



INTERGROUP ON THE WELFARE & CONSERVATION OF ANIMALS

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Report of the 277th Session

Thursday 17th November 2011, 10.00 - 11.00 hrs
Room LOW N 3.2 – European Parliament, Brussels

I. Introductory remarks

New written declaration on an 8 hour limit for the transport of animals

Carl Schlyter (Greens/EFA, SE) the Chairman announced that together with Dan Jørgensen (S&D, DK), Esther de Lange (EPP, NL), Andrea Zanoni (ALDE, IT) and Pavel Poc (ECR, CZ) he has tabled a new written declaration on **the establishment of a maximum 8-hour journey limit for animals transported in the European Union for the purpose of being slaughtered** which should be opened for signatures during the mini plenary session of November. Besides a the transport time limit it calls on the Commission and the Council to review the Regulation 1/2005. The declaration is in line with the request of the 8 hours petition <http://www.8hours.eu> which has already been signed by almost 900.000 Europeans. He called on all people present to promote this petition.

II. Election of Mrs Striffler as new Vice-President

Michèle Striffler (EPP, FR) thanked the Intergroup for having been offered the post of a Vice-Chairwoman. Animal welfare has been a long time concern for her, already as a local councillor. She said to call a spade a spade and found that this would be required in the Intergroup. She would be very sensitive to all things that happen to animals and called herself the happy owner of cats, dogs and hens. She was very willing to defend the values that are put forward by this Intergroup and promised that the Intergroup could count on her support. Mrs Striffler was elected by acclamation.

III. Update on the battery cage ban for laying hens

Sonja van Tichelen, Director of Eurogroup for Animals expressed the deep concerns of animal welfare organisations about how animal welfare and the enforcement of related legislation is handled by the Member States. The dossier on the protection of laying hens is an example.

In 1999, it was decided to phase out the use of conventional battery cages for laying hens. Twelve years were given to the producers to change to more animal welfare friendly systems. The switch to enriched cages has been very slow due to a strong lobby from the industry who wanted to scrap the ban altogether. When Commissioner Dalli entered into office he reinforced the decision taken and said that there will be no delay. By the time it was already known that there would be huge difficulties with compliance.

After 12 years, there are still 51 millions laying hens which are housed in conventional battery cages. Eleven Member States will not be able to comply with the legislation until 1 January 2012. The Commission and the Member States are currently discussing what to do, knowing that it is already too late for many Member States to respect the deadline.

The Commission said it would be very firm against non-compliance and would launch infringements procedures against tardy Member States. However, together with the Council they have come up with an initiative to restrict the commercialisation of illegal battery eggs to the country of production and to exclusively use these eggs in the processing industry. Illegal battery eggs can thus still continue to be sold for other six months. This so called gentlemen agreement between the Council and the European commission has no legal basis to justify it.

Granting an extension for illegal products without a legal basis is of major concern as it is likely to affect other legislations and to undermine the credibility of the European institutions.

Animal welfare organisations are always told that there is no need for new legislation but that the existing one should be well enforced. The non-respect of the battery cage ban within the fixed deadline is yet another example that enforcement is not taken seriously. EU legislation foresees a ban on sow stalls in 2013. The non compliance with the battery cage ban will set a precedent for the pig producers to ask for a postponement of the ban.

All this, raises the serious problem of distortion in competition not only between Member States but also among the producers within the countries. There are Member States where some producers already have switched over to more animal welfare friendly cages others have ignored to do so. Thus restricting sales within the country will not help those who have switched over already.

The European Parliament has been completely ignored even though the legislation falls now under the ordinary procedure. Any change or extension of deadlines should come before the Parliament. What will happen after the extension of six months if still 51 million hens will remain in battery cages? The problem is not likely to disappear soon.

There is a need to have a comprehensive strategy for enforcement as it is already applied in other policy areas as the environment. Animal welfare groups hope that the new EU Animal Welfare Strategy will introduce measures in this regard. The FVO needs to increase its resources in order to be able to carry out more controls. For this year, only 7% of all FVO inspections were animal welfare related.

Questions and debate

Sonja van Tichelen urged the Members of the Intergroup to keep a close eye on the developments in the coming weeks.

Carl Schlyter (Greens/EFA, SE) said that it would not be the first time that Commissioner Dalli stated to be firm and that he actually did the opposite. On cloning the Commission's news headlines was a ban but actually it was a permission to put products from clones on the market.

