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From: General Secretariat of the Council

To: Delegations

Subject: Council conclusions on animal welfare - an integral part of sustainable
animal production
- Council Conclusions (16 December 2019)

Delegations will find in Annex the Council conclusions on the above-mentioned subject adopted by the Council on 16 December 2019.

**COUNCIL CONCLUSIONS ON ANIMAL WELFARE - AN INTEGRAL PART OF
SUSTAINABLE ANIMAL PRODUCTION**

WHEREAS

- (1) The welfare of animals is an issue of high importance to European citizens and has been recognised as such by Union law, in particular, Article 13 of the Treaty on the Functioning of the European Union.

- (2) Public opinion surveys indicate a high level of concern about animal welfare:
 - a. Eurobarometer revealed in 2015¹ that the majority of the respondents considered that improvements were needed in farm animal (82% of respondents) and companion animal (74% of respondents) welfare. In addition, citizens consider it important that imported products from outside the EU respect the same animal welfare standards as those applied in the EU and that the EU should do more to promote a greater awareness of animal welfare, including at international level.

 - b. According to Eurobarometer, in 2018², the emphasis of both public opinion and public policy has shifted to focus more on food quality, animal welfare and environmental standards.

¹<https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/search/Attitudes%20of%20Europeans%20towards%20Animal%20Welfare/surveyKy/2096>

²<https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/SPECIAL/search/Europeans.%20Agriculture%20and%20the%20CAP/surveyKy/2161>

- (3) Animal welfare is also linked to food security by contributing to resilience, resource efficiency and social equity/responsibility outcomes, as concluded by the Committee on World Food Security³. In addition, better animal welfare provides benefits to the producer through reduced mortality, improved health and the higher quality, yield and price of the final product. A particularly important consequence of better animal welfare is that animals are more resistant to pathogens⁴. This reduces the need for medication and therefore contributes to the fight against antimicrobial resistance, and supports biosecurity measures in managing animal diseases.
- (4) The existing EU legislation on animal welfare has been developed gradually over the years with a view to better ensuring the welfare of animals whilst maintaining a level playing field for farmers and operators within the EU. However, the legislation is not comprehensive as it does not include specific minimum standards for the protection of many farmed animals, such as dairy cows, fattening cattle, sheep and goats, farmed fish, farmed rabbits, pullets, turkeys, geese and ducks.
- (5) In 2012, the Commission published the European Union Strategy for the Protection and Welfare of Animals 2012-2015⁵ (2012-2015 Strategy), which identified a list of measures to improve welfare standards and to support enforcement and compliance across the EU.
- (6) The EU Platform on Animal Welfare was established in 2017 by the European Commission. The platform has been successful in promoting dialogue on animal welfare issues among competent authorities, industry, civil society and scientists, thereby facilitating the sharing of best practices and other experience. The future of the platform needs to be determined.

³ The Committee on World Food Security (CFS), 2016. Recommendations on Sustainable agricultural development for food security and nutrition: what roles for livestock? <http://www.fao.org/cfs/home/products/en/>

⁴ EFSA, 2017. EMA and EFSA joint scientific opinion on measures to reduce the need to use antimicrobial agents in animal husbandry in the European Union, and the resulting impacts on food safety (RONAFA). EFSA Journal 15 (1). <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2017.4666>

⁵ European Union Strategy for the protection and welfare of animals 2012-2015 https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu_strategy_19012012_en.pdf

- (7) Based on Articles 95 and 96 of the Official Controls Regulation, the Commission has designated two reference centres for animal welfare. The first was established in March 2018 and covers pig welfare and the second was established in October 2019 and covers the welfare of poultry and other small farmed animals. There is a need to ensure that the reference centres can fulfil their tasks and provide the competent authorities and the Commission with reliable, up-to-date information on the most recent research findings, new techniques, animal welfare indicators and good practices needed to facilitate the correct application of legislation and verification of compliance.
- (8) There have been calls for further action with certain Member States highlighting the need for better regulation, better animal welfare and awareness-raising about EU standards and knowledge (e.g. the Joint Declaration of Denmark, Germany and the Netherlands on Animal Welfare of 14 December 2014⁶) and the Position paper of Denmark, Germany, Netherlands and Sweden on revising Council Directive 2008/120/EC⁷). In addition, the European Parliament has called for more comprehensive legislation and better enforcement of the existing legislation^{8 and 9}. In 2016, the Commission concluded in a report¹⁰ that the lack of enforcement of EU legislation represents one of the main problems affecting the welfare of animals and that better understanding of the rules is required.
- (9) Under the Bulgarian, Austrian and Romanian presidencies, in-depth discussions were held on the challenges of long-distance transport for animal welfare. In spite of the progress made on enforcement of Council Regulation (EC) No 1/2005 on animal transport, clear shortcomings and inconsistencies remain. Rules need to be better enforced, including the rules covering temperatures and journey times. Moreover, better use of the retrospective checks and the TRACES system should be ensured as well as active co-operation between competent authorities in Member States and third countries.

