

The background of the slide is a photograph of a brown cow standing in a metal transport trailer. The floor is covered with a thick layer of straw. In the background, a person wearing a black beanie and jacket is visible, holding a red pole. The trailer's metal structure is prominent.

Copa and Cogeca's position on the Animal Protection During Transport Proposal

Brussels, 6th June 2024



Context

The European Commission published the Proposal for a Regulation 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 on the 7th of December 2023.

Copa and Cogeca have always worked proactively towards a harmonised and better enforcement of the current rules on animal transport, which set some of the highest standards in the world. We consider that a series of principles must be respected: **Transport of live animals is vital for the EU livestock chain**, both for **intra-EU and external trade**, and the focus of any legislation should be the improvement of the **quality** of the transport rather than arbitrary rules or criteria such as limits on journey times or the forecast of external temperatures.

As it stands, **the proposal would lead to complete disruption of the EU livestock sector**, along the whole chain, adding yet another layer of bureaucracy and costs to all actors involved. This would affect all livestock farms (hitting especially hard smaller structures located in marginal or isolated areas) and cooperatives (i.e.: a farmer that has participated in the creation of a slaughterhouse or a feedlot could be excluded from it because of the rules included in this proposal).

Copa and Cogeca fear that this text has the potential to accelerate farm closures and jeopardise the future of all animal productions in the EU. Consequently, it would directly **hit EU food security and sovereignty**.

It is unfortunate that the impact assessment backing the Commission's proposal contains so many gaps regarding the potential effects on the sector. The impact assessment should be therefore reviewed to include not only the socio-economic implications in the most comprehensive way possible, but also the cumulative impact of all other legislations regulating livestock.

The reduction of EU livestock production that this proposal would lead to must be considered in the global context. As our standards on animal welfare and other aspects on sustainability are among the highest in the World (standards that should be imposed on imported products to ensure the principle of reciprocity, which would be necessary to avoid unfair competition from non-EU countries), the loss of the EU livestock sector would send a clear signal to third countries on the failure of the EU to keep its ambitions on sustainability while incentivising a competitive economy.

Main concerns

The draft regulation includes rules that are disruptive for the whole livestock chain, and therefore unacceptable for EU farmers and agri-cooperatives:

- The proposed **journey time limits** (to slaughterhouses, to other destinations than slaughterhouses, or of unweaned animals), definitions (i.e.: "journey", including the loading and unloading of animals, "place of departure", problematic for assembly centres), with the mandatory resting period of 24 hours, would significantly disadvantage Member States with large distances, mountainous regions, or lacking infrastructure, while sometimes even being counterproductive for the welfare of animals. The proposed journey time limits will also impact slaughterhouses in low-density farming areas, increase the concentration of slaughterhouses (and therefore production) in the EU, consequently hindering producers' ability to obtain optimal prices for their animals. These rules will disrupt many supply chains, potentially causing widespread impact across the EU's livestock sector.
- The proposal includes rules such as limitations (reduction of journey time, imposition of transport at night...) based on an external **temperature** forecast (regardless of the conditions inside the vehicle) that would discriminate against Member States based on their climatic conditions. Nuances such as the differences between sudden peaks/ heatwaves or gradual changes of temperatures, nor species specificities, are not considered at all.
- The new rules on the **minimum age and weight** of certain animals (calves, lambs, goat kids, piglets...), without taking any consideration of the specificities of the different races, will have a clear impact on the structure of the farms in most Member States. This will have severe implications for the investment capacity of farmers, environmental permits, or access to land. The increased cost will not be compensated for in any way, as it will not add any value to the animals, and as such it will penalise the farmer. Keeping the animals for longer also requires additional efforts to maintain sanitary conditions on the farm, in order to preserve the high welfare and health of livestock.
- The proposed increases in **space allowance and vertical height** per animal in the vehicle are considerable (roughly a 20-60% reduction of the capacity of vehicles for animals, depending on the species) and will lead to a multiplication of

trucks on the roads, and consequently to more GHG emissions and additional costs. Moreover, the increased space between or over animals will cause them a higher risk of injuries, especially when trucks brake or turn. We consider current density rules to be optimal for animals.

