

# Procedure file

Basic information		
CNS - Consultation procedure Regulation	2003/0171(CNS)	Procedure completed
Protection of animals during transport		
Amended by <a href="#">2013/0140(COD)</a> See also <a href="#">2018/2110(INI)</a>		
Subject 3.10.04.02 Animal protection		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>AGRI</b> Agriculture and Rural Development		29/09/2003
		PPE-DE <a href="#">MAAT Albert Jan</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ENVI</b> Environment, Public Health, Consumer Policy		02/10/2003
		V/ALE <a href="#">MCKENNA Patricia</a>	
Council of the European Union		<b>RETT</b> Regional Policy, Transport and Tourism	10/09/2003
		ELDR <a href="#">VERMEER Herman</a>	
	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2633</a>	21/12/2004
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2619</a>	22/11/2004
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2592</a>	21/06/2004
<a href="#">Agriculture and Fisheries</a>	<a href="#">2578</a>	26/04/2004	
<a href="#">Agriculture and Fisheries</a>	<a href="#">2564</a>	24/02/2004	
<a href="#">Agriculture and Fisheries</a>	<a href="#">2555</a>	18/12/2003	
European Commission	Commission DG <a href="#">Health and Food Safety</a>	Commissioner	

Key events			
16/07/2003	Legislative proposal published	COM(2003)0425	Summary
22/09/2003	Committee referral announced in Parliament		
18/12/2003	Debate in Council	<a href="#">2555</a>	Summary
24/02/2004	Debate in Council	<a href="#">2564</a>	Summary
	Vote in committee		Summary

16/03/2004			
16/03/2004	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0197/2004</a>	
30/03/2004	Debate in Parliament		
30/03/2004	Decision by Parliament	<a href="#">T5-0222/2004</a>	Summary
26/04/2004	Debate in Council	<a href="#">2578</a>	Summary
21/12/2004	Act adopted by Council after consultation of Parliament		
21/12/2004	End of procedure in Parliament		
05/01/2005	Final act published in Official Journal		

### Technical information

Procedure reference	2003/0171(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2013/0140(COD)</a> See also <a href="#">2018/2110(INI)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/5/19919

### Documentation gateway

Legislative proposal		COM(2003)0425	16/07/2003	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0326/2004</a> <a href="#">OJ C 110 30.04.2004, p. 0135-0138</a>	25/02/2004	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0197/2004</a>	16/03/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0222/2004</a> <a href="#">OJ C 103 29.04.2004, p. 0036-0412 E</a>	30/03/2004	EP	Summary
Non-legislative basic document		<a href="#">COM(2011)0700</a>	10/11/2011	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 2005/1](#)  
[OJ L 003 05.01.2005, p. 0001-0044](#) Summary

[Corrigendum to final act 32005R0001R\(06\)](#)  
[OJ L 336 20.12.2011, p. 0086](#)

[Corrigendum to final act 32005R0001R\(09\)](#)

## Protection of animals during transport

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**PURPOSE** : to overhaul animal transport rules in Europe. **PROPOSED ACT** : Council Regulation. **CONTENT** : the proposal from the Commission repeals all existing Community laws in relation to the protection of animals during transport. It also incorporates the requirements of the Commission proposal for a Council Regulation amending Regulation 411/98/EC as regards ventilation in road vehicles carrying livestock on long journeys. The process of revision has been developed following the recommendations of the Scientific Committee on Animal Health and Animal Welfare and by close scrutiny of the economic impact of the proposed measures. The proposal takes also into account the outcome of the stakeholders' consultation. Furthermore in recent years, livestock markets have been proved to be an area where rules to protect the animals are necessary. Similarly, welfare requirements are needed for livestock vessels. Both issues are addressed by the present proposal. The Commission proposal aims to: - establish stricter conditions for the transporters operating long distance journeys; - update journey times and space allowances; - improve the mandatory training of personnel and widen the scope of this obligation to personnel at markets and assembly centres; - ban the transport of very young animals and set out definitions for when animals are unfit for transport; - set up stricter rules for the transport of horses; - upgrade technical standards for road vehicles; - introduce specific requirements for all livestock vessels operating from community ports; - reinforce the responsibilities of the transporters as well as of the other operators concerned by the transport of animals; - emphasise the role of competent authorities in supervising transport operations and strengthen the cooperation between the services concerned; - reinforce instruments for control and better enforcement. Several measures considered in the Commission proposal aim to prevent the spread of diseases, as for example, the stricter regime that would be applied for the transporters operating long distance journeys.?

