

## Consultation contribution

# Protection of animals during transport - 2023/0448(COD)

## Commission proposal COM(2023)/770

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### Suggestions:

1. A ban of EXTRA-EU live transports to third countries.
2. Transport time on ships must count as part of the total journey time.
3. A ban of transport for animals that are pregnant or have been so recently:
  - pregnant: 40 % or more of the expected gestation period has passed.
  - recently: in the 8 weeks before transport
4. A ban of transport for unweaned bovines, ovines, swines and rabbits.
5. Limitation of the total journey time:
  - Free moving animals: 8 hours.
  - Animals in containers: 4 hours.
6. Strict and species-specific rules on required temperatures and humidity.
7. Ban of the use of electric prods.

### Explanations:

In formulating and implementing agricultural policy, the European Union and its Member States must pay full regard to the welfare requirements of animals as laid out in Art. 13 TFEU. The current legislation on animal welfare is not fit for purpose. The commission proposal for a new regulation on animal transport is a step forward, but falls short on several issues regarding the health and well-being of farm animals:

1. Today, there are suitable alternatives to exporting live animals to third countries. Meat and other inanimate products can replace animals intended for slaughter. Semen and eggs can be a substitute for animals intended for breeding. Due to the structure and content of existing trade agreements, there are no effective measures in place to ensure that animals are only exported to third countries with animal welfare legislation equivalent to that of the European Union. A ban of exports for ethical reasons or in the interest of animal health is legally possible under Art. 10 of Regulation (EU) 2015/479 and Art. 11 GATT.

2. According to Art. 30 of the proposal, time spent on ships is not counted as part of the total journey time. There is no valid reason for this rule. Time spent on transport is time spent on transport, regardless of the means.

3. In Annex 1 animals are defined as unfit for transport if they are 80 % into the expected gestation period or have given birth in the 7 days prior to transport. Transporting animals in late stages of pregnancy exposes them to significant health risks due to the associated stress and hardships. In addition, such animals are at risk of giving birth during transport. This exposes them and their offspring to the risks of suffering and death. A more adequate recovery period is also needed. From a veterinary point of view, animals that have given birth in the last 8 weeks before transport or whose gestation period has exceeded 40 % of the expected time must be considered unfit for transport.

4. Art. 29 allows for transport of unweaned animals. There are no valid reasons for the transport of such animals. The stress is too high for mothers and their offspring. Also, the physiological need for frequent suckling cannot be satisfied during transport.

5. According to Annex I Chapter 5, the maximum journey time for farm animals is 12 hours for "short journeys". In the case of "long journeys", the maximum journey time is 42 hours with an additional mid-journey rest period of 24 hours, as laid down in Art. 27. These journey times are not in line with the requirements of animal health and welfare. The total journey time should be limited to 8 hours for free moving animals and 4 hours for animals in containers.

6. The limits set in Art. 31 with regards to allowable temperatures and humidity are too general. There is no provision against the transport of animals in extreme weather conditions. The generic limits should be replaced by precise species-specific provisions. The transport of animals in extreme weather conditions must be banned.

7. According to Annex I, Chapter 3, the use of instruments to administer electric shocks is still permitted on bovine animals or pigs over 80 kg and when an animal refuses to move without any visible reason. Good livestock handling practices are appropriate alternatives to the use of electric shock devices. Their use should be prohibited.

### About us:

PROVIEH is a German non-governmental organization with over 4.000 members established in 1973. We campaign for animal welfare in farming. Our aim is to promote species-appropriate practices in animal husbandry taking full account of animal welfare.

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