

**Opening Statement to the Joint Oireachtas Committee Meeting on Agriculture, Food and the Marine
on Further Consideration of EU COM (2023)770 - Proposal on the protection of animals during
transport and related operations.**

Chairman, I would like to thank you and the members for this opportunity to address the Committee in relation to this important topic - the EU COM (2023) 770 proposal on the protection of animals during transport and related operations.

My name is Lorna Meaney, Senior Superintending Veterinary Inspector with the Department of Agriculture, Food, and the Marine. I am joined this evening by my colleagues, Dr. Martin Blake, Chief Veterinary Officer and Dr. Aidan Cahill, Superintending Veterinary Inspector. We are very pleased to be here, and I hope we can assist the members of the Committee in their evaluation of these draft proposals.

Background

Regulation (EU) 1/2005 provides the current legislative basis for the regulation of the transport of live animals. While this was an excellent piece of legislation that vastly improved welfare standards at the time of publication, advances in science and technology in the past 20 years and consequent changes in societal values require that it be updated.

Since 2019, several EU Council Conclusions highlighted the need for higher animal welfare standards when animals are moved in the context of an economic activity¹. In 2022, following a report by the European Parliament enquiry committee on animal transport (ANIT committee), the European Parliament adopted its recommendation on the protection of animals during transport and recommended revision of the Transport Regulation².

The EU Commission carried out a Fitness Check of the EU animal welfare legislation³, which was finalised in 2022. It commissioned an impact assessment, conducted public consultation, and engaged

¹ Council of the EU, [Council Conclusions on an EU-wide animal welfare label](#), 15 December 2020 (Ref 14047/20); Council of the EU, [Council conclusions on animal welfare during maritime long distances transport to third countries](#), 28 June 2021 (Ref 10235/21).

² [European Parliament recommendation of 20 January 2022 to the Council and the Commission following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union \(2021/2736\(RSP\)\)](#)

³ European Commission, *Commission Staff Working Document, Fitness Check of the EU Animal Welfare Legislation*, [SWD\(2022\)328 final](#)

with a variety of stakeholders including business operators, NGOs, citizens, and National Authorities. It also commissioned a report from the European Food Safety Authority on animal welfare at transport- this was published in September 2022 and made recommendations based on the best scientific evidence available. The Commission announced its intention to revise the EU legislation on animal welfare as part of its work programme and in December 2023 it published a legislative proposal⁴ on draft new rules on protection of animals during transport, to replace Regulation (EC) No 1/2005. This text will now be subject to interinstitutional scrutiny in the EU's Ordinary Legislative Procedure, which will take many months before a final text is agreed and passes into EU law.

This legislation is of particular interest to Ireland. As an island Member State on the geographical periphery of Europe, Irish business operators face specific challenges in accessing, and trading within, the Single Market. Trade involving long distance transport of animals has additional challenges in that we are dealing with sentient beings. That said, Irish business operators have a long tradition with intra-community trade of animals and export outside of the EU.

Having published the legislative proposal in December last, the Commission presented the proposal to Member State experts at a meeting in December. The file has not advanced any further in the intervening period. The Belgian Presidency has prioritised its work programme and has chosen to advance discussions of the proposal in relation to the welfare of dogs and cats and their traceability.

The proposed legislation

This is an extensive piece of legislation with much technical detail. I propose to highlight for you a number of the most relevant articles/elements in the proposed legislation that are new and or may potentially impact significantly on the current system.

Definitions: A new definition is proposed for 'place of departure' – the new proposal defines place of departure as either

- (a) the place where an animal has been accommodated for at least a week prior to departure and where it is first loaded onto a means of transport; or
- (b) an assembly centre if the animal has been collected within a distance of no more than 100 km.

⁴ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005 (COM/2023/770 final) [EUR-Lex - 52023PC0770 - EN - EUR-Lex \(europa.eu\)](#)

A derogation in the current legislation which allows livestock to be transported for longer than 100km to an Assembly Centre, if they are then rested for at least 6 hours, will no longer apply.

Article 14: This proposes an increase in responsibility for the organisers of long journeys. They will be responsible for ensuring compliance from journey start to end, including destinations in third countries.

Article 15: This proposes that journey logs for all long journeys and short journeys to third countries and transport authorisations, certificates of competence and vehicle approval certificates will be fully digitised and managed through the TRACES (Trade Control and Expert System) computer platform.

Article 16: This proposes that transporters submit online journey logs through the TRACES platform, for short journeys within the Union. These will not require approval by the competent authority.

Article 19: This proposes that drivers must check the animals being transported at least every 4.5 hours during transport to assess their welfare and fitness for transport. This is to align with rest stops that must be taken by drivers under road safety rules.

Article 21: This proposes a requirement for the transporter to designate an animal welfare officer who must travel on the vessel with the animals on long journeys by sea.

Article 24: This proposes that the means of transport by road must be equipped with a positioning system which will be required to communicate with an automated system, connected to the TRACES system.

Article 25: This proposes an obligation for all unloading, after both long and short journeys, to be supervised by a veterinarian.