- **Requiring veterinarians to supervise the loading and unloading vehicles as a general rule is not feasible** (78.5% of surveyed European countries reported a shortage of vets in rural and remote areas). There are simply not enough veterinarians available to perform this task. The impact assessment does not consider all the implications of this rule (i.e.: Its combination with the requirement to transport at night). In addition, producers and transporters are capable of loading and unloading animals to the same high standard.
- The new regulation requires every journey to be documented in the digital **TRACES** system. Official controls will not be improved through the general digitalisation of all transport data in TRACES. It will only increase the bureaucratic burden for farmers and transporters and will not automatically correct existing gaps in the

cooperation between authorities.

- **Assembly centres** are essential for smaller and medium-sized bovine and pig farms and should not be considered as a final destination with the need of a seven-day waiting period. Clear framework on the conditions at the assembly centres give the animals good conditions for feeding, access to water, and rest.
- On the specific rules for **aquatic animals**, we note some elements that would not be feasible or applicable in practice and should therefore be amended.
- Finally, we consider that for such considerable and structural changes, the **transition periods** proposed are clearly insufficient. Moreover, no additional support is foreseen for these changes.

More detailed information regarding Copa and Cogeca's main concerns **is included in the Annexe** to this position.



Conclusion

Unless major modifications are brought to this proposal, given the massive socio-economic impact it would have on the EU livestock sector, Copa and Cogeca cannot accept this new regulation as it currently stands.



Annexe: Copa-Cogeca's main concerns regarding the proposal for a Regulation on the protection of animals during transport, and related operations, amending Council Regulation 1255/97 and repealing Council Regulation 1/2005

1 – JOURNEY TIMES

Current rules in Regulation 1/2005, establishes that maximum journey time (all means of transport except air) for bovine, ovine, caprine, and porcine species is set to eight hours, unless conditions for long journeys are respected. In that case, after 14 hours of travel a one-hour rest is compulsory. After the rest they can be transported for another 14 hours. After that, they must be unloaded and given 24 hours of rest. Transport may resume afterwards following the abovementioned rules with no total limit.

The proposal for the revision of Regulation 1/2005 concerning maximum journey times establishes the following:

A new definition of “journey” is set in article 3.4: “The movement of animals effected by one or more means of transport starting with the loading of the first animal onto the first means of transport at the place of departure and ending with the unloading of the last animal at the place of destination [...]”

In Article 27, there are new specific rules for **the transport by road for purposes other than slaughter**. The new limit (for equine animals, and animals of bovine, caprine, ovine, and porcine species) is established through a maximum sequence of 21 hours of travel (with one hour of rest – remaining on the stationary means of transport – after 10 hours of travel), followed by a 24 hours of rest (with the animals unloaded at a control post), after which, a final stretch of 21 hours of travel (with another one hour stationary rest) is possible before arrival at the destination.

Article 28 establishes a maximum journey time of nine hours for animals (all species other than domestic birds and rabbits) **transported to slaughterhouses**. A derogation is possible if available slaughterhouses in range are not adapted for the species and categories transported.

For the transport of **unweaned animals** (calves, lambs, kids, foals), article 29 imposes a limit of eight hours, which can be extended to a sequence of nine hours of travel, one hour of rest, and nine hours of travel before destination if the means of transport is equipped by an approved feeding system.

Finally, Chapter V of Annexe I establishes the maximum journey time for poultry and rabbits.

- 12 hours including loading and unloading time,

- 24 hours for chicks, if it is completed within 48 hours after hatching (compared to 72h before),

- 24 hours for breeding rabbits,

- 10 hours for end-of-lay hens including loading and unloading time.

Main concerns

- Regarding the **new definition of “journey”** (article 3.4), the proposal includes in it the loading and unloading of animals. Given that these are potentially the most stressful moments for a transported animal, it seems unwise to put drivers under pressure to adapt to the new time constraints. Animals transported in containers, for instance poultry species and rabbits, face the same challenge.