## Protection of animals during transport

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The Council took note of the technical progress achieved under the Italian Presidency concerning the proposal for a Council Regulation on the protection of animals during transport, and agreed to continue the technical examination of the proposal during the first three months of 2004. The Council noted that the Irish Presidency intended to expedite discussions in order that a decision might be taken on this dossier on receipt of the opinion of the European Parliament, which is expected in the spring of 2004. The Presidency suggested basing the animal transport provisions on the social legislation for hauliers, together with a number of specific requirements taking into account the nature of the cargo (feeding, watering, rest periods and veterinary checks). The Belgian, Danish, Swedish, Netherlands and Austrian delegations, while open to such an approach, wanted a maximum limit to be set for the transport of animals for slaughter and a ceiling placed on the number of transport stages for other types of animal. The Swedish and Danish delegations in particular emphasised the need for more account to be taken of animal welfare, with animals being slaughtered close to the place of rearing and meat transported instead of animals. The United Kingdom, Netherlands, German, Swedish and Danish delegations also called for more checks to be carried out throughout the journey.?

## Protection of animals during transport

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The Council took note of the progress report (6582/04) presented by the Presidency concerning the proposal for a Council Regulation on the protection of animals during transport and of the comments of the delegations, pending the opinion of the European Parliament, which is expected in March 2004. The Council also took note of the intention of the Presidency to make progress on this issue in order to reach a possible agreement at the Council meeting in April. All delegations acknowledged the need to improve animal welfare during transport on the basis of sound scientific data. However several delegations reiterated their request to include a limitation of journey times in particular for slaughter animals, and of the number of transport cycles for some categories of animals. Several other delegations, whilst taking duly into account animal welfare concerns, also drew the attention of the Council to the need to analyse the situation of the meat industry as well as the transport industry carefully. Some of these delegations also stressed the need to take into account geographical specificity, especially for remote areas as regards transport costs. The Commission hopes for an agreement on the proposal in April 2004.?

## Protection of animals during transport

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The committee adopted the report by Albert Jan MAAT (EPP-ED, NL) amending the proposal under the consultation procedure. MEPs stressed that animals should be moved around as little as possible and should be slaughtered as close as possible to their point of origin, rather than being taken to a different country just to find a cheaper slaughterhouse. As a way of reducing the frequency of animal transport, they proposed that mobile slaughterhouses be created and called for "the development of local slaughterhouses and hence employment, in particular in disadvantaged areas". Whereas the Commission was proposing that, for road journeys of more than 50km, the driver should stop every 9 hours and let the animals rest for 12 hours, MEPs felt that this was impractical and instead proposed limiting journey times to a maximum of 9 hours in total for animals intended for slaughter, in journeys exceeding 100 km. However, they said that this restriction should not apply if there were not at least two slaughterhouses available within a radius of 500 km from the place of departure. MEPs also said that animals intended for public performances, shows or training activities (like racehorses) should not be covered by the new regulation. Moreover, animals with a serious illness or those that are too young should not be allowed to travel either. To ensure that animals do not suffer unnecessarily, the committee wanted transport vehicles to meet minimum standards regarding the maximum number of animals per lorry, temperature, space per animal, ventilation system and availability of feed and fresh water. Furthermore, the use of instruments for administering electric shocks should be prohibited. MEPs believed that extra measures were needed to ensure that companies obey the new rules and therefore called for each Member State to appoint a national authority in charge of granting a certificate of approval to vehicles which meet the equipment requirements. Moreover, drivers should also be required to have undergone special training "on animal physiology and drinking and feeding needs, animal behaviour and the factors causing stress, and, in particular, the practical aspects of handling of animals

