



## EU Platform on Animal Welfare

### 12<sup>th</sup> meeting

WebEx video conference

**DAY 1: Monday, 5 December 2022, 14.00 – 18.00 CET, Brussels time**

*The meeting was web streamed. Click [here](#) to access the recording.*

### – DRAFT SUMMARY REPORT –

The 12<sup>th</sup> meeting of the EU Platform on Animal Welfare provided the opportunity to update the Platform members on the work performed since June by the six thematic subgroups, established to support the revision of the EU animal welfare legislation. In addition, the Commission presented the Staff Working Document “Fitness check of the EU Animal Welfare legislation”, the state of play of the impact assessment for the revision of the EU animal welfare legislation as well as the horizontal provisions of the revised legislation for the welfare of kept animals and the approach of cat and dog welfare in future legislation. Finally, EFSA presented its scientific opinions on the welfare of pigs on farm and on the protection of animals during transport.

#### OPENING

**CHAIR:** Claire Bury, Deputy Director General for Food sustainability, DG SANTE

#### **Opening by Chair Claire Bury, Deputy Director General for Food Sustainability, DG SANTE**

*The Chair* underlined the importance of the Platform work, in particular in the six subgroups created in the context of the preparation for reviewing the EU animal welfare legislation. The [agenda](#) was adopted.

#### **Presentation of the Commission Staff Working Document “Fitness check of the EU animal welfare legislation” [\[PP\]](#)**

*A policy officer from SANTE G3* recalled the Commission commitment, defined by the Farm to Fork Strategy, of revising the EU animal welfare legislation to align it with the latest scientific evidence, broaden its scope, make it easier to enforce and ultimately to ensure a higher level of animal welfare. Furthermore, to consider options for animal welfare labelling to better transmit value through the food chain. Moreover, following the EC Communication on the “End the cage age” initiative, to submit, by the end of 2023, a proposal to phase out and finally prohibit the use of cages. He informed about the course of the fitness check, its challenges, evaluation criteria and the main findings regarding costs and benefits and the lessons learned.

## Questions & Answers

- *ELPHA* and *Denmark* highlighted that according to [the latest Eurobarometer survey, commissioned by EFSA](#), animal welfare is only in 7<sup>th</sup> place on the list of subjects for which consumers are willing to pay more. Therefore, this information should be considered when developing future animal welfare policy.
- *Eurogroup* and *CIWF* thanked the Commission for the long-awaited work on updating the animal welfare legislation and expressed their full support for the revision. In addition, they pointed out that currently consumers lack accurate information on animal welfare conditions as markets favour unhealthy and unethical food.
- *COPA* pointed out that the market is the biggest concern for producers who need to know if it is worth investing. Therefore, it is necessary to ensure an effective transfer of what we do from the producers to the market. Due to a lack of opportunities, many farmers decide to stop production. No farmer should be left behind.
- According to *COGECA*, consumers will not pay for higher animal welfare standards because production costs have already risen dramatically. Additional investment needs could drive up to 30% of farms out of the market. Therefore, the question is who will compensate for such a loss of production but also how will the sector attract young farmers, knowing that an average farmer in the EU is over 60 years old.
- To *Spain*, who asked why the cost on control posts were not assessed despite a study on this subject, the *Commission* answered that the choices had to be made.
- *FESSAS* pointed out that with the compliance costs of 1-10%, benefit margins are very low, especially in broilers case. Therefore, it wondered how the Commission could assess and ensure fair distribution of benefits along the food chain without the appropriate tools due to different levels of competence depending on policy areas.

The *Commission* emphasised that in addition to the opinions provided within the public consultation, the results of the four external studies and the cumulative impact study as well as the expertise in the video surveillance and the expertise provided by the thematic subgroups of the Platform will also be considered.

## State of play of the impact assessment for the revision of the animal welfare legislation [\[PP\]](#)

A *policy officer from SANTE G3* informed about the main steps and components of the impact assessment of which the first stage, the inception impact assessment, started back-to-back with the fitness check in July 2021. It covered 38 different policy options (kept animals, transport, killing and labelling) and included the results of the public consultation carried out between July and August 2021. In addition to it, the impact assessment will take into consideration the results of the fitness check, EFSA scientific opinions, the results of external studies and various experts' opinions (JRC, the thematic subgroups of the Platform). In the third quarter of 2023, the impact assessment is planned to be concluded and it is planned that the Commission would adopt 4 legislative proposals, on: 1) the welfare of animals kept for commercial purposes; 2) the protection of animals at the time of killing; 3) the protection of animals during transport and 4) on animal welfare labelling.

## Questions & Answers

- *EMN* wondered about the representativeness of the survey and the way of weighting citizens' comments, also pointed out the lack of a systematic approach in the collection of information on costs which prevents comparability across Member States. Furthermore, EMN observed that the questionnaire does not cover social and environmental impacts. EMN as well as *COPA, EFFAB, AVEC, ELPHA, EMN* and *Denmark* requested more time to answer the survey.
- *World Animal Protection* asked how compliance with EU animal welfare standards will be ensured for imported products.
- *HSI* asked if the impact assessment will look at the funding through the Common Agricultural Policy (CAP), necessary to facilitate the changes of animal welfare standards.
- *Vier Pfoten* stressed that the CAP should be there to support farmers in the transition and asked how the timing of legislative proposals could be aligned with the CAP-post 2027.
- *FESASS* pointed out that the CAP funds will not be sufficient to finance all changes proposed by the new legislation.
- *Spain* wondered whether the costs for national public administrations due to new requirements will be assessed.