- Moreover, the **mandatory 24 hours of rest** (whatever the species) following 21h of transport would add unnecessary unloading/loading periods that would stress the animals even more compared to an extension of the time on the road.

- The journey time limits in articles 27, 28, and 29 (9h for slaughter, 21h/24h rest/21h for other than slaughter or 8h for unweaned animals), are **discriminatory** for Member States with longer distances between farms, slaughterhouses, and/or assembly centres; those with a higher number of isolated farms; those with mountainous regions; and those with less developed road infrastructure. It will lead to greater distortion of competition. Limits on the journey times should have a solid scientific basis, as well as considering the experience and the geographical conditions.

- There is also a **lack of internal consistency** from the perspective of animal welfare regarding the rules for the journey time limits of animal transported for slaughter, and the journey time limits of animals transported for any other reason. Why would an animal destined for slaughter need a shorter journey than one being transported to another farm? There is no biological basis for such a distinction. Animals should be in good shape and cared for regardless of their travel purpose. The approach of current legislation, in not drawing the difference according to the destination of the animal, should be therefore maintained.

- Slaughterhouses in low-density farming areas would no longer have enough livestock to fully use the potential of their facilities. Their closure would be impacting an already **declining network of slaughterhouses in the EU, leading to further concentration** with a clear risk of speculation occurring to detriment of farmers, **and negative impacts on environment, local economies, food security and sustainability**. This creates serious

difficulties in the specific case of **spent hens**. There is no scientific evidence that would justify further restrictions to their transportation.

- Furthermore, as some slaughterhouses pay better prices for animals despite the costs for transports over nine hours, this rule would **prevent producers from obtaining the best value** for their animals. Overall, these limits are in contravention of the free-market logic that is otherwise protected by the Treaties of the EU (TFEU, Articles 4(2)(a), 26, 27, 114 and 115).

- Livestock production in some Member States rely on **breeding animals from other countries** (either deliveries from EU Member States or imports from third countries), and therefore this rule would clearly disrupt their production chain. Exports and intra-EU deliveries are also necessary for the selection of animals and ultimately improve the genetic pool in a region. In addition, third countries can also benefit from high-quality EU livestock.

- Farmers must **sell animals at the right age** to meet the demands from their different clients. These new rules would potentially be disruptive in this aspect as well.

- A **lack of species-specific provisions** can also be a cause for compromised animal welfare.

- The rules would force the redesign of **the control posts** map in the EU, creating **challenges** regarding their parking capacity, the needs of the different animal species, the unpredictability of traffic (because of the temperature forecast or the traffic jams), as well as the multiple, potential biosecurity issues that might occur.

Main concerns – Poultry and rabbits

- The 12-hours journey time limit for poultry and rabbits, including loading and unloading time, is overly restrictive. This is particularly due to extended loading times resulting from large numbers of animals. It could lead to economic disadvantages for some member states. If poultry is vaccinated, this is usually carried out during loading and unloading and can take several hours, which would further increase the journey time or allow only for shorter trips to comply with legislation. This will further hamper the chances for those animals to reach destinations which lie farther from their point of origin, therefore further limiting free market options for the farmers.

- Scientific evidence indicates that transporting **day-old chicks** within a 72-hour timeframe post-hatching does not result in significant welfare issues, as mortality rates remain exceptionally low. Furthermore, implementing a regulation contrary to this timeframe would deviate from the

conventional definition of day-old chicks, which typically refers to poultry aged less than 72 hours. During the first few days of their lives, day-old chicks take in nutrients from their yolk sacs, nutrients which ensure a smooth life during transport.

Main concerns - Calves

- Regarding the transport of calves, equipping transport vehicles with feed milk or milk replacer is very expensive and poses hygiene risks. The use of an electrolyte solution should be recognised as well. This is an area where more research is needed.

2 – TEMPERATURES

The European Commission has proposed completely **new rules regarding limitations to transport by road based on the forecast of external temperatures**. Article 31 states that the organiser shall consider the temperature forecast at place of departure and destination at the time of arrival of the animals and, when relevant, the place of the control post. Depending on the temperature at any of those moments, the following rules must be observed:

- **Below -5°C**, the journey will last a maximum of **nine hours**.