Stuart Agnew (EFD, UK) was concerned about the effect of non-compliance with the cage ban on UK producers who follow the law. He reported about a campaign in the United Kingdom to stop the sales of battery eggs. 22 supermarket chains have been asked to stop the sale of battery eggs and products. 12 of them have already replied positively but there is still a need to peruse the bigger super market chains who have not responded yet. The processing industry which uses huge amounts of eggs has also been contacted to stop the use of battery eggs. Some have reacted but Nestle, one of the biggest global players in this field has ignored this call. The campaign will also foresee to ask the caterers and egg importers not to buy or use battery eggs. At the end, a list of good and bad guys will be made public.

Jörg Leichtfried (S&D, AT) asked if he could get a copy of the campaign's action plan to get some useful hints.

IV. Report on the impact of the EU regulation on the protection of animals during transport

Denis Simonin, Policy Officer in the Animal Welfare Unit at DG SANCO, European Commission gave a presentation on the recently published Commission report '*on the impact of the EU regulation on the protection of animals during transport*'. Article 32 of Regulation (EC) No 1/2005 on the protection of animals during transport requires from the Commission to report to the Council and the European Parliament about the performance of the Regulation. For this, an external study was carried out in 2010-2011, the European Food Safety Authority wrote a scientific opinion and the Commission's Food and Veterinary Office provided data. Individual sources on satellite navigation systems were also taken into account.

One of the first conclusions was that the Regulation has not had significant effects in economic terms. There were also no radical changes in trade flows and no detrimental effects have been noted in the peripheral regions of the European Union. The impact for the transporters industry has been minor. The Regulation has however lead to a certain increase in administrative costs as the Member States do not apply the Regulation in the same ways nor with the same accuracy. Thus certain operators might have faced more difficulties than others.

Concerning the animal welfare aspects the report admits that there is room for improvement. Regulation (EC) No 1/2005 includes new improvements concerning vehicles standards and the ways they should be authorized for transport. The ventilation systems as well as the training of the drivers concerning the handling of the animals have improved.

However, there are a lot of areas where implementation is lacking. Some standards in place are not in line with the current scientific knowledge.

Concerning **stocking density and fitness for travel** numerous breaches of the law have been found. Far too often the animals that are tightly packed in the trucks and the provisions on **transport duration and resting times** are not respected. For long distance transports of over 8 hours, there is an obligation for the authorities to validate realistic transport durations, a requirement which is often not disregarded.

Controls and inspections during and after transport are lacking and the use of satellite navigation systems which should help in this regard is still unsatisfactory. In certain Member States controls are very strict in others far less.

EFSA has taken a look at the various standards and provisions within the Regulation to see whether they are in keeping with the current scientific knowledge. There are certain differences especially when it comes to horses but these differences are not very significant. The current scientific knowledge is actually less stringent than what is required in the Regulation. New scientific evidence is indicating that there are other parameters that have to be considered in animal transport not only transport times. More has to be done when it come to space allowances;

In conclusion the Commission report highlights a serious lack of implementation. There are obvious problems of control by the Member States and an insufficient use of the satellite navigation system. There is also a need of better communication and synergy between the Member States. For this, it would be useful to have guidelines or manuals prepared for the operators and the drivers so that they can get a better understanding on how to transport animals. The European Commission does not see the necessity of introducing new rules but there should be a better implementation of the existing ones.

Questions and debate

Janusz Wojciechowski (ECR, PL) asked from which source the Commission gets the information about the practical implementation and enforcement of the Animal Transport Regulation.

The Chairman replied that the Member States are obliged to send every year a report to the European Commission indicating the number of controls carried out and the frequency of errors. In 2009, Sweden has carried out just 24 controls at departure and arrival times, but not a single control during the transport on road. Some other Member States have made a bigger effort but others have had an error rate of over 50 %. Implementation and enforcement are the big failures of the current Regulation.

Denis Simonin (DG SANCO): For the time being the rate of checks is decided by the Member States in a local context. There are currently no provisions which set a particular number of controls during a specific amount of time. Perhaps amendments could be made for the implementing measures or something even more specific in this area. The Commission's Food and Veterinary Office (FVO) verifies if the Member States carry out their controls and how they are enforced.

Jörg Leichtfried (S&D, AT): agreed with what had been said by the Chairman. The problems lie on one hand in the Regulation itself but on the other hand it is the insufficient controls which are unacceptable. The Commission must come up with a new system that legally binds the Member States to carry out a certain number of controls. It must also give clear guidelines how to carry out the controls.