The *Commission* in its response indicated that all views expressed by stakeholders are taken into consideration using weighting and triangulation methods; interconnections and synergies will be assessed. It informed that the deadline for answering the questionnaire on kept animals will be extended until the end of December. As to compliance with EU animal welfare standards, the equivalence of requirements at import are already used in trade policy.

- *HSI* stated that the respective sectors had had enough time to prepare to prepare their input as the policy options have been published since July 2021.
- *Eurogroup* expressed hope that new animal welfare requirements will be reflected in trade policy and called on Member States to be ambitious, not to focus on short-term economic reality.

### AFTERNOON SESSION

**CHAIR:** Head of Unit 'Animal Welfare', Directorate Crisis preparedness in Food, Animals and Plants, DG SANTE

## Horizontal provisions of the revised legislation for the welfare of kept animals [\[PP\]](#)

*The Deputy-Head of Unit SANTE G3* presented the topics which will be covered by the horizontal provisions of the revised legislation for the welfare of kept animals. Namely, competence and training of animal handlers, animal welfare reference person, animal welfare indicators, animal health and welfare plans /standard operating procedures (SOPs) /hazard analysis and critical control points (HACCP), animal welfare visits by a vet and animal welfare requirements at imports. She also informed about ideas to handle the species covered by Directive 98/58/EC but not by a vertical Directive: beef cattle, turkeys, sheep & goats, farmed aquatic animals, equids, and fur animals. For these species only generic requirements will be proposed, to be completed by detailed requirements, through empowerments for delegated acts, once the EFSA scientific opinions become available.

## Questions & Answers

- *HSI* on animal welfare conditions at import, expressed the view that only mandatory animal welfare labelling in conjunction with bilateral Framework Trade Agreements (FTAs) will be effective to ensuring compliance with EU standards.
- *Eurogroup* considered that the incorporation of equivalence in the FTAs is not very fruitful because it will be subject of negotiations. On fur animals, the European Citizens' Initiative "Fur Free Europe" has reached nearly one million signatures, which is a clear message for the Commission that banning the fur farming is the only solution. It emphasised the need to ensure that we do not end up with species specific requirements for fur animals as domesticated animals.
- *Animal Health Europe* asked whether animal welfare checks will be integrated into on-farm animal health checks and whether the use of new technologies for animal welfare indicators has been discussed.

The *Commission* in its answers said that the use of animal welfare labelling and bilateral FTAs are not mutually exclusive. On fur animals, the Commission is aware of the 'Fur Free Europe' initiative; in the impact assessment there is a question on a ban and different transition periods among other options. Concerning welfare checks on farms, such a possibility already exists in Animal Health Law (AHL), so we should use it. As to the use of new technologies for indicators, this could be discussed within the subgroups.

- *Spain* pointed out that in the questionnaire of the study there are questions on dogs and cats while we are in the framework of the Farm to Fork Strategy (livestock). In addition, regarding the coordination of competent authorities, shared the opinion that between the National Contact Points (NCPs) for transport of the Official Control Regulation (OCR) and the IMSOC Regulation<sup>1</sup>, animal welfare could get lost. Spain was in favour of an NCP network for welfare at farm level.
- *Copa*, on the international aspect of trade, expressed concern that only a small number of farms in third countries will be allowed to export to the EU. On animal welfare visits on farms, it asked whether veterinarians would have to undergo specialized training and whether these visits will also be open to other professionals.
- *Ms Sossidou* inquired how the EU Reference Centres are expected to contribute for animal welfare indicators.
- *FVE* backed *Spain* by saying that it would be useful to have a meta study on dogs and cats. Regarding farm visits, FVE carried out a large-scale study on the implementation of visits by veterinarians in different countries, which showed that, in countries that already have health check visits, the animal welfare part is integrated in it.
- *Vier Pfoten* pointed out that dogs and cats are not the only animal species traded as companion animals and wondered if it would be possible to expand the scope. In addition, asked about a possible new reference centre and its scope.
- *FESSAS* asked if the results of animal welfare visits will be transmitted to the national competent authorities for the purpose of surveillance, like in the case of the health visit in the framework of AHL. Furthermore, inquired if horizontal acts will expand on animal welfare indicators.
- *CIWF* asked how the Commission will ensure that for the species being on EFSA's roadmap for beyond 2023, the detailed requirements are developed through delegated acts.
- *Slow Food* asked about the current state of the debate on animal welfare indicators.

The *Commission*, in its answers regarding cats and dogs, informed that addressing the welfare of these animals kept, bred, and sold for commercial purposes or to mandate EFSA to provide an

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<sup>1</sup> Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation)

opinion, is not problematic because the EFSA's mandate goes beyond food issues (e.g., plant health). On the issues of the NPCs, the Commission doesn't think there would be a confusion as the OCR has the same scope. This point was already discussed at the CVOs meeting. Regarding a specialised training for veterinarians visiting the farms, it thanked for the good idea. Concerning the Reference Centres, their role will be to choose the best indicators and the best training materials. The Commission welcomed to receive the FVE overview report on the farm visits. It also informed of its intention to nominate a fourth EU Animal Welfare Reference Centre, which will be devoted to the welfare of aquatic animals. On indicators, the Commission said that one of the options would be to include a list of key indicators by species and to specify it in future legislative acts. To CIWF, the Commission answered that there will not be a problem once having a basic act, to amend and update it by implementing and delegating acts in future.