- **Between -5°C and 0**, road vehicles shall be covered and air circulation in the animal compartment controlled to protect animals from exposure to windchill during the journey.

- Between 25°C and 30°C, journey time during the period between 10h00 and 21h00 shall not exceed 9 hours.

- **Beyond 30°C**, transport is only possible **at night** between 21h00 and 10h00.

- When the temperature forecast indicates temperatures above 30°C between 21h00 and 10h00, the space allowance for the animals shall be increased by 20%.

Main concerns

- **Relying on the external temperature forecast to impose the obligations of this article**, without considering the temperature, airflow, species transported, or other indicators inside the transport, **is disproportionate**.

- It is unfortunate that the proposal and impact assessment do not consider the **difference, when it comes to the impact on animal welfare, between the gradual increase** of temperature and the exceptional **peaks during heatwaves**.

- All the temperature limits are excessively restrictive. Considering -5, 25 or 30°C as “extreme temperatures” (30°C is not an exceptional temperature for Mediterranean countries) is especially **discriminatory for the livestock sector in the Northern and Southern Member States**, as it would disrupt the chain for longer periods of time along the year.

- Setting a **blanket temperature** of -5°C **for all species has no scientific basis**. For instance, cattle, sheep, rabbits, or horses have significantly better tolerance to low temperatures than poultry. The same reasoning could be applied for species and breeds adapted to higher temperatures.

- Imposing transport at night would have severe **social impacts**, both on working conditions, and for the need of recruiting and training new drivers, especially in regions where temperatures higher than 30°C last for several months.

- When the vehicle is in motion, animals are cooled by the **airflow**. Making too frequent stops in order to meet the proposal's requirements may ultimately lead to a deterioration in the thermal comfort of the transported animals.

- Temperature restrictions on the transport of any type of livestock, as proposed by the Commission, would lead to the **loss of export opportunities** and to an excessive increase in the **administrative burden**.

- The obligation and definition of “covering” the vehicle (between -5°C and 0°C) is not clear in practical terms.

Provisions for poultry and rabbits

- Chapter V of Annexe 1, Art.2.3 (a): Imposes obligations that would force farmers to rely on operators with more advanced technology, which would increase costs.

3 – MINIMUM AGE AND WEIGHT

In current Regulation 1/2005, limitations based on the age of the animal are connected to their fitness for transport:

Annexe I Chapter I, Fitness for transport, article 2, Animals that are injured or that present physiological weaknesses or pathological processes shall not be considered fit for transport and in particular if: [...] they are pigs of less than three weeks, lambs of less than one week and calves of less than ten days of age, unless they are transported less than 100 km.

Annexe I, Chapter VI, establishes additional provisions for long journeys [8h+] of domestic Equidae and domestic animals of bovine, ovine,

caprine, and porcine species:

Except if accompanied by their mother, long journeys are only permitted for domestic Equidae and domestic animals of bovine and porcine species if:

- Domestic Equidae are older than four months, except for registered Equidae,

- Calves are older than fourteen days,

- Pigs are heavier than 10 kgs.

Unbroken horses shall not be transported on long journeys.

The proposal's new rules (Chapter I of Annexe I) regarding minimum age and weight establish that **calves of less than five weeks and less than 50 kg of weight, and piglets, lambs, and kids of less than three weeks of age, cannot be transported beyond 100 km**. In the case of rabbits, those will only be considered fit for transport if they are more than **48h of age**.

Main concerns – Calves

- **Socio-economic:** The consequences for the structure of the farms have been overlooked and are not justified at all in the impact assessment. As most Member States apply the general EU rule of a minimum age of 14 days, a change to a minimum of five weeks would have a massive impact on the structure and management of existing farms in the EU, as well as on the potential investments for new farms. There would be a sharp rise in the costs associated with the need to build new housing facilities. In addition, the cost of energy, feed, veterinary care, manure management, environmental permits and human labour would rise sharply too. In some cases, it might not even be possible to keep a higher number of animals for longer due to environmental rules (i.e.: nitrates).

