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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Communication on the European Citizens' Initiative (ECI) "End the Cage Age"
– Information from the Commission

Delegations will find in Annex an information note from the Commission services on the above mentioned subject to be raised under "Any other business" at the meeting of the Council ("Agriculture and Fisheries") on 19 July 2021.

European citizens' initiative 'End the Cage Age'
Information from the European Commission

European citizens have the right to ask the Commission to propose legislation on a matter on which they consider that an EU legal act is required for the purpose of implementing the Treaties. As prerequisites, the request must be within the scope of the Commission's legal powers and the organisers of the initiative must collect at least one million supporting signatures from at least seven Member States. In case of a successful initiative, the Commission responds by way of a Communication.

The European citizens' initiative (ECI) 'End the Cage Age', called on the Commission to propose a legislation to prohibit the use of cages for EU farmed animals for:

- laying hens, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese;
- farrowing crates for sows;
- sow stalls, where not already prohibited;
- individual calf pens, where not already prohibited.

Within one year, the organisers of this ECI collected 1.4 million signatures, passing the required threshold in 18 Member States. Detailed information on this ECI is available on the website of the organisers¹ and on the Commission's dedicated 'End the Cage Age' website².

On 30 June 2021, the Commission adopted a Communication³ responding to this ECI, in which the Commission concludes that it intends to **propose to phase out and finally prohibit the use of cage systems, for all the requested species and categories, under conditions (including the length of a transitional period) to be determined based on opinions from the European Food Safety Authority (EFSA) and an impact assessment.**

¹ <https://www.endthecageage.eu/#whatNext>

² https://europa.eu/citizens-initiative/initiatives/details/2018/000004_en

³ https://europa.eu/citizens-initiative/initiatives/details/2018/000004_en

This will be included as one of the key objectives of the revision of the animal welfare legislation that the Commission has committed to propose by the last quarter of 2023.

In order to respond to the citizens' initiative, the Commission has, in June 2020 and in June 2021, mandated EFSA to complement existing scientific evidence on the animal welfare impacts of cage farming systems for laying hens, pigs, calves, pullets, broiler breeders, layer breeders, quail, ducks and geese. EFSA is expected to issue these opinions in 2022 and 2023.

For the development of the legislative proposal, the Commission will prepare an impact assessment, based on a study of the environmental and socio-economic consequences of, *inter alia*, the phasing out of cages that will take account of animal welfare benefits, the social and economic needs of the farming sector in the EU, including of small farms, the international trade dimension and environmental aspects.

These elements will be taken into account when determining the length of a reasonable transition period and the accompanying and supporting measures to facilitate the transition. The Commission will assess in particular the feasibility of working towards the proposed legislation entering into force from 2027.

The first step in launching the impact assessment was the **publication of an Inception Impact Assessment⁴ on 6 July 2021** that includes a public feedback period of 4 weeks (from 6 July to 3 August 2021). The **impact assessment** will also include a public consultation that will be carried out in the second half of 2021 or **at the latest by early 2022**, and it is scheduled to be completed by the end of 2022.

As stated in the Communication, the EU will maintain and step up its bilateral and multilateral efforts to raise animal welfare levels in non-EU countries. In the impact assessment, the Commission intends to consider different options to address this issue.

The Commission acknowledges the crucial importance of supporting farmers and involving the entire food chain - including consumers - to facilitate a sustainable and economically viable transition. The Commission is therefore committed to adopt and pursue or implement specific supporting measures in key related policy areas, such as the Common Agricultural Policy (CAP), trade, and research and innovation, to facilitate a sustainable and economically viable transition.

⁴ [Animal welfare – revision of EU legislation \(europa.eu\)](https://european-council.europa.eu/media/e3000000/1/press-19-2021-0001-01-EN-attachement-annex-1.pdf)

With the CAP, the EU will provide financial support to farmers to shift to cage-free systems through means available under the rural development policy and the new eco-schemes. The Commission encourages Member States to use the eco-schemes and to present their intervention strategies in their CAP national strategic plans to support the phasing out of cages. This could also imply a shift to innovative solutions as well as extensive production systems.

When evaluating the Member States' CAP national strategic plans, the Commission committed to pay particular attention to the financial support that they intend to devote to improve animal welfare. The Commission also encourages Member States to increase the aid intensity for European Agricultural Fund for Rural Development support for cage-free systems, as compared with investments in housing with less focus on animal welfare.

In its annual work programmes for the farm products promotion policy, the Commission will include a dedicated budget for raising awareness of sustainability in agriculture, including specific animal welfare features such as cage-free farming systems.

Other supporting measures complementing the CAP funding are available in line with the Commission's action plan for organic production⁵, aiming to ensure that 25% of the EU's agricultural land is used under organic farming by 2030 - as set out in the Farm to Fork Strategy - and by supporting farmers and other actors in the transition to cage-free systems through information campaigns and trainings through the Member States' farm advisory services. The Commission will also work closely with the food processing industry and retailers to encourage them to support the development of the market for cage-free products at rewarding farm gate prices.

⁵ https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/com2021_141-organic-action-plan_en.pdf