### **Presentation of EFSA scientific opinion on the welfare of pigs on farm [PP]**

*An EFSA policy officer* informed that this scientific opinion, issued in August 2022, describes husbandry systems and the relevant welfare consequences assessed by the Animal Based Measures for six categories of pigs: gilts and dry sows, farrowing and lactating sows, suckling piglets, weaners, rearing pigs and boars. It also identifies the hazards leading to these welfare consequences and provides recommendations for preventing, mitigating, or correcting them.

### **Questions & Answers**

- *Copa* asked whether in the future it would be possible to obtain even better results by larger use of the farrowing pens, compared to those presented in this scientific opinion.
- *EMN* wanted to know if the use of temporary confinement was assessed by the opinion, while *WAP* asked if the use of antibiotics in intensive farming was investigated and if this could be used as an indicator of animal welfare.
- *Cogeca* enquired if the requirement for increasing space is based on studies or on the requests coming from society; whether there is an evaluation of the costs of increasing animal welfare; if welfare in animal production can be compared to welfare of wild animals and finally, where the limits of rising animal welfare standards are.
- *Lithuania* asked precision regarding the daily quantity of straw in relation to the reduction of tail biting in pigs.

In its answers *EFSA* informed that the use of temporary confinement has been assessed and EFSA provides recommendation to ensure that the piglet mortality is not increased. However, EFSA does not recommend this solution as it impedes the welfare of the sow. In addition, EFSA pointed out that the welfare of pigs was assessed in the farming environment, therefore no comparison can be made with the welfare of animals leaving in wild. As to the use of antibiotics, it was not specifically mentioned in the mandate. Regarding the amount of straw, informed that 20 gr per day is a minimum but its increased amount reduces the risk of tail biting and thus raises the level of animal welfare.

### **Subgroup on the welfare of pigs [PP]**

*A policy officer from SANTE G3*, chair of the subgroup, reminded the scope of the group and its working methods. She informed that since the last Platform meeting, the group met four times to discuss pig castration, space allowances and floors for weaners and rearing pigs, animal welfare

indicators and to review the current legislation. Each of the topics was discussed in great details by the group which will have at least two more meetings in 2023.

### Questions & Answers

- *Eurogroup* asked about the choice of topics discussed by the sub-group and pointed out the need to ensure a better balance between science and reality in the revised legislation.
- *Welfarm* inquired if the ban on cages and piglets' castration, including the timeline for its ban, had been discussed by the group; if immuno-castration will be kept and why there would be an exception for heavy pigs. It informed of the French decree, of November 2021, which retains certain protocols even if they remain painful for piglets.
- The *NL*, on the alternatives to surgical castration, asked about the level of aggressive behaviour in boars in countries where pigs do not reach sexual maturity and the ethical aspects of immuno-vaccination, which affects the integrity of the animal and leads to an adaptation of the behaviour of the animal. On tail biting, the *NL* pointed out the existence of a significant bottleneck in form of the high costs that must be incurred to reduce tail-docking (e.g., additional workers). Therefore, a better revenue model could play an important role. Informed that the *NL* is working on an agreement on mutilation-free breeding, in which the income model to be able to make the transition will also be explicitly discussed.
- *Ms Sossidou* recalled that the pork meat market is the main obstacle to the alternative to castration (smell of meat). Part of the solution would be better information to consumers.
- *COPA* asked whether the subgroup would make recommendations on legislative changes.
- *FESSAS* asked if the 'Welfare Quality Project', based on animal welfare measures, was discussed by the group, and pointed out that the policy indicators were not aligned with what was presented before, therefore asked how the measures were done.
- *FVE* wanted to know whether the group discussed the prohibition of the immuno-castration in organic farming.
- *CIWF* asked about a solution to the situation that, despite legislation, most farms do not provide proper enrichment.

In its answers, the *Commission* emphasised that the presentation reflects discussions in the group. The fact that animal-based measures were not addressed does not mean that there would not be more on this issue in specific legislation. The subgroup will not make recommendations to the Commission. The ethical aspect of immuno-castration was not discussed; the group concentrates more on safeguarding the welfare of animals. The issue of local anaesthesia with the use of procaine, currently not allowed by the EU legislation, was discussed by the group. The exception for heavy pigs was proposed to assure the quality of the meat. The issue of cages was discussed also considering the EFSA opinion. The topics of discussion were decided by the Commission considering their relevance and broadness. The prohibition of the immuno-castration in organic farming was discussed in the context of giving a wrong message to consumers. There was not a separate meeting on the issue of providing the proper enrichment, but the group continue its work and could address it in the future. Furthermore, at the last meeting, there was an agreement that a definition of the enrichment materials is needed and the kind of materials which should be there having to be identified.

## Subgroup on animal welfare at the time of killing [PP]

A policy officer from SANTE G3, chair of the subgroup, presented the topics discussed by the group during the three meetings held since June: prohibition of carbon dioxide at high concentration (pigs), requirements for farmed fish and prohibition to kill male day-old chicks (laying hens breeds).

