



Fitness Check of the EU animal welfare legislation

State of play and survey result

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Developments since 22 June 2021

- Since the first preliminary Fitness Check findings were presented at the EU Animal Welfare Platform meeting on 22 June 2021, the Commission has:
 - ✓ performed an extended desk study,
 - ✓ held further tailored interviews with stakeholders,
 - ✓ launched a **targeted survey** for the members of the EU Animal Welfare Platform + the EFSA working group on F2F, and
 - ✓ launched an Online Public Consultation.

Baseline scenario

Before the adoption of the current EU animal welfare legislation:

- Many animals in Europe were suffering as they were kept, transported, and killed under conditions that did not allow them to express their natural behaviour or to avoid unnecessary suffering. They were also often handled by people without sufficient knowledge about animal welfare.
- Member States' national legislation - and their implementation of common requirements – differed to the extent that it negatively affected the functioning of the common market, causing distortions in competition and preventing a rational development of production.

The targeted survey

Response rate: **34%** (37 of 110 contacted, of which 12 from Member States).

- **84%** of the respondents consider that the existing EU animal welfare legislation has strongly (38%) or relatively (46%) contributed to a **better protection of farmed animals in the EU**.
- **48%** consider that the existing EU animal welfare legislation has strongly (16%) or relatively (32%) contributed **to a better functioning of the EU market**.
- **49%** consider that the existing EU animal welfare legislation has strongly (19%) or relatively (30%) contributed to **a more levelled playing field in the EU for business operators**.

Relevance

- **Fitness check question:**

“Does the EU legislation on animal welfare remain fit for purpose in the light of the latest developments and ongoing/future challenges?”

→ There are increasing animal welfare concerns and developments in science and technology that are not reflected in the current legislation.

- **Survey result:**

71 % consider that the current legislation only partially (57%) or not at all (14%) meets citizens’ expectations on a sustainable food production.

94% consider that the legislation only partially (53%) or not at all (41%) provides sufficient information to consumers to make sustainable food choices.

Coherence

Fitness Check question:

“To what extent is the EU legislation on the welfare of farmed animals internally coherent (...) and coherent with relevant OIE standards and other policy areas and pieces of legislation?”

→ EU animal welfare legislation is broadly complementary and consistent.

→ Mismatch with environmental, trade and public health policies.

• Survey result:

43% consider that the provisions contained in current EU legislation are consistent/complementary and that there are synergies between the different areas.

57% consider that the EU animal welfare legislation is not consistent with other EU policy areas (mainly environment and public health).

Efficiency

- **Fitness Check question:**

“How cost efficient is the EU legislation on the welfare of farmed animals in ensuring animal welfare and in contributing to environmental objectives and a level playing field for EU business operators?”

→ In general, animal welfare pays off in the long term, but the market return is still insufficient to encourage investments (hence public support is needed).

Survey result:

40% agrees mostly (24%) or totally (16%) with the claim that the EU animal welfare legislation has led to increased costs, borne mainly by producers, without a sufficient market return.

32% consider that the costs of animal welfare are outweighed by benefits as regards farmers (for transporters: **22%**; for retailers: **38%**; and for slaughter houses: **32%**).

Effectiveness

- **Fitness Check question:**

“What are the consequences or effects (...) that were not originally planned”?

→ A further intensified farming system.

→ Competitive disadvantage for EU producers and operators (as animal welfare is not a selling point to most third countries).

- **Survey result:**

24% mostly (16%) or totally (8%) agree that the EU animal welfare legislation has promoted a shift in business type, from smaller to larger operations.

60% only partially (30%) or not at all (30%) consider that animal welfare is an important “selling point” to most third countries (24% *did not know or could not answer*).

EU added value

- **Fitness Check question:**

“What – if any – is the EU added value of the EU legislation on the welfare of farmed animals in relation to its main objectives?”

→ EU legislation has been a driving force towards higher welfare standards and more harmonisation that could not have been better achieved at national level.

- **Survey result:**

71% consider that the existing EU animal welfare legislation has relatively (49%) or strongly (22%) contributed to a harmonised implementation of animal welfare standards across the EU.

Compliance issues

- Only **14% manage to totally comply** with the current EU legislation on animal welfare (farm level: 16%, transport: 11%, slaughter: 14%)!
- Main reasons:
 - Unclear provisions
 - Requirements not species-specific enough
 - Lack of control resources
 - Lack of training/competence

Enforcement issues

- **67 %** of the Member States consider it difficult (50%) or very difficult (17%) to enforce the EU animal welfare legislation at farm level (for transport: **42%**; for slaughter: **25%**).
- Examples of provisions that are difficult to enforce:
 - the rules on routine tail docking of pigs,
 - the general provisions of Directive 98/58/EC, e.g. environmental parameters for which limits are not defined, and
 - the rules on welfare during transport until destination in a third country.
- **25%** of the respondents consider that a lack of cooperation between competent authorities in different Member States is a relevant or very relevant reason for their difficulties in complying with Regulation No 1/2005.