and emergency care for animals". In the event of negligent or deliberate infringements causing severe suffering of animals, it should be possible to withdraw the transporter's authorisation for one year. MEPs stipulated that penalties must include the possibility of imprisonment up to two years. Lastly, the committee wanted government inspections to be tightened up and adopted an amendment stating that "the competent authority shall carry out at any stage appropriate checks on a random or targeted basis to verify that declared journey times are credible and that the journey complies with the regulation". MEPs said that at least 20% of journeys should be checked, of which at least 10% should be in the form of a spot check on the road. Moreover, they said that exports and imports of animals should also meet the same welfare standards during transport, otherwise the competent authority could refuse to allow the animals to enter EU territory. ?

## Protection of animals during transport

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By adopting the report by Albert Jan MAAT (EPP-ED, NL) by 261 votes for, 194 votes against and 44 abstentions, the European Parliament approved the proposal subject to amendments proposed by the committee responsible. Parliament stresses that animals should be moved around as little as possible and should in particular be slaughtered as close as possible to their point of origin, rather than being taken to a different country just to find a cheaper slaughterhouse. As a way of reducing the frequency of animal transport, the report suggests the creation of mobile slaughterhouses and calls for the development of local slaughterhouses and hence employment, in particular in disadvantaged areas.?

## Protection of animals during transport

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After several hours in plenary session and after bilateral meetings were held in the margins of the meeting, the Council agreed to leave this file. The Presidency concluded there had not been sufficient movement to reach a political agreement by qualified majority on the subject.?

## Protection of animals during transport

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**PURPOSE :** to establish rules for the transport of animals taking place in connection with an economic activity.

**LEGISLATIVE ACT :** Council Regulation 1/2005/EC on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation 1255/97/EC.

**CONTENT :** This Regulation applies to the transport of live vertebrate animals carried out within the Community, including the specific checks to be carried out by officials on consignments entering or leaving the customs territory of the Community.

The Council adopted this Regulation by qualified majority. The Danish delegation voted against it, while the delegations from Belgium, Luxembourg, Germany and Sweden abstained. The majority of the amendments adopted by the European Parliament and accepted by the Commission became part of the Regulation. In particular, two amendments were introduced regarding, on the one hand, the review clause (the Commission's report will take into account the socio-economic implications of the Regulation, the implementation of the satellite navigation system and scientific evidence on welfare needs of animals) and on the other hand provisions regarding transport by farmers of their own animals for sale: the administrative requirements will not be applied to this category of transporters on a maximum journey of 65 km (instead of 50km) between the point of departure and the destination.

The new rules aim to ensure that animals will not be transported in a way likely to cause injury or undue suffering to them.

The Regulation applies not only to transporters but also to other categories of operators such as farmers, traders, assembly centres and slaughterhouses. It aims to improve the following aspects:

- conditions applicable to transporters making long journeys;
- the length of the journey and the space available for the animals;
- training of personnel;
- assembly centres must ensure that Community legislation on the protection of animals during transport is known and respected by their employees and visitors;
- rules on the transport of horses;
- Council Regulation 3821/85 provides for recording equipment to be installed and used to ensure effective checking on compliance with social legislation concerning road transport. Such record data will be made available and checked so as to enforce travelling time limits under animal welfare legislation;
- flexible procedures will improve the level of collaboration between the competent authorities in the different Member States;
- A significant number of animals are transported by livestock vessels over very long journeys from and within the Community and transport by sea can be checked at the place of departure. The Regulation sets up specific measures and standards for this mode of transport;
- the use of cattle-prods is regulated;
- the Regulation provides for the possibility of establishing derogations to take account of the remoteness of certain regions from the mainland of the Community, in particular for outermost regions.

**ENTRY INTO FORCE :** 25/01/2005.