### Questions & Answers

- *HIS* expressed astonishment that the killing of one-day-old chicks was not considered a welfare issue. Furthermore, in the context of fragmentation of the internal market and unfair competition, asked about the impact of a ban on the killing of one-day-old chicks introduced by France and Germany.
- *FEAP*, on stunning fish on small boats, pointed out the problem of electric stunning, the use of ice slurry as well as the hygiene measures and the safety of marine fish farm workers. In addition, FEAP underlined the need for a reference centre for the welfare of fish.
- *UECBV* on the CO2 stunning of pigs, asked if the group discussed in detail the intrinsic issues such as gas aversiveness (gas concentration, duration of use), the effects of pre-stunning stress reduction, or the use of a carbon dioxide mixture.

*The Commission*, on the fragmentation of the internal market, informed not having data on the consequences for the market of the ban introduced by France and Germany, but that is possible that some hatchery activities have been transferred to neighbouring countries. Thanked *FEAP* for its good suggestions. To *UECBV*, the Commission replied that the issues raised were not discussed by the group but are relevant for EFSA.

- *ERPA* (on chat) informed that, since the ban, about one third of German hatcheries have disappeared.
- *Eurogroup* asked for the source of the data on the increased costs for consumers in the case of a ban on the culling of one-day-old male chicks.
- *Welfarm*, on the farmed fish, asked if the group discussed possible prohibition of some methods, like slurry ice and the stunning methods of female ducks, while *AVEC* asked whether the group discussed the killing of poultry.
- *WAP* asked if the Commission is considering a proposal to harmonize at EU level the culling of one-day-old male chicks in terms of EU Regulation on the protection of animals at the time of killing.
- *FESSAS* informed that early 2021, there were 19 hatcheries in Germany, while a year later, due to legislation change, only 12, so 40% less. One of the consequences is that more hatching eggs must be purchased from another EU MSs, which means more transport. Therefore, harmonisation at EU level is necessary.
- *CIWF*, on phasing out the use of CO2, expressed its disappointment that no alternatives were available.
- *Paul Llonch Obiols* inquired if the water-bath stunning for poultry was discussed by the group. In addition, he pointed out a lack of research concerning the use of CO2.

*The Commission* informed that the increase of prices for consumers as consequence of the ban of killing one-day-old chicks was addressed by the group. However, the precise data are missing; this raises vary depending on supply chain. It pointed out that the use of the slurry-ice is not a stunning method. Informed that the stunning methods of female ducks were not discussed by the group, while the water-bath stunning for poultry was presented at the previous Platform meeting. It informed that the Commission is considering a proposal of the ban on the culling of one-day-old

male chicks at EU level. It notified the planned launch of a preparatory action on the development of alternative methods to CO2 stunning at high concentration for pigs.

## DAY 2: Tuesday, 6 December 2022, 09.30 – 17.30 CET, Brussels time

The meeting was web streamed. Click [here](#) to access the recording.

### MORNING SESSION

**CHAIR:** Head of Unit 'Animal Welfare', Directorate Crisis preparedness in Food, Animals and Plants, DG SANTE

#### Presentation of the pilot project on best practices for alternative egg production systems [\[PP\]](#)

Professor *Bas Rodenburg*, coordinator of this two-years EP pilot project, presented its main outlines and finalities. In total, the project identified 68 best practices, 24 for pullets and 44 for laying hens, optimal for animal health and welfare. Its recommendations include also economic aspects aimed to help egg producers meet market demand by providing practical guidance on how to transition to alternative higher-welfare cage-free systems.

#### Questions & Answers

Following the presentations, the Members wanted to know if the EU Reference Centre on poultry and other small farm animals was contacted and if it is exploiting the results (*Ms Sossidou*); if the subject of the keel bone fractures in different systems was part of the project (*the Netherlands*); how the EC will ensure the follow-up of the project (*EFFAB*); whether the use of antibiotics has been discussed, particularly in the context of the risk of avian flu (*Cogeca*); whether the risk of recommending something that will not comply with the new legislation has been considered (*Copa*); whether the economic aspect of the transition has been addressed (*HSI*); on the results presentation, would be there a summary between abstracts and the top-level details and who constitutes the targeted public of the project dissemination meetings (*Eurogroup*).

*Professor Rodenburg* in its answers informed that the consortium was in contact with the Reference Centre; the keel bone fractures were not specifically addressed; the focus was on how to transition, not to force the change. Against the avian flu, the covered verandas are the best solution. Regarding the use of antibiotics, there does not seem to be much difference between the caged and the non-caged system. The economic aspects of the transition were analysed by examining the market of each of the countries covered by the study. At national dissemination events, aimed at bringing together the local feed industry, farmers, agricultural advisers and NGOs, there will be a presentation focused on economics.



The *Commission* underlined that the main objective of the project is to help farmers transitioning to alternative systems. The outcomes of the study will be used in revising the legislation (e.g., cage free issue).

### **Subgroup on the welfare of poultry [PP]**

A policy officer from *SANTE G3*, chair of the subgroup, informed about the subjects discussed since the previous Platform meeting: training requirements for animal handlers; mandatory/ voluntary animal-based indicators and monitoring; measuring and reporting tools; outdoor access/ fresh air, light, environmental enrichment; space allowance; mutilations; duty of care; current legislation and health management. The subgroup will continue its work, less intensively, in 2023.