Article 27: This proposes maximum allowable journey time to be limited to 2 cycles of 21 hours (10 driving +1 rest on truck +10 driving) with unloading and a rest period of 24 hours between each cycle. The maximum journey-stage time currently allowed for weaned animals is of unlimited cycles of 29 hours (14 hours driving + 1 hour rest on the truck + 14 hours driving) followed by unloading and a 24-hour rest.

Article 28: This proposes that transport of animals other than birds and rabbits to slaughter may only be on journeys < 8 hours, unless there is no slaughter facility available for the species within that radius. Transport of poultry to slaughter cannot be more than 12 hours, except in the case of end-of-lay hens, which cannot be transported for longer than 10 hours.

Article 29: This proposes

- (1) A maximum 8-hour transport time for unweaned calves, but by derogation a journey of 9 hours driving-time, followed by a one-hour rest (without unloading), followed by another 9 hours driving, can be allowed if the lorry has an approved feeding system with the ability to feed calves on milk replacer without unloading.

Provision is to be made by future implementing acts of the Commission to set up a legal mechanism for approving in-truck feeding systems.

- (2) Unweaned calves (and other mammals) must be provided with *ad libitum* access to water and fed with appropriate milk replacement at 9-hour intervals.
- (3) Time spent travelling at sea will not be counted as journey time, but unweaned animals must be fed on milk replacer every 9 hours from the start of the journey.

Article 31 (2): New proposed rules on transport during hot and cold temperatures are more complex than those in Regulation 1/2005 and are based on meteorological predictions rather than based on temperature monitoring inside the vehicle as at present.

Article 32: This proposes that Journey Logs for transport by livestock vessel to third countries can only be accepted when an 'attestation of acceptance of documentation' has been received from the third country of destination (i.e., the official veterinarian of the competent authority at the seaport of destination has declared that the documentation received provide adequate animal health and welfare guarantees and comply with the requirements applicable to the import into the country of destination).

Article 33: This proposes a requirement to establish an independent certification body to evaluate the first journey to a third country arranged by any organiser. The certification body may issue a certificate for transport of animals to third countries to the organiser if satisfied that the transport has taken place in accordance with the regulations.

Annex 1, Chapter I 1.(h): This proposes that calves of less than 5 weeks of age and weighing less than 50kg are considered unfit for transport of distances greater than 100km. Similarly, there is a 3 week age requirement for piglets, lambs and kids being transported for greater than 100 Kms

Annex 1, Chapter III (6): This proposes additional vertical height headroom per animal during transport. This will reduce the number of animals that can be transported in certain situations.

Annex 1, Chapter VII: This proposes very specific additional space per animal - based on average weight per animal during transport. This increases substantially the space required per animal when

compared to the current situation. For instance, the requirement set out in respect of a calf of 50Kg is approximately 50% more space than currently set down.

There is a proposed transition period of 5 years for changes in relation to the measures on transport positioning systems, journey times, rest periods, feeding and watering intervals, and minimum age and weight for unweaned calves. The proposal comments that a 5-year transition period is envisaged for requiring feeding of milk replacer to unweaned calves during transport, as despite recent technological developments, effective systems for feeding calves on the trucks are not in general use, and Member States need time to restructure their industry.

Conclusion

The Department of Agriculture, Food and the Marine welcomes the greater clarity and modernity of the proposed legislation, but nevertheless has concerns about some aspects which will no doubt be discussed and debated when the matter is brought forward for discussion during the inter-institutional discussions.

There are significant areas in the proposal where greater clarity is required - areas such as the mechanism for approval of feeding systems for un-weaned calves; certification bodies and how they will be approved; the scope of the proposals on space allowance and vertical height/headroom and whether they apply to both long and short journeys, etc. These issues will no doubt be clarified once discussions on the proposals get underway.

If enacted as currently written and to the extent that we understand their intent, the proposals would impact significantly on current arrangements in relation to transport of animals across the Union. Some issues will be common to all Member States whilst others may impact on some States more than others. These matters will be clarified, debated and negotiated on as part of the inter-institutional engagement.

The Department's primary and overarching objective is to ensure that whilst continuing to advance and protect the welfare of animals being transported, that Irish businesses have access to the Single Market just as businesses in other Member States and are not disadvantaged in so accessing the Single Market. In this regard it is important that new transport rules recognise Ireland's particular geographical circumstances and the right of its businesses to have full access to the Single Market in the same way as business operators in other Member States. Our focus will be on seeking to deliver

legislation that ensures high welfare intracommunity transport and trade in animals and also the export of animals outside the Union.

The Department has identified and shared the main proposed changes with the key stakeholders - farming bodies, marts and industry - through the calf stakeholder forum and with the live exporter associations and have sought their feedback. The Minister has also written to Commissioner Kyriakides outlining key strategic concerns. Officials have had engagement with the Commission.

Chairman, I would like to again thank you and the members for the opportunity to address the Committee on this matter which is of critical importance to Ireland, and I hope that I have given members of the Committee a good overview of the Proposed Changes to the Animal Welfare in Transport Regulations. My colleagues and I will be pleased to answer any questions the Committee may have.

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