He also asked his Member colleagues to support the new written declaration Nr 46 **on the marketing of eggs from hens housed in outlawed cages**¹.

Tamara Miczki (Parliament official) reinforced what Mr Leichtfried had said. Hungary has massive problems with controls. The veterinary services do not have the right to stop a lorry on the way. They need the police to do it who are usually not aware about the rules they have to check. Their cooperation with the veterinarians is almost inexistent. The other problem is that lorry drivers signal ongoing inspections to other lorry drivers so that they avoid the controls. The only control posts are on the borders. Since Schengen lorries going to the west are never checked. The only places where they are stopped are on the borders with Romania, the Ukraine and Serbia but a lot of corruption takes place there.

The Chairman confirmed that the situation is exactly the same in Sweden. The Police have no idea of what to check.

¹ <http://www.europarl.europa.eu/activities/plenary/writtenDecl/wdFastOngoing.do?language=EN>

Janusz Wojciechowski (ECR, PL) agreed that the current control system is dramatically weak and reported about the situation in Poland. For some, Regulation (EC) No 1/2005 is adequate but it is not enough to ensure the protection of animals during transport. There is an urgent need for more action in this area. Perhaps the Regulation contains some good aspects but the control system is completely insufficient. For the national control bodies animal welfare is not a priority as they are in charge of checking a variety of other issues.

The Chairman said to be quite surprised by Mr. Simonin's final remark that the Commission would not come forward with a new rules. Most infringements to the rules happen in resting areas. If the transport time of animals destined for slaughter would be reduced to eight hours the resting times would fall away thus avoiding a lot of red tape. It would reduce many of the animal welfare problems, would save costs and would ensure a better implementation of the law.

He agreed with some of Mr Simonin's remarks on space allowance but criticized the Commission's tendency to only rely on economic or the scientific facts provided by EFSA reports. These evaluate the maximum bearable limits of suffering for animals to set the thresholds for future rules. He reminded that the Commission has a duty to work according to the basic values of the Treaty which include also the respect of animals as sentient beings.

Denis Simonin replied that there are a lot of technical and practical issues for which the Commission does not have necessarily a solution. To cut down transport times will not solve all the problems like the fitness for travel.

There are areas where improvements can be made. He agreed that it is important to reinforce the checks to be carried out in the Member States. He also agreed that the police is often not very well trained. Certain Animal Welfare NGOs have provided the French Police with some training on animal transport and the result has been very positive. There are many different controls and checking strategies that could be applied.

Adding new rules will not necessarily bring specific results. For the time being the Commission's idea is to ensure that the Regulation is properly enforced. For this it will focus on practical issues in terms of enforcement and implementation. Sufficient resources will be crucial in this regard.

V. The latest evidence on the welfare of horses during transport

Joanne White, Campaigns Adviser at the World Horse Welfare² spoke about her organisation's latest evidence on the transport of horses which was completed and submitted to the European Commission in October. It contains recommendations for welfare improvements and a way forward in terms of future legislative developments.

The World Horse Welfare is based in the United Kingdom and works around the world to improve the welfare of horses. It undertakes field investigations, scientific research and desk research to find factual evidence that can help to work out better solutions. The organisation collaborates with industry and is part of the European Horse Network³ which was initiated in 2009 and has Members in different Member States.

In terms of the improvements on equine welfare the ultimate goal is to end long distance transportation of horses for slaughter replacing it with a carcass trade. This is the only way to tackle the current welfare problems.

The short term goal is to introduce improvements to the transport of horses destined for slaughter looking at a robust enforcement.

The World Horse Welfare has released a first *Dossier of Evidence* in 2008 which comprised a number of years of evidence and recommendations for change. The latest update of the dossier focuses on journey times, fitness for transport and water provision. In early 2012 a second part of the dossier will address the issues of space allowances and other vehicle requirements. The key concerns highlighted in the dossier are exhaustion, dehydration, injury, disease and stress.

There is no typical type of horses or donkeys that are being transported. The World Horse Welfare has seen everything from heavy overweight, obese working horses through to light-weight sports horse types and a whole spectrum in between.

² <http://www.worldhorsewelfare.org/>

³ <http://www.europeanhorsenetwork.eu/>

Fatigue and exhaustion

The field observations made when talking about fatigue and exhaustion consist in a lack of response to stimuli and in the attempts of horses to lie down despite being tight very short. Transport is very tiring for horses. Their high centre of gravity makes them unstable by nature. They need to use their head and neck and room to spread their legs in order to balance. Scientists have highlighted the need of bracing movements for horses to maintain balance. This involves considerable energy losses especially in context of very long transport times. Equidae transported and intended for slaughter do not have the adequate physical fitness or prior preparation to withstand transportation over long distances. The energy loss actually increases also the risk of injury and diseases.