The following issues were addressed by the Members after the presentation:

- *ELPHA* pointed out at the difficulty of providing input for the impact assessment in the absence of the EFSA opinion and wondered if it would be feasible to look at this point at the next meeting.
- *Spain* inquired about the scope of the competences for requesting more trainings for farmers on national level (mainly until AGRI rural development), while *Belgium* asked if the selective breeding will be discussed by the group.
- *Eurogroup* asked if the subgroup would link with the ‘Horizon’ project on indicators at slaughter for broilers; how the threshold for small farms will be established and whether the issue of stocking density at floor level and overall has been addressed.
- *FEFASS* observed that even though the farm workers are skilled and experienced, this does not prevent the problems which could therefore be elsewhere. Caution is required not to overburden farmers who already need to master a wide range of skills ranging feed grain production to selling on local markets.
- *AVEC* emphasised the need to protect EU producers against importing products that do not meet EU welfare standards.

In its answers, the *Commission* informed that EFSA opinion will be available soon. As regards training, the Commission pointed out that there are substantial differences between Member States regarding its duration, level, and frequency. The challenge is to ensure animal welfare without overloading the farmers with training. From a legal point of view, the EU has the possibility to ask for more training.

*The Commission* also informed that the impact assessment goes in parallel with the work of the group which is discussing the technical issues possibly to include in the legislation. The selective breeding was discussed by the group in May. On the indicators at slaughter, the Commission said that it is not the task of the subgroup to check for scientific projects and that the current broiler Directive already foresees a connection with the occurrence of footpath dermatitis. This will be further discussed with the slaughter proposal. Small farms constitute a difficult issue, and the group didn’t decide yet on how to deal with it (suggestions are welcome). As to the stocking density of laying hens, the group is waiting for EFSA opinion.

### **Presentation of EFSA scientific opinion on the welfare of animals during transport [PP]**

*EFSA policy officers* presented five scientific opinions, adopted in September 2022, to support the ongoing review of animal welfare legislation. They cover small ruminants (sheep and goats), equids (horses and donkeys), bovines (cattle and calves), pigs, and animals transported in containers,

including domestic birds (chickens, laying hens, turkeys etc.) and rabbits. The opinions identify the various welfare consequences that animals may experience during different stages of transportation, the hazards potentially causing them, and the animal-based measures (ABMs) by which they can be assessed.

### Subgroup on the protection of animals during transport [PP]

A policy officer from SANTE G3, co-chair of the subgroup, informed on the topics discussed since the last Platform meeting in June: the transport of unweaned and other vulnerable animals; a possibility of having an EU electronic database of certificates and authorizations; temperatures and vulnerable animals; journey times and exports. Space allowances, sanctioning system, and cats and dogs transport will be addressed in the meeting on 9 December. The proposed baseline scenario will be built around the EFSA recommendations but there is no intention to find consensus within the group, simply to come out with pros, cons, impacts and alternatives.

### Questions & Answers

The following issues were addressed by the Members after the two presentations:

- *Greece* asked whether compensation for transporters would be considered in the case of a seasonal transport ban that would help transport companies to survive during this period.
- *CIWF* asked EFSA why, despite the identification of serious problems, no recommendations have been issued on the conditions of transport of live animals, mainly cattle and sheep, intended for export. As the EU has no control beyond its borders, the transport of live animals should be prohibited.
- *UECBV* informed about a new transport regulation in Germany which requires action as soon as the outside temperature exceeds a certain degree and asked if the subgroup also discussed the outside temperatures.
- *FVE* suggested to also look at the opinion, recently issued by another EFSA panel, on the spread of antimicrobial resistance during animal transport. Expressed its astonishment at the two scenarios discussed by the subgroup (8h-9h for animals transported for slaughter and 21 + 24 + 21 hours for animals transported for breeding) which means a long journey time for many animals.
- *Jo Collins* underlined specific, compared to other species of animals, physiological needs of equidae. For instance, horses are more likely to be tethered during transport which interferes with their balance ability or prevents to lower their head occurring in respiratory diseases. Therefore, there are serious concerns as multiple factors can result in poor welfare of these animals, including the ones transported long hours for slaughter.

In its answers, the *Commission* informed that the issue of possible compensation measures for transporters was outside the scope of the subgroup, but it would be addressed in the impact assessment. The issue of temperatures, inside and outside, was extensively discussed withing the group. The two scenarios of the time slot at transport were just put forward to kick-off a discussion; several others were also analysed.

In its replies, *EFSA* informed that it is not within its competence to come forward with the proposal of a ban on livestock transport by road. *The Commission* added that for the current revision of the rules of the export of live animals, the intention is to also consider the ruling of the Court of Justice stating that the EU rules should apply until the final destination of transported animals, whether

inside or outside the borders of the EU, while Council Regulation (EC) No 1/2005 only covers transport within the EU. The maximum journey time and the internal market's rules should also be considered in this context. The Commission disagreed that the presented hours scenario (8 hours for transport for slaughter and 21+24+21 for other purposes) would extend the travel time compared to today.

