450) age specific optimal temperature ranges which take into account factors such as shearing or body condition, amongst others (447, 449, 450); regrets that new and innovative solutions for temperature regulations on vehicles are still lacking (448).

Compromise on paragraph 46

Covers the following amendments:

AM 457 (Waitz, Metz, Roose, Evi, Deparnay-Grunenberg, Guerreiro); AM 458 (Pietikäinen; Durand, Noichl) + AM 459 (Lundgren) + AM 460 (Hazekamp, Matias, Bompard) + AM 461 (Noichl) + AM 462 (Wiezik, Hojsik, Noichl)

46. Recalls that, *according to the regulation 1/2005*, the means of transport by road for long

journeys must be fitted with a temperature monitoring and recording system, as well as with a means of recording such data to be obligatorily provided to competent authorities (457); regrets the lack of mandatory requirements for such systems in livestock vessels, a situation which has to change (461); regrets the lack of mandatory requirements in the regulation for short distance journeys (458, 459, 460, 462).

Chapter: Fitness for transport and vulnerable animal's categories: unweaned, gestating and end of career animals (par. 47, 49, 49a general, 48, 50, 50a new, 50b new)

Compromise on paragraph 49

Covers the following amendments:

AM 496 part (Hazekamp, Matias, Bompard) + 497 part (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 498 (Lundgren) + 499 (Pietikäinen, Durand, Noichl, Vrecionová) + 500 (Kelleher, Christensen, Durand, Vautmans, Wiesner, Hojsík)

49. Regrets (496, 497, 498, 499) that, although (496, 497, 498, 499) according to the regulation, watering devices shall function properly and be appropriately designed and positioned for the different categories of animals (size and species) to be watered on board the vehicle, water is often reported as not available to animals because the devices are inappropriate for the species transported or for unweaned animals incapable of using them (496, 497, 498, 499), unhygienic (496, 498, 499), or the water supply is not switched on (496, 497, 498, 499); notes that new and innovative solutions for watering and feeding systems are still lacking (500), and that unweaned calves are often not fed with the mandatory milk or milk substitutes needed, during the resting period (496).

Compromise on General

Covers the following amendments:

AM 89 (Noichl, Fuglsang) + AM 259 (Lundgren) part + AM 260 (Pietikäinen, Durand, Noichl, Vrecionová) part + AM 262 (Hazekamp, Matias) part + AM 263 (Bompard) part + 264 (Wiezik, Hojsík, Noichl) part

New: Recalls that fitness for transportation is a major factor in ensuring animal welfare during journeys, as risks during transport are greater for vulnerable animals (89); Stresses that unweaned, pregnant, as well as end of career animals are particularly vulnerable animal categories (259 part, 260 part, 262 part, 263 part, 264 part) and that provisions in the Regulation (EC) 1/2005 do not reflect species, age and status specific needs according to the latest scientific knowledge and recommendations (264).

Compromise on paragraph 48 (on unweaned animals)

Covers the following amendments:

AM 473 (Hazekamp, Matias, Bompard) + AM 474 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 475 (Lundgren) + 478 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 479 (Pietikäinen, Noichl, Vrecionová) + 480 (Lundgren) + AM 482 (Wiezik, Hojsík, Noichl) + 486 (Kelleher, Vautmans, Christensen) + 487 (Hazekamp, Matias, Bompard) + 488 (Wiesner, Durand, Hojsík)

48. Stresses the vulnerability of unweaned animals and that the current minimum age for the transport of calves is too low and should be reviewed (486, 488), supported by scientific evidence (486); recalls that EFSA in 2004 concluded that the transport of very young terrestrial animals should be avoided (473, 474, 475, 482);

.....

48 a. Points out that unweaned calves younger than 35 days more often experience physiological weakness (478), vulnerability (485) to disease, and immature immune systems (479, 480, 482, 487), and it is not always possible to give them the required care and feeding (479, 480, 487); notes that the conditions and quality of care of the animals before transport can be improved to promote their immunity (483) and that the assessment of fitness for transport is a critical point; highlights that, according to presentations made by various experts during ANIT Committee and the former sub-group of the EU Animal Platform on Animal Welfare, more scientific evidence is needed to support good practice in the transport of young animals, and highlights that the current provisions of Regulation (EC) No 1/2005 are not adapted to the needs of these animals or to guarantee their welfare (478);

Compromise on paragraph 50 (unweaned animals)

Covers the following amendments:

AMs 501 (Pietikäinen, Noichl) + 502 (Wiezik, Hojsík, Noichl) + 503 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 504 (Lundgren) + 505 (Hazekamp, Matias, Bompard)