⁶ 16923/1/14 REV 1

⁷ 5708/16

⁸ European Parliament resolution 26 November 2015 on a new animal welfare strategy 2016-2020

http://www.europarl.europa.eu/doceo/document/TA-8-2015-0417_EN.html?redirect

⁹ European Parliament resolution 14 February 2019 on protection of animals during transport within and outside the EU

http://www.europarl.europa.eu/doceo/document/TA-8-2019-0132_EN.html

¹⁰ EU Commission, 2016. Report to the European Parliament and the Council on the implementation of Council Directive 98/58/EC concerning the protection of animals kept for farming purposes

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016DC0558>

- (10) Over the years, several EU guidelines, studies and reports have been published covering animal welfare topics such as killing, breeding, transport, education, consumer information and the welfare of dogs and cats involved in commercial practices. However, in spite of considerable efforts in many Member States, the weaknesses in enforcement of legislation cannot be solved merely through guidance or information, while the legislation is open to different interpretations.
- (11) A number of recent scientific opinions issued by the European Food Safety Authority (EFSA) and other scientific publications are available and can be used to help prepare and revise animal welfare legislation.
- (12) Legislation is not the only means by which animal welfare can be promoted, and a number of voluntary measures are available, such as quality standards and animal welfare programmes. Voluntary animal welfare programmes connected with special labelling have already been launched in some Member States. They have been well received by consumers, who have been able to base their purchasing decisions on animal welfare considerations, whilst producers have received a premium for their efforts. However, the transparency and credibility of such schemes needs to be ensured.
- (13) In 2019, the Council adopted conclusions¹¹ based on a Court of Auditors report¹² which acknowledged some significant progress in areas such as the group housing of sows and the ban on unenriched cages for laying hens. The conclusions noted that there were still some weaknesses as regards compliance with minimum standards and that the financial resources of the common agricultural policy could be better used to promote higher animal welfare standards.

¹¹ Council conclusions (12 February 2019) <https://data.consilium.europa.eu/doc/document/ST-11073-2019-INIT/en/pdf>

¹² European Court of Auditors. Special report No 31/2018 on animal welfare in the EU
<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=47557>

- (14) In 2019, the European Parliament¹³ called on the Commission and the Member States to promote a shift, where possible, towards the transportation of meat or carcasses, instead of live animals. The European Parliament also made other recommendations concerning implementation and enforcement of the transport legislation and prosecution of breaches.
- (15) It would be valuable to have more discussion on the sustainability aspects of long-distance transportation of live animals and the impact of the various motives of the trade.
- (16) In its report on the competitiveness of European livestock producers (2018)¹⁴, the Commission concluded that animal welfare requirements were not critical in determining relative cost competitiveness. It also concluded that other factors such as labour or feed costs played a much larger role. On the other hand, it noted that the EU has been very influential in raising awareness of animal welfare standards globally and that these efforts need to be continued.
- (17) In May 2019, the Commission launched an evaluation of the 2012-2015 Strategy, as recommended in the ECA report. The purpose of the evaluation is to assess the extent to which the EU Strategy has achieved its intended objectives and the extent to which those objectives remain relevant and coherent today. The evaluation is scheduled for adoption by the end of 2020.

THE COUNCIL OF THE EUROPEAN UNION:

- (1) EMPHASISES that good animal welfare is an integral part of sustainable animal production.
- (2) EMPHASISES that good animal welfare in general improves animal health and reduces the need to use antibiotics, and consequently reduces antimicrobial resistance. However, in certain situations animal welfare measures need to be adjusted to the animal disease situation to ensure sufficient biosecurity.