The impact assessment specifies that by 2032 there will be a 10% reduction in European calf production. This reduction does not consider the needs of the European market and a greater dependence on imports will result from these measures. The long-term presence of calves on farms will cause a further rise in costs, which would be borne by dairy farmers and fatteners, with shorter fattening periods.

The 50 kg minimum criteria is also arbitrary (said weight would vary depending on the breed) and not operational. Furthermore, the Commission's impact assessment does not consider the particularities of breeding heifers.

- **Sanitary:** Due to colostrum and passive immunity transfer, there is evidence to support that the immune system of a calf at 2-3 weeks is more robust than at five weeks of age, unlike what the

Commission states in the impact assessment. Transferring a calf to a specialised rearing farm at two weeks instead of five has proven to prevent health problems and subsequent malnutrition issues, as well as improve calf mortality.

Age and weight are indicative parameters, but these parameters alone do not guarantee healthy calves. Colostrum management and milk yield management on farms is as important to limit the incidence of disease in young calves in their first months of life. Moreover, assuming failures in the management of farms to impose an extremely disruptive general rule is not acceptable.

Main concerns - Ovine and Caprine

- The rising costs in these sectors because of this measure is not adequately explained in the impact assessment.

- The increase in the age for ovine and caprine would also require a complete reconstruction or renovation of most farms. In many Member States, these sectors are based in smaller farms, sometimes isolated or in mountain regions. A change affecting their size and structure to keep animals for longer would be unfeasible, likely leading most farmers to the end of their activity.

- This measure would affect between nine and 16% of goats and sheep transported between Member States, with the risk of penalising traditional sectors such as lambs and dairy goats.

Main concerns – Pigs

- There would be a considerable economic impact on operators due to the regional specialisation of pig production. These restrictions in transport would result in significant consequences for income, especially for all farmers producing these animals in regions with a surplus of production animals, and of course on the farms which depend on this supply of piglets.

- The 10kg limit to piglets to consider them fit for long journeys would also greatly impact the sector (Annexe I, 2(b)).

Main concerns – Horses

- The minimum age of four months required under Annexe I, chapter 2a) to be considered fit for long journeys, is set without any justification. From an animal science perspective, there is no significant development step between three- and four-month-old foals. The minimum age should be reduced to three months.

- There is no animal science basis justification for unbroken horses to be considered as unfit for transport for long journeys.

4 – SPACE ALLOWANCE AND VERTICAL HEIGHT

Currently, Regulation 1/2005 (in Chapter VII of Annexe I) establishes rules of space allowance based on the weight of the animal, differentiated for transport by rail, road, air, or sea.

Commission's proposal establishes new vertical height rules on Chapter III of Annexe I:

1. **Cattle and unweaned calves:** Minimum vertical height $H = W \times 1.17 + 20$

2. **Sheep:** Min 15 cm above the tallest animal (30 cm in naturally ventilated vehicles)

3. **Equines:** Min 75 cm above the withers of the tallest animal

4. **Birds:** For domestic birds the height of the container shall be such that the comb or head does not touch the ceiling when birds sit with their head and neck in a natural posture or when they change position

5. **Slaughter rabbits:** Containers should ensure rabbits can be seated with their ears extended.

New space allowance rules are described in Annexe I, Chapter VII. In this completely new system, space allowance is set through a common formula for all means of transport based on animal's live weight: $A = kW$, where A=area (m² or cm² for birds and rabbits transported in containers), K=value, established per specie/category, W=live weight (kg).

Overall, the new rules reduce the capacity of vehicles for animal transport from 20 to 60%, depending on the species.

Main concerns

- These new rules have **only considered** the **EFSA** scientific opinion without reflecting on the feasibility and socio-economic impact.

- The new space allowance and vertical height rules proposed would **considerably decrease the number of animals transported per truck, incrementing the number of trucks** needed on the road, as well as the need to recruit new drivers (social impact).

- The scientific evidence presented is removed from the reality on the ground. There is **no consensus regarding the comfort of the animals related to an increase of space allowance in a moving vehicle**. If there is **too much space** between or above the animals, injuries cannot be excluded, especially in situations where the truck brakes or turns. This is also the case for animal transported on containers.