50. Recalls the Commission's recommendations from 2009 to the competent authorities to ensure that unweaned animals are offered electrolytes or milk substitutes during the resting period; and points out that metal nipples are not (502, 505) suitable for unweaned calves; stresses that veterinarian experts indicate that unweaned animals need a resting period after feeding for digestion before transport (503); therefore notes that feeding unweaned animals during transport in lorries is not currently possible (501, 504), given that rubber teat systems and other drinking devices to deliver water on trucks do not meet these animals' feeding needs (501, 502, 504, 505), and that other innovative solutions are needed;

Compromise on gestating animals

Covers the following amendments:

AMs 109 (Noichl) + 490 (Wiezik, Hojsík, Noichl) + 510 (Avram, De Castro, Aguilera, Olekas)

50a New. Stresses the vulnerability of the gestating animals and highlights that according to veterinarians, the maximum stage of gestation allowed for transport should be reconsidered (490); recalls that, according to the European Implementation Assessment of the European Regulation 1/2005, ascertaining the state of pregnancy of live animals is still problematic^{7a}(510), and those responsible for the transports are often uncertain how far the pregnancy has progressed (109);

^{7a}https://www.europarl.europa.eu/RegData/etudes/STUD/2018/621853/EPRS_STU(2018)6 21853_EN.pdf

Compromise on End of career animals

Covers the following amendments:

AM 471 (Noichl, Fuglsang) + 493 (Wiezik, Hojsík, Noichl) + 508 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

50b New: Points out that animals at end of their productive life are a vulnerable category (508, 493), due to their age, and often deteriorated health or the presence of injuries (508) and the difficulty to assess the fitness as well as their ability to cope with transport (493); notes that these animals are also of lesser value to transporters, and may therefore be at higher risk of neglect (508); recalls that Member States must find solutions to improve animal welfare for animals at the end of their lives and production cycles (471);

New Chapter: Species not adequately covered by Regulation 1/2005 (par. 50c new, 50 d new, 50e new, 50f new) (fish, poultry and rabbits, cats and dogs (companion animals), horses)

Compromise on Fish (all paragraphs)

Covers the following amendments:

AMs 144 (Pietikäinen, Durand, Vrecionová) + 145 (Avram, De Castro, Aguilera, Olekas) + 146 (Lundgren) + 156 (Wiezik) + 174 (Hazekamp, Matias, Bompard) + 176 Pietikeinen Durand Vrecionova + 177 (Lundgren) + 427 (Avram, De Castro, Aguilera, Olekas) + 468 (Lundgren) 469 (Pietikäinen, Durand, Vrecionová) + 470 (Hazekamp, Matias, Bompard) + 511 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 523 (Hazekamp, Matias, Bompard)

50c new Highlights the need for EFSA to assess the most recent scientific information on the welfare of fish during transport (174, 176, 177) as there are currently no provisions in the regulation for the welfare of fish which are transported in large numbers and have immune systems especially vulnerable to stress; (156, 468, 469, 470) in particular the requirements regarding oxygen levels, pH, salinity and temperature during transport (427) furthermore recalls the Commission's identification of shortfalls in the regulation with regards to fish, along with divergent and non-comprehensive guidelines across Europe; (156, 468, 469, 470) considers also that the provisions of the regulation fall short in key areas, including the allocation of responsibilities, elements of journey planning, ensuring fitness to travel, monitoring and maintaining water quality, design of vehicles and fittings, and post-transport monitoring; reminds that inappropriate transport conditions cause fish suffering and health issues (523)

Compromise on poultry and rabbits

Covers the following amendments:

AMs 514 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 519 (Hazekamp, Matias, Bompard) +587* Recommendation (Hazekamp, Matias, Bompard)

50d new Notes that recital 9 of the Regulation (EC) No 1/2005 foresees the adoption of specific provisions for poultry, following the relevant opinions of the European Food Safety Authority (EFSA); highlights however that the Commission did not make any proposal of legislation on the protection of poultry during transport (514); notes, furthermore, the transport of over a million poultry between Member States each year, and over 200.000.000 to third countries, and that the current provisions of the regulation do not protect them as it should and are not properly enforced, particularly with regard to lifting and handling of animals prior to transport (519), furthermore nor does it provide species specific protection for rabbits (587*)

Compromise on cats and dogs

Covers the following amendments:

AMs 153 (Pietikäinen) + 154 (Wiezik, Hojsík) + 158 (Lundgren) + 276 (Hazekamp, Matias, Bompard) + 395 (Pietikäinen) + 396 (Lundgren) + 514 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

50e new Notes that recital 9 of the Regulation (EC) No 1/2005 foresees the adoption of specific provisions for, cats and dogs following the relevant opinions of the European Food Safety Authority (EFSA) (514); recalls however, since the regulation entered into force there have been no relevant EFSA opinions published, nor specific provisions for cats and dogs introduced (153, 154, 158, 276) and highlights the need for increased efforts on data collection on companion animal commercial transport (395, 396)

