



Fitness Check of the EU animal welfare legislation

Preliminary findings

Christian JULIUSSON

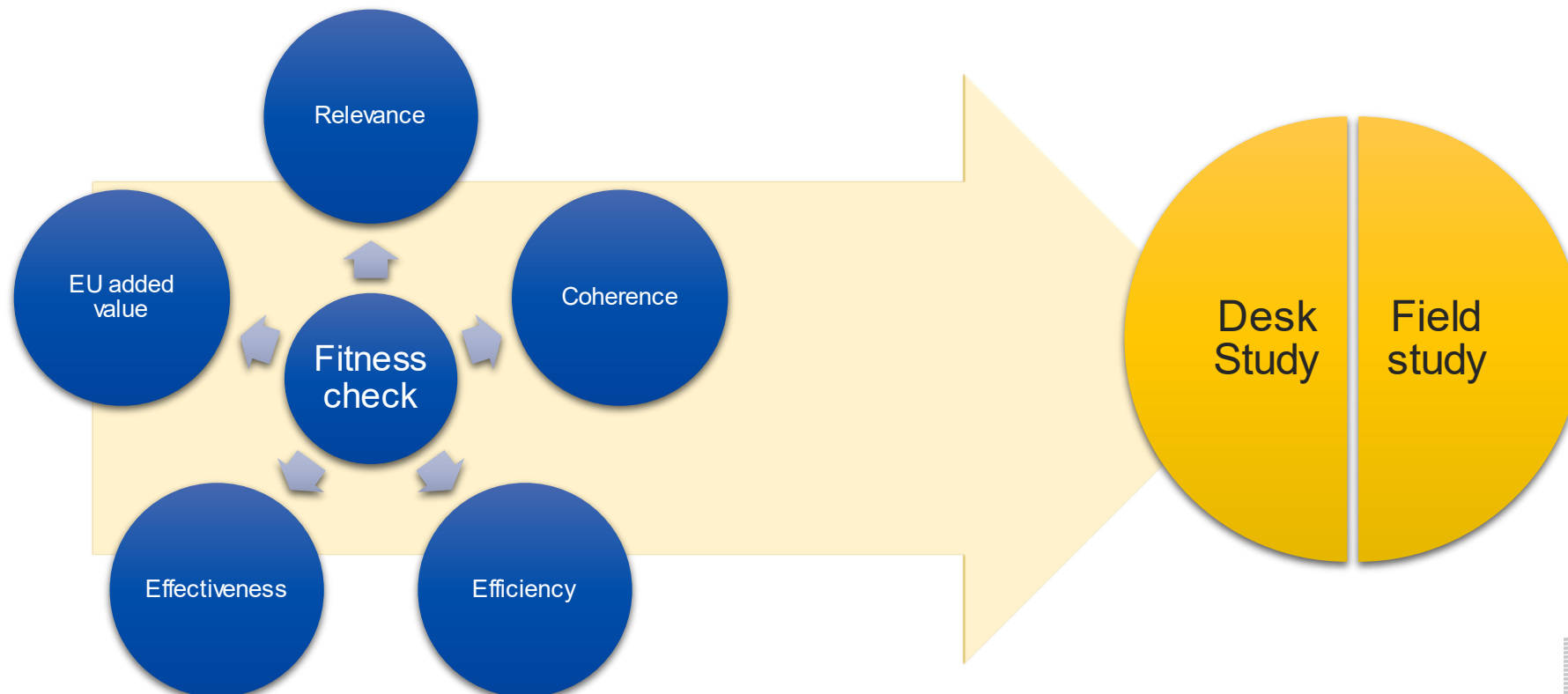
Policy Officer, Unit G5

Directorate Crisis Preparedness in Food, Animals and Plants, DG SANTE



Farm to Fork Strategy

*"The Commission will **revise the animal welfare legislation**, including on animal **transport** and the **slaughter** of animals, to align it with the latest scientific evidence, broaden its scope, make it easier to enforce and ultimately ensure a higher level of animal welfare. (...) The Commission will also **consider options for animal welfare labelling** to better transmit value through the food chain."*