In the second round of questions:

- *Finland* asked if the consequences of cold stress for birds had been analysed by EFSA as well as a particular case of sitting rabbits and birds, especially turkeys.
- *FESASS* wondered how it is possible that EFSA, while using the allometric equation, concluded on the same space allowance regardless of the outside temperature and how the key values for the scientific opinion were selected. The choice of the key values determined the results.
- *Cogeca* insisted on the need for European farmers to export live animals. It highlighted the very good transport guidelines prepared by the Commission a few years ago to help transporters ensure the welfare of animals during transport and asked if EFSA was aware of these documents.
- *COPA* said temperatures at the farm level also need to be addressed, not just at the transport time. On the possible seasonal transport ban, it highlighted the multiple impacts, including welfare issues on farms with growing animals, economic difficulties for slaughterhouses etc. and wondered why night transport of animals is considered problematic.
- *Four Paws* pointed out at difficulty to rightly assess temperature as it varies for instance regarding a place in a vehicle. Therefore, it seems more adequate to take the measures according to seasons.

*EFSA* replied that the cold stress in birds and rabbits were assessed but because of time it was not possible to address it in the presentation. The recommendation says that both species should not be transported below 10°C, however the cold stress is not so harmful as a hot stress. On the sitting posture, the natural one for a bird is being able to sit with a head up and possible to shuffle around, for a rabbit to sit with ears extended. With respect to variations in space allowance versus heat stress, the space allowance recommendation assumes that heat stress is met. The two are related, but at this point the exact relationship is not known. The key value was chosen based on literature, studies, and peer review of scientific publications. As to the EC guidelines on best practices in transport, they were not considered by EFSA.

In addition, *the Commission* informed that, regarding temperature assessment, which is a very complex issue, no perfect solution has been found so far, but a lot of discussions have been devoted to different options.

In the third round of questions and comments:

- *Eurogroup* observed that EFSA didn't use all relevant literature, for instance for the issue of feeding and watering and asked how EFSA selected the followed protocol. In addition, it proposed to discuss alternatives to transport of live animals, like transport of meat and carcasses but also to work on harmonisation of key value for different issues, e.g., transport, stocking density.
- *Animal Health Europe* on missing data, pointed out that currently tools are available for searching, compiling, and systematizing data and wondered how this aspect will be tackled by the future legislation.
- *AVEC* asked how EFSA arrived at the number of the spent hens in slaughterhouses and how to reconcile the requirement to kill animals on arrival at a slaughterhouse with the recommendation of two hours rest for animals before CO2 stunning. Moreover, AVEC wondered that when we remove food from slaughterhouses for food safety reasons to avoid

cross-contamination and reduce transportation time, why should there be an increase in food waste on farms.

- *FEFAC* asked about air-conditioned transport and the conditions for moving from the cold truck to the hot barn from the point of view of immunity and stress for the animals, but also which concrete measures could be used to qualify an animal 'fit for travel'.
- *Spain* also wanted more information on the 'fit for transport' conditions.
- *Animals' Angels* asked for more information on effective mechanical of ventilation.

In its replies, *EFSA* said there are few slaughterhouses for spent hens so not many data available, the same for the transport conditions of spent hens to slaughterhouses. Therefore, it was necessary to extrapolate. It is recommended to kill an animal at arrival as soon as possible giving a priority to those animals that are suffering from hunger and thirst. During transport, animals don't get enough water and food even if available in the trucks. On air-conditioned transport, it is used in certain parts of the world, especially for horses. It has always been used with care and based on research findings. Transition from cool environment in an air-conditioned vehicle to a hot stable has not been addressed. On fitness for transport, there is no definition that would be useful, but even if there was, it would be useless without the list of Animal Based Measures (ABMs) that could be used for that. In the opinion, potential ABMs have been listed, however the validation work on the ABMs hasn't been carried out, and for the cut-off points further research is still needed. On effective mechanical ventilation, this should be not only through a window but also using a fan, to ensure effective air circulation through the whole vehicle and containers. On meat and carcasses transport, there is no conclusion, even if this issue was discussed within the subgroup and it is also addressed in the impact assessment. Also, the animals, are not transported only to slaughterhouses but also for other purposes.

#### AFTERNOON SESSION

**CHAIR:** Bernard Van Goethem, Director for Crisis preparedness in food, animals and plants, DG SANTE

The meeting was web streamed. Click [here](#) to access the recording.

#### Subgroup on animal welfare labelling [\[PP\]](#)

A policy officer from *SANTE G3*, chair of the subgroup, presented the background of the labelling issue and its complexity as well as its different criteria investigated by the group until now: voluntary/mandatory label; single tier/multi-tier; key criteria across species (e.g.: "marketing" approach/"scientific" approach); governance/traceability and controls (e.g.: consultation of stakeholders, small groups for specific standards, EU data base). At the forthcoming meetings, the group will discuss again the key criteria across species and the issue of descriptive versus evaluative label.

#### Questions and Answers

The following issues were raised by the Members after the presentation:

- To *Eurocommerce*, which is not a member of the subgroup, on the possibility of making a presentation at the group's meeting, the *Commission* replied that it would depend on a subject of the presentation. *ELPHA* backed the request of *Eurocommerce*.
- To *FESASS* on the connexion between the animal welfare label and the sustainability label, both part of the Farm to Fork Strategy, the *Commission* answered that the sustainability label will be a general framework covering the environment, animal welfare and nutrition. Pillars are therefore needed to build a general framework. So far, work on the animal welfare label has been carried out independently. Consistency between the two labels will be ensured later.

*The Chair* confirmed that the Commission is very open and inclusive in listening to stakeholders which are welcome to express their position, even in bilateral meetings.