Compromise on horses

Covers the following amendments:

AMs 150 (Wiezik, Hojsík) + 151 (Pietikäinen) + 157 (Lundgren) + 255 (Lundgren) + 256 (Pietikäinen) + 278 (Hazekamp, Matias, Bompard) + 472 (Bompard) + 476 (Lundgren) + 477 (Pietikäinen)

50f new Stresses that provisions for transport of Equidae are vague and lacking in detail (150, 151, 157, 278), such as in the case of the requirements on partitions (255, 256), and are insufficient to ensure the fitness of these animals for transport (472, 476, 477) leading to frequent breaches of the regulation and serious animal welfare problems; underlines that registered horses are exempt from a variety of provisions, something which can put at risk their welfare; moreover, many technical requirements set out in the regulation are incompatible with the needs of Equidae (150, 157), and are sometimes in contradiction with scientific recommendations (278)

Chapter: Specific provisions on transport by Sea (par. 51 to 53)

Compromise on paragraph 51

Covers the following amendments:

AM 525 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenber) + 526 (Buda) + 527 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 528 (Hazekamp, Matias, Bompard) + 542 (Hazekamp, Matias, Bompard) + 543 (Pietikäinen, Durand, Noichl, Vrecionová) + 544 (Lundgren) + 531 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + 552 (Hazekamp, Matias, Bompard)

51. Highlights that, where proper infrastructure is lacking, the high number of animals moving quickly and simultaneously from trucks to vessels hinders the adequate inspection of individual animals and increases the risk of injury to those animals (526); stresses that many ports of export are not equipped with facilities such as (525) housing facilities where animals can be unloaded, inspected (525), fed, watered (542) and allowed to rest, particularly in the event of delays, and when facilities exist they are not always used (525), and lack the means to euthanize animals when injured (525); points out that loading ramps in some cases are steeper than the maximum slope permitted by the Regulation, and the entry to vessels at the end of the loading ramp is often unlit (528); considers that journey logs do not always reflect the reality of animals' sea journeys (527); recalls that journeys on sea are not limited in time (527); Stresses that overloading may lead to suffering of animals and can be one of the causes also leading to accidents (542, 543, 544).

51 new Notes the current absence of EU wide data collection on the number of livestock which die during transport (531); Is concerned that often animals that die on board are thrown in to the sea (552), despite the need to observe the Marpol Convention on marine litter, which includes animal carcasses (531); considers fundamental the existence of adequate facilities on board to deal with dead animals.

Compromise on paragraph 52

Covers the following amendments:

AMs 529 (Waitz, Metz, Roose, Evi, Holmgren, Deparnay-Grunenberg) + 532 (Avram, De Castro, Aguilera, Olekas) + 548 (Avram, De Castro, Olekas)

52. Stresses the lack of clarity of the provisions in the Animal Transport Regulation on the identification of the organiser and the transporter on the sea journey leg, particularly when the operation involves several consignments with different origins, but also of the person responsible for animals on-board (529); regrets the lack of an authorised transporter for the sea leg of the journey, in some cases (532); notes that DG SANTE audits found that a majority of approved journey logs did not identify the authorised transporter and livestock vessel, causing legal uncertainty concerning the accountability for animal welfare (529); notes the limited number of inspections after loading of a vessel, contrary to the

recommendations of the Network document on the approval and inspection of livestock vessels (548).

Chapter: Transport of live animals to third countries (par. 54 to 63)

Compromise on paragraph 55

Covers the following amendments:

AM 560 (Hazekamp, Matias, Bompard) + 561 (Lungren) + AM 567 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg) + AM 568 (Hazekamp, Matias, Bompard) + AM 570 (Aguilera) + AM 571 (Lundgren) + AM 572 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 573 (Avram, De Castro, Olekas) + AM 574 (Kelleher, Durand, Vautmans, Wiesner, Hojsík, Christensen) + 621 (Lundgren)

55. Stresses (568, 571, 572) that once livestock consignments (571, 572) cross (574) the EU border, respect for animal welfare standards cannot always be guaranteed (571, 572) both on route and on arrival, due to the lack of control and authority of the EU^{2a} (573) in (568, 571,572) third countries that are not being (568) bound by EU legislation; recalls the judgement of the Court of Justice of the European Union, which states that EU welfare rules are binding until the final place of destination in third countries,; recalls that Member States may suspend exports where they see that animal welfare standards are not or cannot be complied with (567); considers that more effort is needed to promote best practice in third countries (570);

Compromise on paragraph 57

Covers the following amendments:

AM 586 (Conte, Bruna, Beigneux) + AM 587 (Avram, De Castro, Aguilera, Olekas) + AM 588 (Noichl) + AM 589 (Pietikäinen, Noichl, Vrecionová) + AM 590 (Lundgren) + AM 591 (Hazekamp, Matias, Bompard)

57. Stresses that inadequate *and unrealistic* (588) journey planning in terms of administrative procedures, *timing* (587), and lack of coordination with border posts can create a cascade of delays at borders and ports, notably when a large number of trucks arrive at the port and all *animals have to wait* (589, 590, 591) to be loaded on board a single vessel;

Compromise on paragraph 58

Covers the following amendments:

AM 231 (Hazekamp, Matias, Bompard) + AM 232(Pietikäinen, Noichl, Vrecionová, Durand) + 233 (Lundgren) + AM 593 (Hazekamp, Matias, Bompard) + AM 594 (Pietikäinen, Noichl, Vrecionová) + AM 595 (Lundgren) + 610 (Avram, De Castro, Aguilera, Olekas)

²a https://www.europarl.europa.eu/RegData/etudes/STUD/2021/690877/IPOL_STU(2021)690877_EN.pdf

58. Takes note of the lack of communication and cooperation between Member States' competent authorities and those of third countries, in particular on mutual assistance and information sharing, which resulted (594, 595) in increased waiting times, cases of noncompliance and unnecessary animal suffering (593); notes that there is no systematic and evidenced-based communication system between competent authorities from third countries and member states (231,232, 233); recalls the external independent audits which took place outside the EU until 2013 in monitoring, checking and enforcing Regulation 1/2005 during the stages of the journey taking place outside the EU (610)

Compromise on paragraph 59 Withdrawn

Supported by EPP, S&D, Renew, Greens, ECR, The left (during 09 Nov Technical meeting)

Covers the following amendments:

AM 599 (Dorfmann) + 603 (Hazekamp, Matias, Bompard)

59. Agrees with the Commission that the presence of a qualified veterinarian during loading for long journeys to non-EU countries constitutes good practice¹⁶ as well as the inspection by competent authorities of all consignments destined to non-EU countries at loading to ensure compliance with the requirements of Regulation 1/2005 (603) recalls that the presence of an independent veterinarian with no conflict of interest, such as an official veterinarian, can help to ensure compliance (599)

All other AMs of Par. 59 Moved to recommendations through this COMP: Compromise on Paragraph 38 (new) recommendation

Covers the following amendments:

AM 596 (Hazekamp, Matias, Bompard) + AM 597 (Pietikäinen, Durand, Noichl, Vrecionová) + AM 598 (Lundgren) + AM 601 (Waitz, Metz, Roose, Evi, Holmgren, Guerreiro, Deparnay-Grunenberg)

38 new Considers fundamental the mandatory (596, 601) presence at loading and final destination of long journeys to non-EU countries (596, 597, 598), of an independent veterinarian; Stresses that the presence of a veterinarian will enable reassessment of the fitness for transport¹ (601) and can help to ensure compliance (597, 598) with EU legislation and enforcement of the relevant CJEU ruling (597, 598);

¹Final report of an audit carried out in the Netherlands from 20 February 2017 to 24 February 2017 in order to evaluate animal welfare during transport to non-EU countries, European Commission, Directorate-General for Health and Food Safety, 2017.

Compromise on paragraph 63

Covers the following amendments:

AM 614 (Hazekamp, Matias, Bompard) + AM 615 (Pietikäinen, Noichl, Durand, Vrecionová) + AM 616 (Lundgren) + 622 (Michal Wiezik, Martin Hojsik, Maria Noichl)

63. Recognises that currently third countries' authorities, transporters or ships' masters do not provide routine feedback on the condition of animals during the sea and road (614, 615, 616) leg of their journey, or on the condition in which they arrive at destination, which makes it impossible, in these cases, to verify if transports meet the requirements of the legislation (614); highlights (614) that there are no EU-wide official statistics about the number of animals arriving dead at third countries (614, 615, 616), or regarding their health status (622);

Recitals

Compromise on Shift

Recitals on shift to transport meat/carcasses embryos and genetic material

Covers the following amendments:

AM 49 (Noichl, Fuglsang) + AM 54 (Wiezik, Hojsík, Noichl) + 94 (Bompard) + 101 (Pietikäinen, Noichl, Durand, Vrecionová) 104 (Lundgren) + 187 (Hazekamp, Matias, Bompard)

Ia. New Whereas it is often possible, technically easier, and sometimes more rational for animal welfare reasons, to transport meat and genetic material and other animal products instead of transporting live animals for the purpose of being slaughtered and breeding;