Main sources used for the Fitness Check

<u>DESK STUDY</u>	<u>PUBLICATION & DATE</u>
Evaluation of the EU Policy on Animal Welfare and Possible Policy Options for the Future	DG SANCO (2010)
Impact assessment of the EU Animal Welfare Strategy	DG SANTE (2012)
Animal welfare in the European Union Special Report on Animal Welfare	European Parliament (2017) EU Court of Auditors (2018)
Public feedback on the Roadmap for the Fitness Check	European Commission (2020)
Evaluation of the EU Animal Welfare Strategy	DG SANTE (2021)

Field Study:
Exploratory interviews in 2021 with professional organisations along the agri-food chain (farm to fork)



Follow-up:

- More interviews
- Targeted surveys, including with Member States
- On-line public consultation
- EU Animal Welfare Platform**

Welfare at farm level

Improve

- Provision of an environment corresponding to the needs of the animals in light of new scientific knowledge
- E.g. tethering of calves, group housing of sows, ban on battery cages for laying hens.

Harmonise

- Reduction of differences in livestock rearing by introducing common standards that can help avoid:
 - 1) Distortion of competition
 - 2) Interference with the smooth running of the market

Adapt

- Fill the gap caused by the lack of scope of EU legislation giving effect to the European Convention for the Protection of Animals Kept for Farming Purposes (Council Directive 98/58/EC)

Welfare during transport

Expectations behind the
current legislation

Improve

- Provision of an environment corresponding to the needs of the animals in light of new scientific knowledge (NB: Not for journey times!)
- Level of training of persons handling animals
- Accountability and transparency concerning transporters' activities

Harmonise

- Reduction of differences in implementation (by replacing the Directive with a Regulation)

Limit

- Long distance transports
- Spread of infectious diseases

Welfare at time of killing

Improve

- Animal welfare in light of new scientific knowledge.
- Meat quality and occupational safety.