Every animal species has unique needs that cannot be effectively addressed with a one-size-fits-all approach through a formula. Transporters are trained and equipped to make informed decisions regarding space allowances during transport.

- The new vertical height rules will make impossible to use double decked trucks, key to the transport of cattle in many cases, leading again to a multiplication of trucks on the road.
- The increase of number of trucks on the road will lead to an **increase of GHG emissions** over the whole of the EU. The Impact Assessment does not clarify these environmental impacts and the coherence with other climate and environmental objectives and existing legislation.
- **Slaughterhouses** will need to **adapt their infrastructure** for the increased number of vehicles they would receive – often simultaneously, over a short period of time - and many will not be able to cope.

Main concerns – Horses

- The proposed dimensions do not match today's commercial manufacturing dimensions for various types of horse transport. This would mean that horse operators would be forced to invest in new transports with a large financial impact and, in addition, the standard for manufacturing would have to be changed, which in turn would further increase the costs. The entire European horse industry would be greatly affected. Unlike other species, horses are transported in individual stalls. Likewise, the design of stalls to standard dimensions makes it impossible to adapt vehicles to the individual physical characteristics of each horse.
- Annexe I, chap. III, 2.2. and 3.5.) Point 2.2.a) requires ramps with a non-slippery floor, foot battens, and lateral protection. For equids, a non-slippery floor is sufficient. A lateral protection would generate an increased risk of injury (both for animals and people) and should not be installed on horse transports.
- Point 3.5 b and c are contradictory formulations, and their implementation would be difficult. The tethering devices must be such that the animals can lie down if necessary and be designed in such a way that the animals cannot strangle or injure themselves.

Main concerns – Rabbits

- For the rabbit sector, the proposed space increase will result in a reduction of 60% in the number of rabbits placed in each container. About 2.5 additional trucks would be needed, which would jeopardise the viability of the rabbit meat sector in

the European Union.

Main concerns – Pigs

Annex I, Chapter VII point D. of EU Reg. 1/2005 states: « All pigs must at least be able to lie down and stand up in their natural position. In order to comply with these minimum requirements, the loading density for pigs of around 100 kg should not exceed 235 kg/m²».

- Therefore, the current minimum requirement for space to transport a 100kg pig is 0.43 m²:
- If the requirements in the new proposed regulation were confirmed, this would increase from 0.43 m² (for a 100kg pig) to 0.58 m².
- This would result in a 35% increase in space and a 26% reduction in capacity of the transport vehicles.

These requirements will result in unsustainable cost increases for pig producers. The impact assessment fails to adequately address these repercussions.

5 – ISSUES REGARDING VETERINARIANS

As a new rule compared to the current legislation, the Commission proposal establishes in Art. 17.2 and 25.3 that **the loading and unloading shall be supervised by a veterinarian**.

Main concerns

- The presence of a veterinarian for the loading and unloading of animals is technically unfeasible as there is currently a **lack of available veterinarians across the EU**. Moreover, combined with the proposal on temperature (+30°C, mandatory transport at night), the veterinarian would also have to be present at some point between 21h and 10h. This would have a significant financial impact and may result in delays for animals when waiting for a vet to arrive. Therefore, this measure is detached from reality.
- In addition, operators on the field already have the experience and are trained in the proper handling of animals. The rule proposed assumes negligence and therefore discriminates against farmers.

6 – TRANSITIONAL PERIODS

Commission's proposal establishes transitional periods in Art 59. The new Regulation shall apply as from 2 years from the date of its entry into force, except for:

Articles 27-30 (journey times), **Chapter I, Annexe 1**, point 1, h) (minimum age for calves, lambs, piglets, and kids); **Chapter VII, Annexe 1** (space allowances), and Annexe II (specific rules for aquatic animals), where a transition period of **5 years** is set.