Dehydration

Dehydration causes serious welfare problems. At present, it is common practice to give only small amounts of water to horses that are being transported to slaughter. Under these conditions horses can become severely dehydrated within ten hours. This leads to heat stress, fatigue and gastro intestinal disturbances.

Fresh water access must therefore be provided ad libitum along with good quality forage prior to the journey, during rest stops and upon arrival ad destination.

Stress

The horses destined for slaughter are very inexperienced in terms of transportation. They may never have been transported before, so there are high levels of stress associated.

Temperature extremes

Excessive 40 degrees have been recorded in some vehicles transporting horses.

Injuries

Both chronic and acute injuries are commonly observed. The most recent investigations have shown that 84% of horses had at least one injury. This is the most visible evidence for the pain and discomfort endured by the horses during transport. The chronic injuries also raise the issue of fitness for travel.

Space allowances

The current EU legislation is not adequate concerning space allowances. Horses over a certain size do not fit into the legal requirements. This needs to be urgently changed because a considerable part of the horse population transported to slaughter is oversized. Moreover, the horses are commonly transported at a 90° angle orientation which offsets their natural ability to balance and brace. The current space 90° angle and poor partition design are the cause of frequent injuries

Partitions can and do provide protection for horses if they are used correctly. The current problem is that the Regulation leaves the partition design open to interpretation. It gives no clear definition of what the design should actually entail in terms of protecting horses.

Disease

Research has shown consistent problems related to the spreading of diseases. Mixing horses from different places creates poor bio-security. Horses transported from 6-12 hours have increased amount of mucus production which is a vector for disease spread.

Journey times

In its report EFSA has recommended to further limit the journeys for horses. According to latest scientific evidence the World Horse Welfare suggests restricting journeys times for horses destined for slaughter to 9-12 hours. This would also be compatible with current driver's times, and would thus streamline the legislation. It would allow transporting horses to a licensed slaughterhouse. It would also help to improve enforcement and could save money.

Conclusions

The World Horse Welfare welcomes the fact that the European Commission is highlighting the need of robust enforcement and to better harmonise the enforcement procedures across all Member States. It also welcomes their intention to provide clear guidance to the stakeholders. This needs to be taken forward in terms of fitness for travel and water provision.

Article 32 of the current Animal Transport Regulation states that the impact report may be accompanied if necessary by appropriate legislative proposals, in particular as regards journey times, resting periods and space allowances.

The World Horse Welfare would urge the European Commission to take this forward because this is the only way to tackle the current issues facing horses. Enforcement is part of the process but the current observations show that the only way to tackle the welfare issues is to introduce a short final journey limit. The World Horse Welfare requests that this is taken forward and is open to assist with guidance. The satellite navigation system needs to be applied consistently as this is one of the best aspects of the Transport Regulation. Joanne White suggested organising a conference of the key stakeholders to discuss how enforcement can be improved and to develop guidance.

Questions and debate

Janusz Wojciechowski (ECR, PL) said that if it was up to him he would be in favour of a total ban on the killing and slaughtering of horses. Transportation times should be limited to 8 hours.

The Chairman said that EFSA report is very clear when it comes to reduce the transport times for horses and rabbits.

Claire Brennetot, assistant to **George Lyon (ALDE, UK)** asked if an economic analysis on the impact of reduced transport times would be available if fostering carcass trade could be a solution.

Joanne White stressed that a comparison of carcass versus live trade has been already prepared by her organisation. If the current Regulation were enforced the carcass trade would become more attractive. In Poland there has been already an increased movement of horse carcasses over live trade.

The Chairman said that probably more carcasses could be stored in a truck than live animals. Thus, it could be more economically attractive.

Denis Simonin replied not to be aware about a specific economic study on this issue. The consumption of horse meat is mainly concentrated in Italy, France and Belgium. The transport of live animals is also due to the fact that in some regions it is still preferred to slaughter animals in place. The horsemeat market is rather for local distribution than something which is sold in supermarket chains.

The Chairman said that this will be found out in the process of the upcoming proposal of the Commission which he was sure would come.