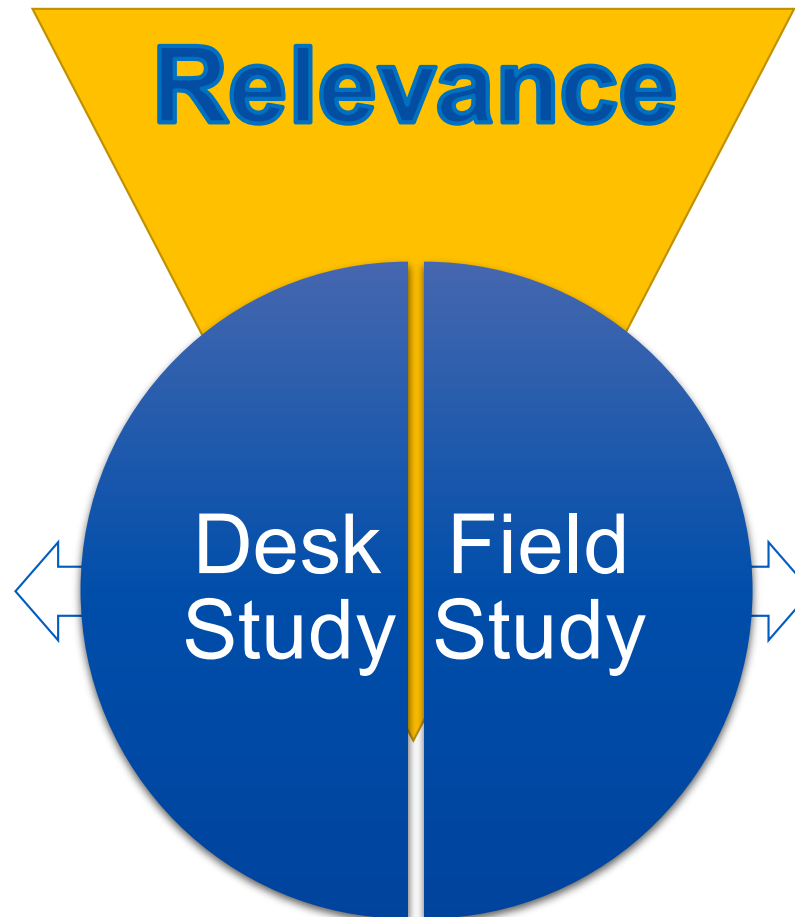
Harmonise

- Reduction of differences in implementation (by replacing the Directive with a Regulation).

The fact that the Regulation allows Member States to adopt additional national standards in some areas was cause for concern for some animal welfare NGOs (SANCO, 2010).

Outcome of the evaluation criteria

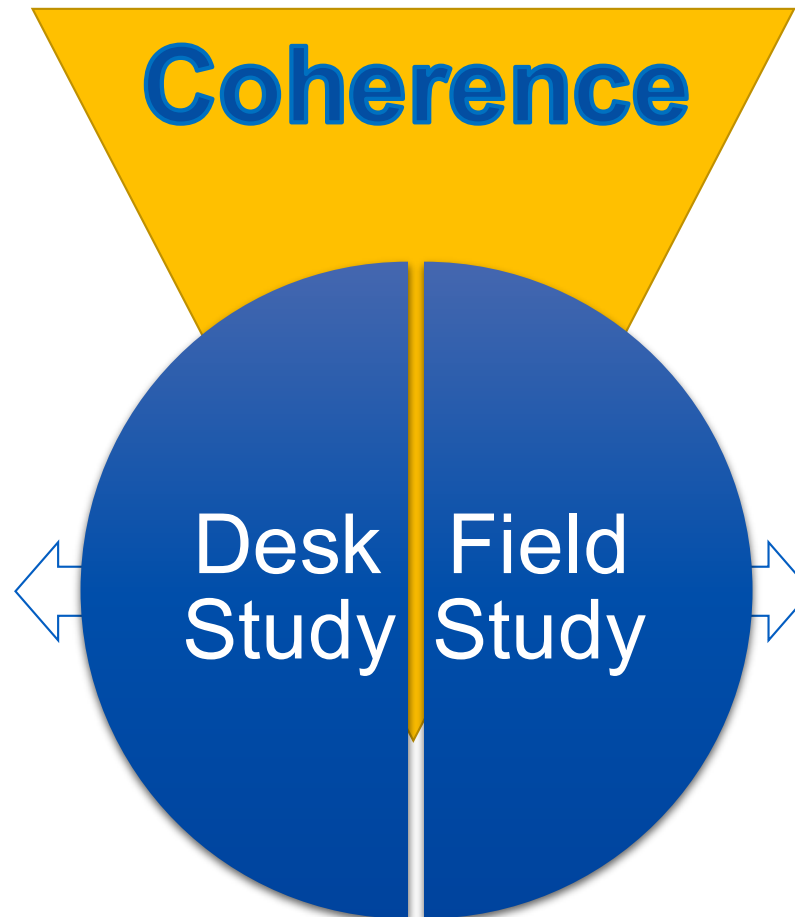
- ❑ Successful balance between the varied needs and expectations of citizens, industry, and other groups.
- ❑ Outdated rules in relation to increasing animal welfare concerns, recent developments in science and technology and future sustainability challenges.



- ❑ EU animal welfare legislation should be based on more objective criteria and on sound scientific arguments.
- ❑ Consumers: Increasing awareness, interest, expectations on transparent information vs. Unchanged buying behavior.
- ❑ Producers: EU operators' competitiveness vs. Application of same animal welfare standards to third countries.