### Subgroup on the welfare of calves and dairy cows [\[PP\]](#)

A policy officer from *SANTE G3*, chair of the subgroup, presented the topics addressed since June: feeding requirements for dairy and fattening; mutilations; housing systems of dairy cows; access to pasture and standard operation procedures (SOPs) on farms and dairy farms. There are two more subjects to deal with: animal-based indicators to monitor and measure animal welfare on dairy and calf fattening farms (December) and dairy cows' health management (January).

### Questions and Answers

- *FVE* asked if there is a relationship between the EU Reference Centre for animal welfare of ruminants and equines and the subgroup and if the group looked at cow-calf separation.
- *Eurogroup* observed that the current legislation is based on research assuming that below a certain age, animals do not feel pain, which has been deny by new studies. Therefore, asked if this fact will be considered in the legislative requirements for all animal species, not only for calves and dairy cows.
- *FEFAC* offered its expertise on new feeding methods stipulating fibre and iron requirements for calves and dairy cows.
- *EMN* observed that standard operating procedures are not always followed by the farmers and asked if the group discussed how this could be solved.
- *EFFAB* offered to provide contacts for some interesting INTERREG projects that could provide tools to farmers, alternative to SOPs (e.g., monitoring suffering of dairy cows).

In its answers, *the Commission* informed that there is a constant exchange with the representatives of the EU Reference Centre for animal welfare of ruminants and equines, some of them also participate in the meetings of the subgroup. The group had not yet had time to address the issue of cow-calf separation and the feeding requirements, except partly for calves. Regarding pain and mutilation, the group is still considering how to address this issue in future legislation.

In the second round of questions and comments:

- *Animals' Angels* pointed out that the subgroup should no longer discuss the thresholds for tethering and tie stalls as they are contrary to animal welfare. Therefore, no exceptions should be allowed. Only transition periods and financial support should be considered. The changes would not be wide as this type of farms do not form the largest part of the dairy cows housing system. Also, many have low number of animals, so would not change anyway.

- *CIWF* asked if the group discussed the selective breeding for high milk yield and its link with lameness and mastitis.
- *FESASS* stated that the SOP's approach is promising for large farms and wanted to know who would be responsible for drafting the SOP. If it were the farmer, he would follow the recommendations of the equipment manufacturer, the feed producer, or the veterinarian. Therefore, the recommendations can sometimes become contradictory. It wondered how this problem could be solved and if SOPs would be mandatory in all EU Member States or if some flexibility would be allowed.

In its responses, *the Commission* indicated that the thresholds for tethering and tie stalls had only been raised in the group's discussion in relation to a possible transition aid to be considered for small farms. The selective breeding for high milk yield could be discussed at the meeting in January. Regarding SOPs, they are intended only for large farms, and it would be at the decision of the farmers who should be involved in drafting the SOPs.

### Subgroups and modes of operation of the Platform in the future [\[PP\]](#)

*The Head of Unit SANTE G3 'Animal Welfare'* highlighted the importance of the thematic subgroups, which constitute the new working method of the Platform with a view of bringing together the expertise necessary for the revision of the EU legislation on animal welfare. He warmly thanked all the members of the groups for a very good and intensive work during the last months. In total, the subgroups held already 46 meetings. In 2023, the work will continue but with less frequent meetings.

### Questions and Answers

- *EFFAB* asked if the membership of the subgroups can be changed and enlarged in future.
- *HSI* wondered if the Commission could elaborate brief guidelines for the establishment of future voluntary initiatives.
- *EMN* thanked for creating the subgroups which helped to find solutions for industry and welcomed to test some elements of the drafted texts, especially from the enforcement point of view, to get a really good animal welfare legislation.
- *AVEC* pointed out the importance of the subgroups but estimated that there are too much in silos, while a more holistic approach is needed to avoid taking advises against each other, e.g., the issue the use of CO2 in stunning or the time of transport.
- *Eurogroup* also observed that subgroups take sometimes different approaches, and that more coordination is needed between the subgroups and the voluntary initiatives.
- *FESASS* considered that if the subgroups stop their work, then perhaps the Platform could meet more often as there will be questions about the draft proposals in 2023.
- *FVE* warmly thanked the Commission for setting the subgroups.
- *COPA* said that subgroups are useful but need to be more interconnected.
- *DK* pointed out that the subgroups constitute a very good place of discussion and that they need to continue to discuss the enforcement guidelines.

*The Commission* welcomed any ideas on the possible collaboration and interactions but said no to the suggestion of having the plenary meetings more frequently. Agreed to the request of *HSI* on preparing a light set of guidelines for the voluntary initiatives.

## Work of the voluntary initiative on the health and welfare of pets (dogs) in trade to support the work of the Commission proposals [\[PP\]](#)

*The Netherlands*, chair of the group, presented the main results of the work undertaken since May 2022, under a new mandate, which aims to provide the Commission with existing scientific and technical evidence on possible elements of future EU legislation in the field of transport, breeding & raising as well as marketing & sales of dogs and cats.

## Cat and dog welfare in future EU animal welfare legislation [\[PP\]](#)

A policy officer from *SANTE G3*, presented the context of introducing a new domain in EU animal welfare legislation, the role of the voluntary initiative in this context and purpose of new provisions, in particular providing tools to the competent authorities to effectively investigate the activities related to commercial breeding and transport of cats and dogs by means of official controls. Furthermore, to address the lack of specific provisions for protection of kept cats and dogs in the context of commercial breeding and commercial transport and to stop the cruel practices often associated with these activities.