Summary of shortcomings identified so far (I)

- **Lack of clarity of certain provisions**, leading to differences in the application of EU animal welfare legislation across the EU, resulting in distortions of competition and suboptimal animal welfare protection.
- **Lack of tools (such as indicators) to monitor, measure, and report** the result and impacts of the application of legislation.
- Poor management of animals due to the **lack of appropriate skills/training and competencies** of staff handling animals.
- **Current provisions are not future proof**, in that their design does not allow to adjust welfare requirements swiftly to scientific, technological and societal developments, and to exploit the opportunities offered by such developments.
- **Insufficient and uneven information to consumers** on animal welfare standards applied to food producing animals to enable informed choices and low incentives for producers to achieve high welfare standards, including as regards imported products.

Summary of shortcomings identified so far (II)

- **Lack of sufficiently specific, updated, and detailed requirements** for the protection of certain animal species, such as dairy cows, resulting in an inadequate protection of the welfare of those species.
- **Lack of coherence** with other policy areas, such as the social rules on drivers' resting time and the rules on the protection of animals during transport.
- **The use of Directives to protect animals at farms has contributed to a differing level of animal welfare** between the Member States, leading to distortions in the internal market.
- There is **room for simplification** (for small slaughter houses) as regards certain requirements on the protection of animals at the time of killing.
- **Lack of coherent and strict enforcement** by Competent Authorities, for instance of requirements related to tail-docking of pigs and to live animals exports to third countries.

Comments and reactions?

- Anything to add, to complement (or challenge):
 - the outcome of the survey?
 - these updated preliminary Fitness Check findings?



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Looking ahead: Need for more data

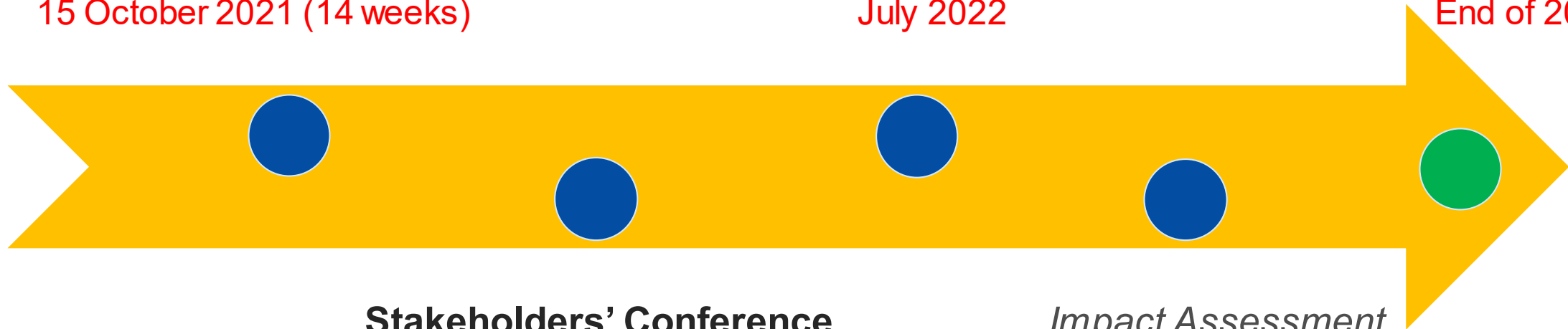
- To better measure the level of progress made, the Commission needs more **(historical and current)** data, for example on:
 - **Foot pad dermatitis rates** for broilers.
 - The number of **pigs** raised **with intact tails**.
 - **Longevity trends** for calves and dairy cows.
 - **Somatic cell counts** for dairy cows.
 - **Rejection and mortality rates** for pigs and poultry.
 - The number of calves and sows kept in **individual pens and stalls**.
- Please provide your contributions by **31 December 2021** to:
christian.juliusson@ec.europa.eu

Planning of main steps ahead

On-line Public Consultation
(fitness check + policy options)
15 October 2021 (14 weeks)

**Fitness Check
concluded**
July 2022

*Legislative
proposal*
End of 2023



Stakeholders' Conference
(fitness check + policy options)
9 December 2021

*Impact Assessment
concluded*
Early 2023

Thank you



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