Outcome of the evaluation criteria

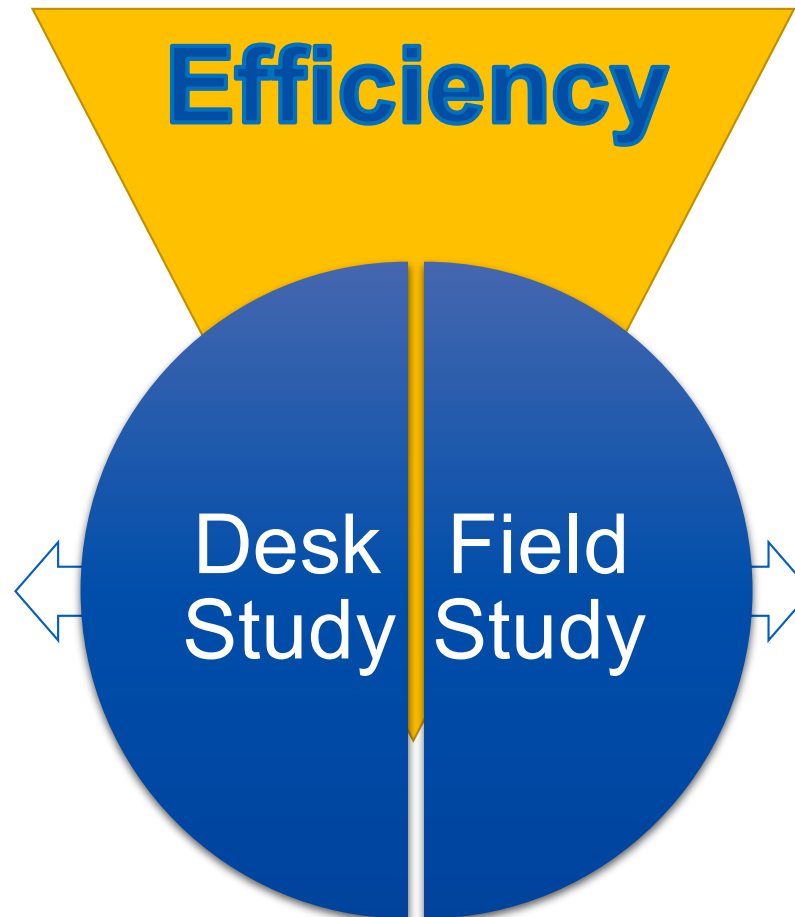
- ❑ The various components are broadly complementary, mutually supporting and consistent, and have (thus far) avoided major conflicts with other EU policies.
- ❑ Possible need for greater integration with the CAP in view of the objectives of the Farm to Fork Strategy.



- ❑ Mismatch between the Regulations on Transport and Slaughter.
- ❑ Lack of sync between different pieces of EU legislation, leading to extra burdens to producers/business operators.
- ❑ Clash with other policy areas: Animal welfare policy vs. Environmental and Trade policies.