Jo White proposed to send the report on carcass versus live trade to all those who were interested. One of the reasons why horses are still transported to slaughter over very long distances is that the industry can label the meat with the indication of where the horses have been slaughtered rather than being labelled with the country of origin.

Sabine Ohm from Provieh agreed that according to her knowledge the new requirement regarding the indication of the country of origin does not include horse meat. It was accepted just for pigs and some other species and it is going to be studied for milk. She asked if any impact study was envisaged by the Commission to label the country of origin for horses.

Chairman replied that the Parliament and the Council have agreed earlier this year in the context of the dossier on '*food information to consumers*' that meat should be labelled and that the Commission should prepare impact assessment within two years regarding the labelling of processed meat. He acknowledged that horse meat was not specifically mentioned in this context.

VI. Closing remarks

The next Intergroup meeting will be held on Thursday 15th December 2011 from 10.00-11.00 hrs in the room, LOW N3.2 and will focus on the Common Agricultural Policy. Detailed information will be sent out in time.

ATTENDANCE**Members of the European Parliament (15)**

| | | |
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| Agnew John Stuart | EFD | UK |
| Arsenis, Kriton (Vice-President) | S&D | GR |
| Ashworth, Richard | ECR | UK |
| Glattfelder, Bela | EPP | HU |
| Griffin, Nick | NI | UK |
| Gustafsson, Mikael | EUL/NGL | SE |
| Leichtfried Jörg (Vice-President) | S&D | AT |
| Martin, David (Vice-President) | S&D | UK |
| Nicholson, Jim | ECR | UK |
| Pietikäinen Sirpa (Vice-President) | EPP | FI |
| Poc, Pavel | ECR | CZ |
| Schlyter, Carl (President) | Greens/EFA | SE |
| Striffler, Michèle | EPP | FR |
| Wojciechowski, Janusz (Vice-President) | ECR | PL |
| Zanoni, Andrea | EPP | IT |

Assistants and Trainees to Members of the European Parliament (20)

| | |
|---------------------|---|
| Boyle, Robert | Assistant to Mr Davies (ALDE, UK) |
| Brennetot, Claire | Assistant to Mr Lyon (ALDE, UK) |
| Calwert, Emma | Assistant to Mrs de Brún (GUE/NFL, UK) |
| Carter, Robert | Intern to Mrs Lambert (Greens/EFA, UK) |
| Colbert, Niall | Intern |
| Cummings, John | Assistant to Ms Sârbu (S&D, RO) |
| Elzer, Nina | Assistant to Mrs Hirsch (ALDE, DE) |
| Faloci, Chiara | Assistant to Mr Zanoni (EPP, IT) |
| Fiala, Judith | Assistant to Mr Leichtfried (S&D, AT) |
| Jehle, Regina | Assistant to Mrs Jeggle (EPP, DE) |
| Kerr, Laura | Assistant to Ms Foster (ECR, UK) |
| Kissanen, Vivi | Intern to Mrs Pietikäinen (EPP, FI) |
| Matikainen, Laura | Assistant to Ms Pietikainen (EPP, FI) |
| Modlinska, Ewa | Intern to Mrs Jędrzejewska (EPP, PL) |
| Pahlen, Marita | Assistant to Mr Schlyter (Greens/EFA, SE) |
| Schmacker, Remke | Intern |
| Sergo, Leida | Assistant to Ms Paulsen (ALDE, SE) |
| Sokolowska, Urszula | Assistant to Mr Simpson (S&D, UK) |
| Sprackett, Joanna | Assistant to Mr Taylor (Greens/EFA) |
| Stolz, Matthieu | Assistant to Mrs Striffler (EPP, FR) |

Guest Speakers Observers and Secretariat (13)

| | |
|---------------------|---|
| Ball, Chris | Consultant |
| Bastino, Valentina | European Commission; DG Environment, |
| Chehlarova, Rada | European Commission, DG SANCO, |
| Erler, Andreas | Eurogroup for Animals, Political Officer, |
| Van Tichelen, Sonja | Eurogroup for Animals, Director |
| Grandmougin, Thomas | PMAF |
| Jakobson, Joeres | Interpreter |
| Miczki, Tamara | EP staff |
| Norgren, Agneta | European Commission, DG SANCO |
| Ohm, Sabine | Provieh |
| Schoch, Liliane | Comurnat |
| Simonin, Denis | European Commission, DG SANCO |
| Timofte, Alina | European Commission, DG SANCO |
| Wylie Daniel | EFA Group |
| Zerger, Corinna | Greens/EFA |