Main concerns

- For such **structural changes**, even longer **transitional periods** than the five years proposed would **not be enough**, as they are incompatible with the investment capacity of most producers and cooperatives, their access to land, the potential implications with environmental permits, increased administrative burden, financing, etc. The transitional period for changes on the scale the European Commission points to with its proposal would have to be several decades long, while these changes would still have a major impact on the competitiveness and very existence of livestock production in the EU.

- No financial support is foreseen to support such a transition.

- For farmers and agri-cooperatives, transition must be put into the perspective of the challenge of **generation renewal**. All these additional burdens, for little or no actual improvements in the animal welfare standards, would only lead to more difficulties for young farmers to integrate livestock production.

7 – TRACES

Current regulation requires each journey to be documented in a company system and, if animals are transported across borders, the journey must be documented in TRACES. Documentation in Traces is based on Official Controls Regulation.

New Regulation requires to **document every journey with real-time data in the TRACES** system (Article 14-16, and 24-26)

Main concerns

- The requirement to document every journey with real-time data in the TRACES system would lead to **a disproportionate increase in bureaucracy**. The obligation to document every animal transport journey already exists, and the stored data enables the authorities to inspect and subsequently sanction offences. This requirement is therefore not necessary, and it would only increase the administrative burden.

- Seamless real-time monitoring of animal transport would also require each competent authority to maintain sufficient staff, which seems unnecessary in view of existing documentation practices.

- Additional documentation should only be required in case of anomalies, such as animal injuries, which can also be carried out by the receiving company and is already practised in some cases. Centralised recording in TRACES is not appropriate in this context either. This information could be accessible to the authorities if required (for example

during inspections). Duplicate documentation of transports with no anomalies would **increase the administrative burden without having a positive impact on animal welfare**.

- Existing gaps in the cooperation between authorities will not be improved by the digitalisation of documents.

8 – ASSEMBLY CENTRES

Current regulation 1/2005 and some Member States' national legislation set out rules for assembly centres and different categories of trucks. These allow for a minimum of 16 hours of transport plus time spent at the assembly centre.

New regulation establishes a **100 km limit to distance of transports to assembly centres and redefines assembly centres as final destinations** for a transport with a wait of seven days before transport is allowed to resume (see Article 3 Nr. 3.2 b and Nr 3.3 and Nr. 3.4)

Main concerns

- The definition of “place of destination”, “place of departure” and “assembly centre” in Article 3 of the proposal, combined with the rest of the text, threatens the existence of live markets in some Member States. There is no reason to organise such markets if the transporter must already know in which farm the animal will end up, which is impossible before the actual sale on the market.

- Limiting to 100km the distance between the place from which an animal has been collected and the assembly centre so the latter can be considered a “place of departure” is not practical given the reality in many Member States.

- Imposing a seven-day waiting period at assembly centres (to be considered a “place of destination” as per the proposal definition) could create difficulties for the survival of these centres. The assembly centres bring together larger numbers of animals from smaller farms, generating homogeneous batches and optimizing logistics. The consequence of this measure would be for livestock to be collected directly at the farm, which is often difficult, as only small lorries can be used. This is because local conditions do not allow large, specialised vehicles to approach. The market access for small and medium-sized farms would result in higher transport costs.

- “Assembly centres” should be defined as places such as holdings, collection centres and markets, at which domestic Equidae or domestic animals of bovine, ovine, caprine, or porcine species originating from different holdings are grouped together to form consignments.

9 – SPECIFIC PROVISIONS REGARDING THE TRANSPORT OF AQUATIC ANIMALS

Current Regulation 1/2005 does not include specific rules for the transport of aquatic animals.

In this new proposal, the Commission establishes specific rules in Annexe II, plus the exemption for ornamental fish on article 2.3.(e), and the exemption for direct deliveries of aquatic animals to food businesses supplying the final consumer.