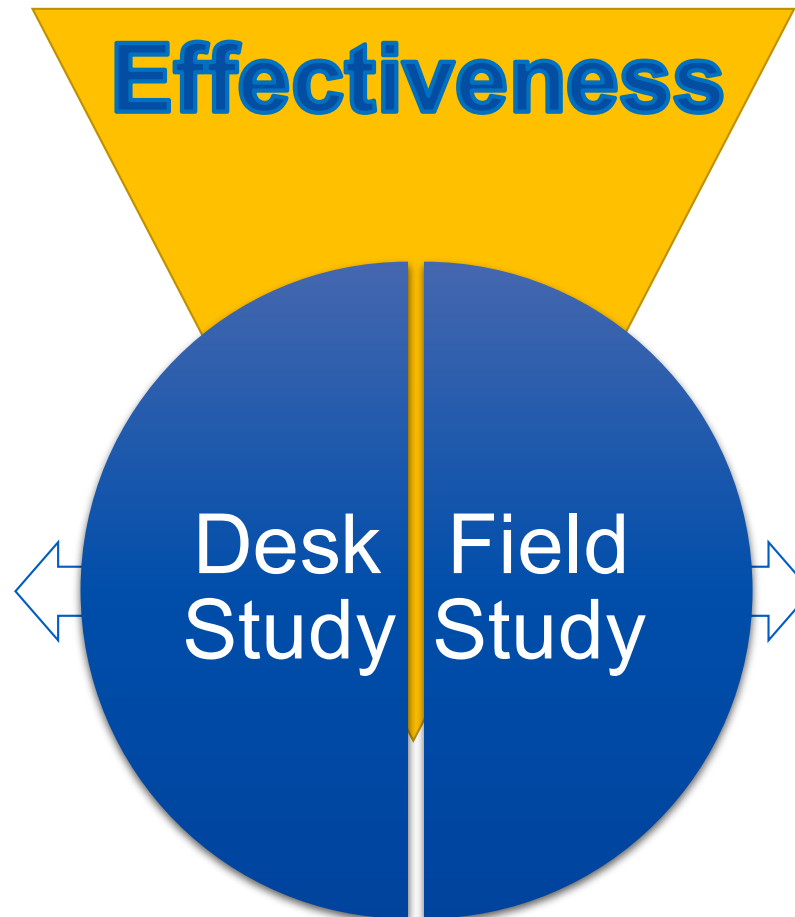
Outcome of the evaluation criteria

- ❑ Several benefits emerged, such as higher productivity and enhanced ecosystems services.
- ❑ The market return on food produced under higher welfare standards is still insufficient to compensate for the additional costs imposed on the livestock sector.



- ❑ Increased costs, borne mainly by producers, without sufficient market return.
- ❑ Environmental trade-offs (e.g. higher energy use per animal, lower GHG and secondary PM emissions).
- ❑ Different standards along the supply chain and between Member States.

Outcome of the evaluation criteria

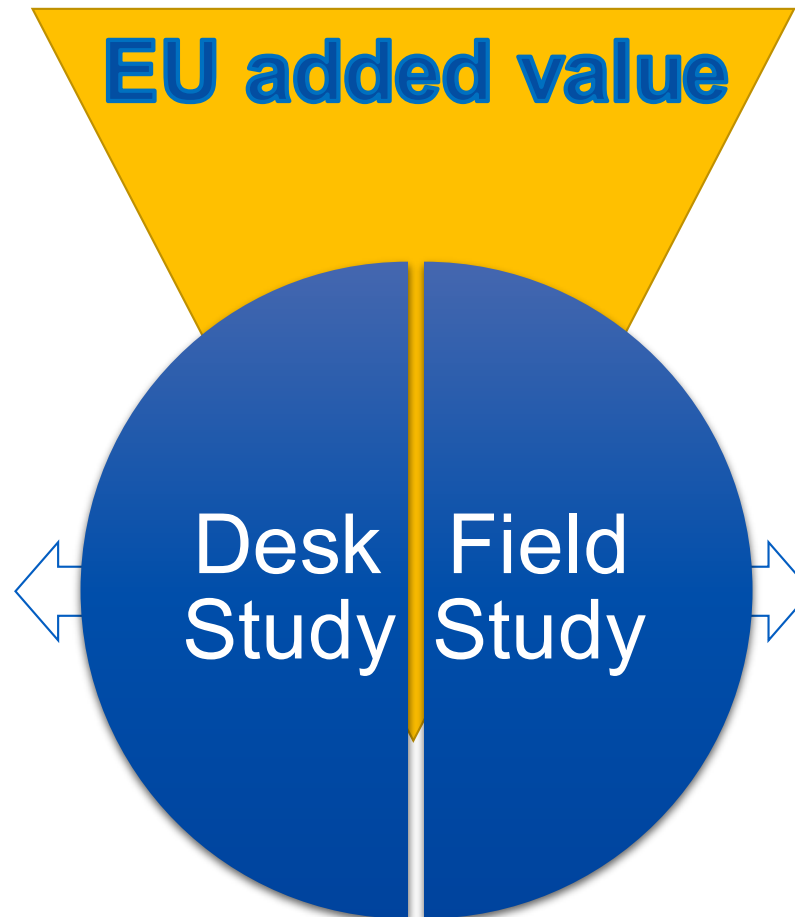


- ❑ Contribution to a better and more uniform protection of many farm animals while reducing competitive distortions in the internal market caused by national differences.
- ❑ More could be achieved with stronger enforcement and with more harmonised rules, including on species such as dairy cows.

