



Council of the
European Union

Brussels, 8 December 2023
(OR. en)

**Interinstitutional File:
2023/0448(COD)**

16405/23
ADD 6

VETER 110
AGRI 792
AGRILEG 338
CODEC 2409
IA 357

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	7 December 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2023) 402 final
Subject:	COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT REPORT Accompanying the document 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

Delegations will find attached document SWD(2023) 402 final.

Encl.: SWD(2023) 402 final



Brussels, 7.12.2023
SWD(2023) 402 final

COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT REPORT

Accompanying the document

**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**

{COM(2023) 770 final} - {SEC(2023) 397 final} - {SWD(2023) 399 final} -
{SWD(2023) 401 final}

Executive Summary Sheet

Impact assessment for the Revision of the EU Animal Welfare Legislation

A. Need for action

Why? What is the problem being addressed?

Since the adoption of the current EU animal welfare legislation (mainly in the 1990's), science has evolved, EU citizens pay increasing attention to animal welfare and consumers' behaviours and awareness of the issue have changed. For these reasons, a revision of the current EU animal welfare legislation is included among the actions under the Farm to Fork Strategy, to contribute to a more sustainable food production system in the EU.

As confirmed by an extensive evaluation ("[Fitness Check](#)"), these developments are not fully taken into account in the legislation today. The main problems to be addressed in the revision of the legislation on the protection of animals during transport are the following:

- **Animal welfare during transport is compromised** by certain transport conditions, as well as of a lack of modern and effective tools for enforcement.
- An **uneven level playing field for EU business operators** on the single market, caused by differences in implementation and enforcement of the common EU requirements as well as by differing legislation adopted at national level for the protection of animals during transport.

What is this initiative expected to achieve?

Bringing the EU legislation closer to the latest scientific evidence, and to citizens' expectations, will significantly improve the welfare of the over a billion of animals that are transported within and between Member States, and exported to non-EU countries every year. Clearer and updated provisions, taking account of the latest scientific evidence, and a greater use of modern technology, will make the revised legislation easier for business operators to comply with, and for competent authorities to enforce. In addition, the initiative will help to reduce distortions on the Single Market linked to the conditions of transport of live animals for economic purposes. Ultimately, the initiative will contribute to a more resilient, sustainable food production system in the EU.

What is the value added of action at the EU level?

The cross-border nature of animal transport requires regulation at EU level. Actions only at national level would result in Member States having their own, differing legislation which would lead to further fragmentation, distortions of competition and unequal level of animal welfare across the EU. By adopting an updated and more homogenous set of rules, the intra-EU trade of animals would be facilitated and would take place in a situation of better level playing field among EU operators. Hence, the internal market would be improved, and the EU high values on animal welfare would be easier promoted at global level.

B. Solutions

What legislative and non-legislative policy options have been considered? Is there a preferred choice or not? Why?

To address the problems described above, six measures have been identified. For some of these measures, alternative policy options have been considered. Based on a multi-criteria analysis of their animal welfare, economic, social and environmental impacts, the following combination of preferred choices have been established (with certain transition periods when relevant):

- 1) Further limit the maximum journey times for the transport of live animals (9 hours maximum for animals transported for slaughter; and for other animals: 21 hours (+ 24 hours rest) + 21 hours journey).
- 2) Increase space allowance in the vehicle based on EFSA recommendations.
- 3) Apply the maximum journey times also for exports of live animals from the EU and require further tools to guarantee that EU rules are met until destination, in line with the European Court of Justice ruling (e.g. animal welfare officer on board of vessels, vessels to fulfil good standards of maritime safety).
- 4) Increase animal welfare requirements for the transport of vulnerable animals (e.g. for unweaned calves: max journey time of 9 hours + 1 hour feeding + 9 hours, if an effective feeding system is approved; Minimum age of five weeks and minimum weight 50 kg for unweaned calves to be transported).
- 5) Revise rules to limit animal suffering due to transport at high temperatures (if weather forecast indicates 25°-30°C, only short journeys allowed during daytime; if it is higher than 30°C, only transport at night).
- 6) Make the maximum of digital tools to facilitate the enforcement of transport rules (e.g. real-time positioning of vehicles; central database and digital application).
- 7) Introduce specific rules for the transport of cats and dogs (e.g. age limits and temperature conditions).

Who supports which option?

As illustrated by the diverging stakeholders' views expressed, animal welfare is an area of polarisation, where NGOs and industry seldomly share the same perspectives, although they agree to the objective of improving animal welfare and reducing internal market distortion. Industry stakeholders generally agree on improvement of the transport conditions (temperature, space allowance, enhanced conditions for export, in particular by sea transport), but are reluctant to further limit journey times, in particular when it comes to exports of live animals from the EU. However, industry is internally divided due to diverging national legislation of EU Member States leading to diverging industry interests. On the other side, NGOs do not support the option to continue exporting live animals under strict conditions, and would prefer a ban on live animals' export. Similarly, they are in favour of much stricter maximum journey times (maximum 8h for all animals).

C. Impacts of the preferred option

What are the benefits of the preferred option (if any, otherwise main ones)?

The preferred option is expected to bring considerable animal welfare benefits. In addition, it will have a positive impact on transporters and other EU business operators: with more harmonised rules than today, they will profit from a more level playing field on the Single Market. Furthermore, better welfare conditions during transport will lower the animal health risks, reduce mortality rates as well as the percentage of animals arriving sick or injured at arrival, thus reducing carcass rejection at slaughterhouses (avoiding the costs of destroying carcasses, estimated to EUR 27 per carcass) and improving meat quality, as well as bringing economic gains for producers, for instance through reduced veterinary costs.

The initiative will also bring indirect societal benefits, e.g. by contributing to reduce the risk for antimicrobial resistance and the spread of zoonotic diseases, and by better responding to citizens' expectations on animal welfare.

What are the costs of the preferred option (if any, otherwise main ones)?
<p>Transport companies will have to adapt to new transport patterns and potentially buy additional trucks due to higher space allowance. In the case of sea transport, some will need to buy new or renovate their vessels in order to ensure compliance with standards of maritime safety.</p> <p>In average at EU level, the cumulative impact of the preferred option is estimated to result in an increase of production costs of EUR 0.014 per kilo of meat, milk or eggs per year. The impacts that this would have on production levels, import, export and consumer prices are expected to be negligible (below 1% in most cases), and no significant impact is expected on food security either.</p> <p>As regards food affordability, the impacts on consumer prices are, depending on the commodity, expected to represent an additional expenditure ranging from EUR 2.81 to EUR 14.09 per person per year, depending on diet and income.</p> <p>Some existing costs will be reduced by the savings incurred by less administrative burden due to digitalisation. Those savings have been estimated to EUR 71 million per year.</p>
How will businesses, SMEs and micro-enterprises be affected?
<p>Practically all EU businesses involved in animal transports are SMEs according to the usual definition of SMEs (more than 250 employees). Overall, the economic impacts are limited, thus addressing the needs of SMEs. In addition, sufficiently long transition periods are foreseen to facilitate a smooth adaptation. Also, gains and savings will be obtained thanks to higher meat quality, less carcass rejection and lower use of veterinary medicines.</p>
Will there be significant impacts on national budgets and administrations?
No significant impact.
Will there be other significant impacts?
No.
D. Follow up
When will the initiative be reviewed?
<p>A general evaluation will be performed 10 years after the entering into force. For this purpose, an implementation and evaluation report will be prepared by the Commission, taking into account data collected based on the revised Regulation as well as data from TRACES and Member States' annual reports on official controls performed.</p>