## Questions & Answers

The following issues were raised in the discussion after the two presentations:

- *Vier Pfoten* pointed out the need of having a definition of commercial breeding, missing in Animal Health Law, and wondered about the scope of the just announced EFSA study on dogs and cats.
- *WOAH* suggested to take contact with the International Air Transport Association (a member of WOA's advisory board) for information on transport regulations, e.g., transport of brachiocephalic dogs discussed by the voluntary initiative.
- *COGECA* pointed out that the issue of corrective surgery is present in discussion on farmed animals, therefore it should be also addressed in the case of dogs and cats.
- *Joe Collins* observed that we should rather talk about the advertisement of pets on the internet than on sales of pets there, including equines.
- *Norway* asked if the issue of temperatures during transport for polar dogs with full winter fur was considered.
- *Animals' Angels* asked if there is any research into legal bases to consider not only companion animals at trade but also strays animals transported for health reasons.
- *Euro FAWC* asked about the limitations of the EC competences on companion animals.
- *BE* asked (on chat) if the special conditions for breeding brachycephalic dogs was discussed by the group.

*The Commission* in its answers informed concerning the definition of 'commercial breeding', it will be defined by a threshold of number of animals and numbers of litters per year per breeding establishment. The recommendation of the voluntary initiative in this regard is 3 female dogs and 3 litters per year. On the future EFSA opinion, its scope it is not defined yet, but the Platform will be kept informed. The corrective surgeries are in the scope of the reflection with the aim of limiting the ones performed to improve the look. The issue if the internet advertisement constitutes a huge challenge, mainly because of third parties involved through the social media. The logo system as the one used for the EU online pharmacies where a logo takes you to the approval certificate of a competent authority, is under discussion. This would allow a buyer to check if a breeder is a legal one. Regarding the EU competences on dogs and cats, they covered only animals when owner

changes and on transport for commercial or agricultural purposes. There is no legal base for looking at the welfare of stray animals. Brachycephalic dogs as well as hairless dogs or polar dogs with extreme furs, all need special attention regarding their thermal comfort zone and their welfare in general.

*The Chair of the voluntary initiative* informed that the group considers that the Commission, through an implementing act, should regulate the breeding of dogs with exaggerate features.

*COGECA's* question on corrective surgery and types of pet castration methods, was answered by *FVE* who informed that castration is always done by a veterinarian under anaesthesia.

### **Conclusions of the voluntary initiative on responsible ownership and care of equidae [\[PP\]](#)**

*Joe Collins*, chair of the initiative, informed about its current membership, achievements to date (horse guide with accompany factsheets and donkey guide, translated in several languages) and the ongoing work on donkey factsheets and the “*Guides on working equids in tourism activities*”. He stressed the importance for the group to have its work endorsed by the Platform and disseminated as largely as possible. He informed of the future collaboration of the initiative with the EC under the reviewed Terms of Reference.

### **The factsheets on donkey were adopted by the Platform [\[PP\]](#)**

### **Questions & Answers**

*Vier Pfofen* raised the issue of Pregnant Mare Serum Gonadotrophin (PMSG), stating that it should be prohibited within the EU and said that this subject should be of interest to all thematic subgroups.

Answering, *the Commission* said that PMSG issue has not been forgotten and the collected data are under analysis by the Commission.

*Joe Collins* informed that a report on PMSG will be presented at the meeting of the animal welfare working group of the EP next week.

### **AOB**

*HSI* informed that the European Citizens' Initiative 'Fur free Europe' has reached already 1 million signatures what constitutes a clear message that citizens want an EU-wide ban on fur farming.

As to the voluntary initiative on the international and global dimensions of animal welfare, *HSI* informed that the comments on the draft Terms of Reference and the candidacy for joining the initiative should be send by 15 December. The first of the monthly meetings, online, is planned by end of January and the presentation of the first reflections at the Platform meeting in June.

*WOAH* expressed the wish to be observer in this new voluntary initiative and reminded that animal welfare in international context was addressed by them already in 2002. Pointed out that WOA standards are adopted by consensus, therefore they should be taken into account when negotiating trading standards (referred to the chapter 7.1 of the Terrestrial Code). The next meeting of WOA is planned for 8-9 June 2023.

*FAO* thanked WOA for expressing its interest in the future initiative and for reminding the work of WOA in this field. Congratulated the animal welfare team for organizing this this very good



meeting. Then, proposed to have an item at the agenda of each Platform meeting on the 'global' issues, in geographical and thematic terms, related to animal welfare, e.g., the environment, antimicrobial resistance or the circular economy.

*The Commission* preliminary agreed on this suggestion and pointed out the opportunity of using the experience of international organisations and NGOs in this context. Suggested the possibility of gathering opinions and data on the global issues outside of the Platform meeting. Stressed that the international and trade dimensions will constitute an important part of the inter-service consultation of the impact assessment. Underlined that the role of the voluntary initiatives is to prepare documents like the ones on donkeys adopted today. The Platform has a role in this context because has to adopt the conclusions.

### **Conclusions and closing of the meeting**

In closing the meeting, *the Chair* thanked all members for their active participation and the animal welfare staff for the organisation of the meeting.

He informed that the next meeting is tentatively scheduled for 8-9 June 2023.

Annex: List of participants