- ❑ The benefits that animal welfare legislation could bring are hindered by the fact that consumers are insufficiently aware of EU standards.
- ❑ Implementation at Member States' level is uneven, and they can go beyond EU requirements, which contributes to competitive distortions.
- ❑ The legislation has promoted a shift in business type, from smaller to larger operations.

Outcome of the evaluation criteria

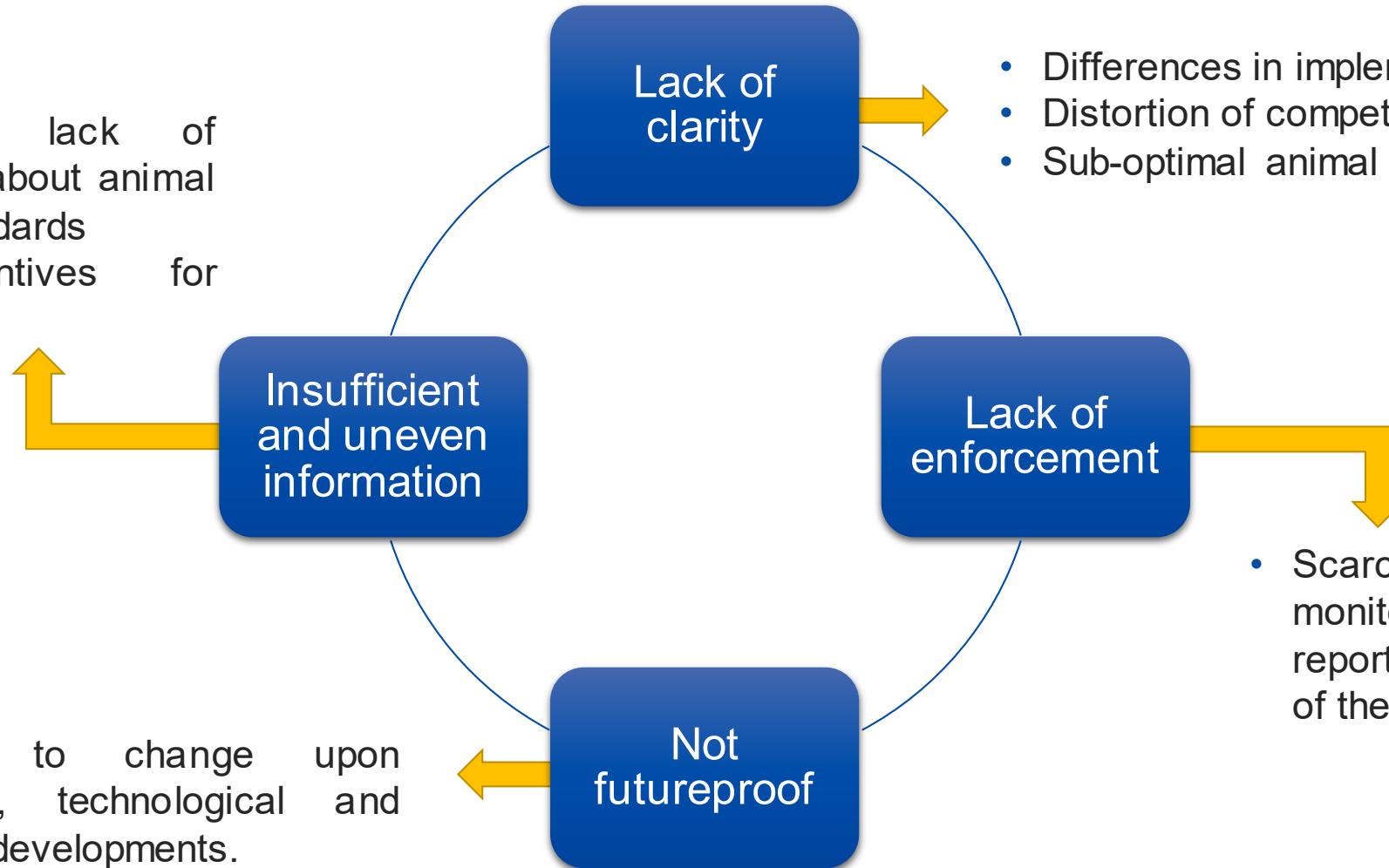
- Ensuring a harmonised approach in the protection of animal welfare and creating a levelled playing field across Member States has been better achieved at Union level.



