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Livestock and Products

Animal Welfare Legislation in the EU - Update

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Approved by:

Norval E. Francis

U.S. Mission to the European Union

Prepared by:

Yvan Polet

Report Highlights:

New legislation on animal welfare during transport in the EU could impact trade in live animals, depending on the final modalities that the EU Council will agree on. This legislation will fix travel and rest times as well as microclimatic conditions inside transport vehicles for different farm animal species.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Brussels USEU [BE2]
[E3]

Existing animal welfare legislation

The basis for European animal welfare legislation was set by the adoption of a treaty in 1976 [European Convention for the Protection of Animals kept for Farming Purposes \(ETS Nr. 87\)](#) (text of the treaty can be found at <http://conventions.coe.int/treaty/Commun/QueVoulezVous.asp?NT=087&CM=8&CL=ENG>). The Standing Committee (T-AP) of this Convention laid down the basic rules known as the "Five Freedoms."

- Freedom from hunger and thirst - access to fresh water and a diet for full health and vigor,
- Freedom from discomfort - an appropriate environment with shelter and comfortable rest area,
- Freedom from pain, injury and disease - prevention or rapid treatment,
- Freedom to express normal behavior - adequate space and facilities, company of the animal's own kind,
- Freedom from fear and distress - conditions and treatment, which avoid mental sufferings.

This treaty was amended in 1992 by a new treaty [Protocol of Amendment to the European Convention for the protection of animals kept for farming purposes \(ETS No. 145\)](#).

The work of the T-AP led to [Council Directive 98/58/EC](#), which sets the framework legislation on animal welfare for farm animals. The T-AP consequently issued recommendations for pigs, cattle, sheep, goats, ratites, ducks geese, turkeys and fur animals. All recommendation texts can be found at http://www.coe.int/T/E/Legal_affairs/Legal_co-operation/Biological_safety_use_of_animals/Farming/A_texts_documents.asp#TopOfPage.

Specific rules were adopted for:

Laying hens: [Council Directive 1999/74/EC](#), which lays down technical standards for three types of rearing systems for laying hens (see http://europa.eu.int/comm/food/animal/welfare/farm/laying_hens_en.htm). This Directive introduced the notion of "enriched" cage, which provides for a minimum of 750 cm² of cage area per hen, compared to the 550 cm² previously. The Directive also sets stocking limits for non-cage systems to nine hens per square meter.

Calves: [Council Directive 91/629/EC](#), setting standards for the rearing of calves (see http://europa.eu.int/comm/food/animal/welfare/farm/calves_en.htm). This Directive prohibits tethering of calves and requires calves to be housed in group.

Pigs: [Council Directive 2001/88/EC](#), which provides for the standards for raising pigs, and [Directive 2001/93/EC](#), which sets rules for the welfare of pigs (see http://europa.eu.int/comm/food/animal/welfare/farm/pigs_en.htm). Directive 2001/88/EC impacts on the following pig housing conditions:

- Ban the use of individual stalls for pregnant sows and gilts and the use of tethers,
- Improve the quality of the flooring surfaces,
- Increase the living space available for sows and gilts,
- Allow the sows and gilts to have permanent access to materials for rooting,
- Introduce higher level of training and competence on welfare issues for the stockmen and the personnel in charge of the animals,
- Request new scientific advice in relation to certain issues of pig farming.

Directive 2001/93/EC adds standards for pig welfare:

- Additional restrictive conditions to carry out mutilations on pigs,
- Minimum weaning age of four weeks.

New legislation on animal welfare

During transport

A proposal for a new Council Regulation, which will replace [Council Directive 91/628/EC](#), is being discussed. The main topics cover:

- Long distance traveling times:
All species: maximum 9 hours traveling + minimum 12 hours rest. The sequence may be repeated. No staging point is required. Animals rest within the vehicle.
- Youngest and pregnant animals shall not travel:
Ban on travel for more than 100 km for young animals (pigs less than 4 weeks / lambs less than one week / calves less than 2 weeks / horses less than 4 months (for long-distance only)).
Ban on females traveling one week after birth and before giving birth (10% of the estimated time of the gestation).
- Improved equipment for improved conditions:
Specific temperature according to species (with temperature monitoring system, recording data, driver cabin with alert system)
Permanent access to drinking water
More space according to species and length of journey e.g. 40% more for pigs, 16% more for cattle, 32% more for sheep
Prohibition on tying animals (animals can move around or lay down, precise space definitions allows better enforcement)
Better conditions on sea vessels (e.g. inclination of ramps, drinking equipment, approval system).

The latest amendments as discussed in the European Economic and Social Committee can be found at http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/c_110/c_11020040430en01350138.pdf. This legislation is controversial because of the potential impact on trade in live animals its restrictions on travel time and stocking densities will have. This proposal is based on a proposal by the Commission from 2003, which specifications can be found in a press release at <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/03/1023&format=HTML&aged=1&language=EN&guiLanguage=fr>.

On October 20, 2004, EFSA published a study "Opinion of the Scientific Panel on Animal Health and Welfare on a request from the Commission related to Standards for the microclimate inside animal road transport vehicles" on parameters for animal welfare during transport. Parameters for animal welfare like temperature and ventilation depend on climatic conditions and are therefore differing geographically. The fixing of these parameters is one of the issues of this animal welfare during transport legislation that the Council still needs to agree on. The full text of the study is available at http://www.efsa.eu.int/science/ahaw/ahaw_opinions/657/ahaw_opinion05_ej122_microclimate_en1.pdf.

At time of slaughter

The Commission requested an opinion by the European Food Safety Authority (EFSA) to deal with concerns about animal welfare and food safety using current slaughter methods, which are currently governed by [Council Directive 93/119/EEC](#).

On 15 June 2004 the [Animal Health and Welfare Panel of the European Food Safety Authority](#) adopted a scientific report and opinion on the welfare aspects of the main systems of stunning and killing the main commercial species of farmed animals. The text is available at http://www.efsa.eu.int/science/ahaw/ahaw_opinions/495_en.html. However, no new legislation is anticipated at present.

Related reports from USEU Brussels:

Report Number	Title	Date Released
E34084	EU Approves €188 Million to Fight Animal Diseases in 2005	11/05/04
E34059	Livestock Annual	08/31/04
E34058	Poultry Annual	08/31/04
E24061	Suspicious raised for subsidies on cattle exported to the Middle East	04/01/04
E24050	Contingency Plans for the case of an outbreak of Avian Influenza in the EU	03/10/04
These reports can be accessed through our website www.useu.be/agri or through the FAS website http://www.fas.usda.gov/scriptsw/attacherep/default.asp .		

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