¹³ European Parliament resolution on protection of animals during transport within and outside the EU
http://www.europarl.europa.eu/doceo/document/TA-8-2019-0132_EN.html

¹⁴ Report from Commission to the European Parliament and Council on the impact of animal welfare international activities on the competitiveness of European livestock producers in a globalised world
<https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52018DC0042>

- (3) RECOGNISES that EU animal welfare legislation and voluntary activities and investments by farmers and other operators have led to improvements in animal welfare.
- (4) WELCOMES the external assessment of the outcome of the 2012-2015 Strategy and INVITES the Commission to develop a new Strategy that also takes into account that assessment.
- (5) RECOGNISES that whilst there is overarching legislation dealing with animal welfare in all animals kept for farming purposes and more specific legislation dealing with calves, pigs, broilers and laying hens, animal welfare legislation could be further developed or updated to take into account practical problems in the existing legislation, more recent scientific knowledge and technical development in order to improve animal welfare and harmonisation. Existing requirements needing further development are, in particular, animal transport, pig welfare, painful procedures and animal welfare indicators. STRESSES that the conditions for animal slaughter can be improved, in particular by encouraging scientific research on stunning and ‘simple stunning’ within the meaning of Article 4 of Regulation No 1099/2009.
- (6) INVITES the Commission to assess the need for and impact of new legislation covering all animal species kept in the context of an economic activity for which specific animal welfare legislation does not exist at present, in particular cattle at least six months old, farmed rabbits, pullets, dogs and cats but also, turkeys, broiler and laying hen breeders, sheep, goats and farmed fish.
- (7) STRESSES the need to improve the welfare of animals during transport over long distances. As a short-term goal, ENCOURAGES the Commission and the Member States to find solutions that will facilitate enforcement of the existing transport legislation, including through the further development of ways in which to exchange information between the authorities of the Member States, and CALLS for more discussion in different forums concerning the sustainability of trade in live animals versus meat. ENCOURAGES the Commission to review and update Regulation (EC) No 1/2005.

- (8) RECALLS that any amendments to the existing legislation or new legislation should be based on the latest scientific research and experience from Member States and that new scientific research should be initiated when needed.
- (9) EMPHASISES that scientific expertise and further coordination are also required in order to harmonise the enforcement of existing legislation at EU-Level. Harmonised enforcement efforts should be supported by the national contact points on animal transport and should make use of information provided by the EU Reference Centres for Animal Welfare and the EU Platform on Animal Welfare.
- (10) APPRECIATES the activities of the EU Platform on Animal Welfare and SUPPORTS its continuation as a valuable forum in which to promote dialogue between relevant stakeholders. ENCOURAGES the Commission to assess the work of the Platform and develop it further, especially in terms of better involvement of all Member States.
- (11) ENCOURAGES the Commission to provide sufficient resources for the EU reference centres for animal welfare and to open a call for additional centres covering, for example, ruminants and equids, including their transport and killing operations.
- (12) INVITES the Commission to assess the need for and impact of an EU regulatory framework with criteria for animal welfare labelling schemes taking into account national experience.
- (13) ENCOURAGES the Member States to make efficient and effective use of the financial resources of the common agricultural policy to genuinely improve animal welfare.
- (14) RECOGNISES the importance of promoting the welfare of animals globally as well as the competition that EU farmers are facing in global trade and, consequently, STRESSES the importance of including animal welfare in free trade agreements as far as possible and SEES these agreements as one of the ways in which to promote animal welfare globally.

- (15) Strongly WELCOMES the active involvement of the Commission and the EU Member States in the development of the OIE standards, guidelines and its other activities including OIE Platform on Animal Welfare in Europe as well as twinning, training and other international activities. ENCOURAGES the continuation of that work with a particular focus on countries to which live animals are exported and from which animal products are imported into the EU. It further ENCOURAGES the promotion of the application of the standards of the OIE Terrestrial Animal Health Code on transport of animals by land and sea, on slaughter and on farm animal production systems.
- (16) ENCOURAGES the Commission and the Member States to support further communication and education to the public, operators and trading partners of the essential role of good animal welfare standards in supporting animal health, food safety, food security and a sustainable agro-food sector.
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