- EU legislation established a clear baseline from where all Member States can depart, and creates an opportunity to harmonise the standards within the internal market.
- EU legislation can lead to the loss of business opportunities because products that comply with EU standards are considered as conventional products that do not allow for the possibility of yielding a premium.

General shortcomings of current legislation

- Consumers' lack of awareness about animal welfare standards
- Low incentives for producers



- Differences in implementation across the EU
- Distortion of competition
- Sub-optimal animal welfare protection

- Scarcity of tools to properly monitor, measure, and report the result and impacts of the legislation.

- Subject to change upon scientific, technological and societal developments.

Additional shortcomings

Farm level

- The use of Directives has contributed to a **differing level of implementation of animal legislation and thereby differences in animal welfare** between the Member States in some cases
- These variations in animal welfare standards have led to **competitive distortions** in the internal market.

Transport

- The current system is **ineffective for enforcement** due to its characteristics (paper based and declarative)
- **Lack of coordination on inspections** between Member States
- **Uneven implementation** of remedial action following non-compliance
- **Lack of enforcement** of existing rules towards EU operators concerning the leg of the **journey in third countries**.

Slaughter

- Some requirements are **not species-specific enough**, e.g. as regards farmed fish.
- Certain requirements are **disproportionate** to the objectives they pursue and perceived as **burdensome** by operators, especially for small slaughterhouses.

Preliminary conclusions of the Fitness Check

State of Play

- + Improved animal welfare in Europe
- Shortcomings of the current legislation
- + Contributed to the proper functioning of the internal market
- Uneven level playing field

Future Needs

- * More enforceable rules
- * Address the legislative gaps
- * More synergies with other policies
- * Update the rules in light of new scientific evidence and technological developments

Public feedback – Fitness Check roadmap

“After almost half a century since the EU’s first animal welfare legislation (1974), the suffering of EU farmed animals is greater than ever. Repeated investigations over decades show long-standing breaches of key provisions of even the minimal legal standards.”

“Animal welfare legislation should be developed to consider recent scientific knowledge, technical development and practical problems in the existing legislation in order to improve animal welfare.”

- Around 170 submissions from a mix of industry representatives, trade unions, NGO’s and citizens.
- The scope of the fitness check generally accepted; animal transport most prominent.
- More focus on fish welfare, cattle, fur animals, equine, invertebrates (used as food).

“General legislation on farm animal welfare at EU level 98/58 is obsolete. In addition, there is a need to harmonize the enforcement of existing EU-legislation as it is open to different interpretations, e.g. the painful and forbidden routine of tail docking of pigs in many EU countries.”

Fitness Check: Next main steps

On-line Public Consultation
(12 weeks)

Autumn 2021



9 Dec 2021

Stakeholders' Conference

Fitness Check concluded
(Staff Working Document)

July 2022



Comments and reactions?

Do you have
anything to add to
complement or
challenge
these preliminary
findings?

Written contributions are welcome
and may be sent by **6 July 2021** to:

christian.juliusson@ec.europa.eu