Main concerns

- Annexe II includes a reference for “well boats”, which is not defined in article 3, along with all the other definitions.
- Point 3 of Annexe II imposes the obligation for the operator to monitor certain parameters to species-specific needs that are not defined (nor the procedure to define it). Moreover, analysing the Carbon Dioxide and Ammonia levels is extremely costly and unfeasible in practice.
- In point 4 of Annexe II, regarding the fitness for transport, one of the parameters would be the “insufficient length of fasting”, which is neither defined nor quantified in the proposal.
- In point 6.2., the rules to monitor the water quality during transport, is not feasible. In point 6.5., the obligation for the driver or the attendant to kill the aquatic animals during transport would be very complex in terms of health and safety.
- It must be clarified if the transport of fish for stocking open waters by the managers does not fall under economic transport and thus does not fall within the scope of this proposal.
- Other than that, it must be clarified that some general provisions in the regulation cannot be applied to fish (i.e.: Article 14.3.a), where obligation is set for the animals to be accommodated at the place of departure one week in advance).

10 – OTHER ISSUES

Pregnant animals

- In this new proposal (Annexe I, Chapter I – Fitness for transport, article 1(f)), terrestrial animals are not considered fit for transport if they are pregnant females for whom 80 % or more of the expected gestation period has already passed, as opposed to 90% in current regulation. This would have serious consequences for the organisation of livestock farms, particularly in mountain areas, in addition to having a substantial financial impact. On the other hand, it seems necessary to introduce the possibility of transporting cows at over 80% gestation when

this is necessary for health reasons (slaughter by order of the authorities, for regulated diseases such as tuberculosis, for example).

Equine sector

- In the current rules, pregnancy is limited at 90% of the gestational stage. The restriction at 80% in the proposal would require the transport of pregnant animals for foaling much earlier in the case of horses. For animals that leave their herd for foaling and move to another stable (more hygienic conditions for foaling or raising several foals in the same place, etc.), the period of separation would be very long.
- In Regulation (EC) No. 1/2005 in Annexe I, Chapter I Point 7, there is an exception for registered equines if the purpose of the transport is to create more hygienic and species-appropriate conditions for the birth or for the newborn foals, together with the registered mother mares. The animals must be accompanied by a carer who is responsible for looking after them during the transport. This exception should be recognised.
- Horses cannot be divided into exact groups of sport horses and breeding horses. Horses can be in both groups at the same time. An individual horse is transported for different purposes all the time. The purpose varies from day to day. It is unreasonable that one day a horse is only covered by Article 4 and then, the very next day, it is covered by the entire regulation.
- Transport of young foals for health purposes should be allowed in any circumstance.
- It is of great importance for the horse sector that all horses, except for horses bred for slaughter, are covered by the exemption in Article 2, paragraph 2c, and that Article 4 of the regulation is applied regardless of whether the horse transport takes place within economic activities or not.
- The mandatory 30 minutes stop while the vehicle is stationary (Annexe I, chapter V, article 1) after 4.5 hours of journey is too restrictive. Previously, a break of 30 minutes was required only after 8 hours. The rule in the proposal extends the entire journey time unnecessarily.

Poultry and Rabbits

- The provision allowing birds and rabbits to be caught, lifted, and carried by their legs (Annexe I, Chapter III point 3.7.) may suit certain poultry species but is not appropriate for heavy animals. In addition, for the sake of animal welfare, rabbits should ideally be caught, lifted, and carried by the skin on their backs. A species-specific approach is necessary for determining how animals should be

handled and how many can be carried at the same time.

- The requirement stated in Chapter V, point 2.1., which mandates providing feed and water to poultry during transport, is impractical. Poultry and rabbits delivered to the slaughterhouse should fast beforehand in order to maintain slaughter hygiene standards.

Animals moved by farmers using their own means of transport

- Article 2(2a and 2b) outline that farmers moving animals using their own means of transport must only comply with Article 4. Many farmers use contracting services, neighbours, or borrow vehicles to move animals for transhumance or for distances <50km from their holdings. Requiring full compliance when animals are not transported using farmers' 'own means of transport' would be unwarranted and unnecessarily onerous as most animals transported by contractors or neighbours arrive safely in their destination. The requirement to use farmers' 'own means of transport' should be removed.

- Article 2b also outlines that animals transported <50km are only subject to the requirements outlined in Article 4. Asking the sector to comply with the proposed legislation in full for relatively short journeys, which may exceed the 50km limit, is burdensome and unjustified. This 50km threshold should therefore be increased.





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