

Timetable for EU animal welfare legislation changes

Analysis Report*

May 2010

EU to drive animal welfare legislation

With the Lisbon treaty now in force, developments impacting animal welfare legislation and policy, **with possible consequences for trade**, are set to be driven increasingly at EU level. There are a number of initiatives regarding animal welfare that are currently in motion that have their own timetable but are ultimately linked. Amongst others they include:

(i) Animal Welfare Action Plan: The Community Action Plan for animal welfare 2006-2010 will be succeeded by a follow up plan for the 2011-2015 period. The Commission has mandated an external consultant to evaluate the EU policy on Animal Welfare with reference to farm animals, experimental animals, pet animals and wild animals which are kept in captivity or submitted to a treatment which is controlled by humans. In addition, the European Parliament has laid out its position in an own initiative report written by Swedish MEP Marit Paulsen. In brief, this calls for the creation of a general animal welfare law with common standards applying to domestic producers and also for imported products. It also wants a level playing field between countries within the EU while calling for international OIE standards to encourage good standards of welfare that properly reflect the scientific evidence in this field. Furthermore, it notes that the current action plan is focused on food-producing animals and that there is a need to bring other categories of animals into the Action Plan 2011 – 2015.

Timing:

- May 2010: The plenary vote on Marit Paulsen's report took place on 05 May 2010 and the legislative resolution adopted has been forwarded to the Commission and the Council.
- December 2010: The evaluation being carried out for the Commission by its consultants is to be achieved for December 2010.
- End 2010/Early 2011: The Commission will consider the views of Parliament, as well as the advice from its consultants and interested parties and come forward with its proposal on a new animal welfare action plan.

(ii) Animal Welfare labelling: A Commission communication on a feasibility study on animal welfare labelling was adopted at the end of 2009. While the EU is likely to front-load food animals first, sources indicate that there will at a later stage be legislation on future labelling schemes. What is not yet clear is whether these new standards will be compulsory prerequisites for continuing to farm or whether they will only be required to receive the "animal welfare label" being explored by the Commission. This crucial question will be strongly influenced by the development of a new EU welfare law.

Timing:

- The communication and the study are currently being considered by the Parliament and Member States.
- Implementation of an animal welfare labelling scheme is unlikely before 2012 but timing will be clearer when the animal welfare action plan is presented.

(iii) New EU welfare law: A reform of the current Directive 98/58 on the protection of animals kept for farming purposes is in prospect. The EU will propose welfare legislation which sets out general principles but will also have species specific complements, which will

be based on welfare indicators developed. While a reform is being suggested separately from other initiatives, any action on this front will be impacted by developments arising from other initiatives. For example, as part of their evaluation of the current animal welfare action plan, the Parliament has called for a single EU animal welfare law which increases pressure on the Commission to prioritise a possible reform in this area.

Timing:

- Timing will be clearer when the animal welfare action plan is presented. However, movement on this front is not likely before 2012.
- However, in the recently adopted European Parliament resolution on the report of Marit Paulsen, the Parliament calls for the Commission to submit a proposal for general animal welfare legislation for the EU by no later than 2014.

Shift to Animal Welfare legislation based on indicators

In general, it can be observed that the Commission favours shifting to the new approach of using indicators to measure animal welfare. The groundwork for future animal welfare legislation incorporating indicators has already been laid. Animal welfare indicators were studied in the Welfare Quality project which developed general principles and criteria for animal-welfare assessment at farm level. Detailed welfare-assessment protocols have been published for cattle, pigs, laying hens and broiler chickens. Indicators have already been integrated into the recently adopted legislation on the protection of animals at the time of killing. The Parliamentary resolution adopted on the Paulsen report calls on the Commission, on the basis of the final report of the Animal Welfare Quality Project, to propose a trial period for the assessment of animal welfare within the European Union using the methods developed in the Animal Welfare Quality Project. All this suggests legislation in the future impacting fur animals will also draw on indicators and protocols where available. At the same time Commission officials have indicated that it would prefer to see technical rules like indicators dealt with in implementing rather than primary legislation i.e. they would be easier to update without going through the entire legislative process.

Conclusion

In summary, the food trade sector is likely to be impacted by plans for animal welfare labelling and a reform of Directive 98/58 as well as measures designed to respond to Parliament's calls for a general animal welfare law, emphasis on animal welfare indicators and the incorporation of animal welfare objectives into the EU's trade policy negotiation strategy at an international level. In comparison to the development and implementation of the last animal welfare action plan, the inter-institutional context has now changed radically for the formulation of policy and adoption of legislation on animal welfare. For example, the Parliament is determined as ever to advance its objective. Since the ratification of the Lisbon treaty, the Parliament has co-legislating power with the Council on agriculture and has the power to veto trade agreements that it considers unfair to European producers.

A clear picture of the overall strategy regarding animal welfare will be set out when the Commission proposes a follow up action plan when the current one for 2006-2010 expires. This new action plan will outline the package of initiatives and planned legislation impacting animal welfare the Commission envisages in the years ahead.

*Credit: Schuman Associates, Brussels