

A Public Consultation on the Request for a Scientific Opinion Concerning the Protection of Terrestrial Animals During Transport

Abstract

EFSA wishes to consult interested parties about the mandate received by EFSA from the European Commission entitled the *Protection of Animals during Transport*. This draft document addresses the terms of reference of the mandate received from the European Commission requesting EFSA to review available scientific publications and possibly other sources to provide a sound scientific basis for future legislative proposals in relation to the welfare of terrestrial animals during transport. It also includes a section on the interpretation of the mandate by the members of the relevant working group as well as sections on the transport practices that will be assessed by EFSA according to the protocols as described in the mandate. The mandate Working Group considers that the transport practices described, are the most relevant for assessment. Nevertheless, this public consultation gives stakeholders the opportunity to provide useful information in relation to current transport practices that may have been omitted thereby enabling EFSA to produce a more comprehensive assessment. Therefore, it would be valuable to EFSA if stakeholders could identify any other transport practices, in addition to the common transport practices and the seven specific scenarios described, where *practical difficulties exist or where there is insufficient information in ensuring the welfare of animals* in question. It would also be very important for EFSA to learn what the practical difficulties are, and what the insufficient information is, for the seven specific practices or scenarios, and for any other additional practices identified. In addition, EFSA would welcome any available recorded data related to the microclimatic environment experienced by animals during transport. By microclimatic data we refer to the environmental temperature, humidity and ammonia levels that the animals are exposed to in their form of transport during the journey. It would be of particular value if these microclimatic conditions were linked to adverse welfare experiences as indicated by animal based measures (ABMs).

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1 Introduction

Within the scope of this public consultation, we wish to consult interested parties about the mandate received by EFSA from the European Commission entitled the *Protection of Animals during Transport*. This draft document addresses the terms of reference of the mandate received from the European Commission requesting EFSA to review the available scientific publications and possibly other sources to provide a sound scientific basis for future legislative proposals in relation to the welfare of terrestrial animals during transport. This document includes a section on the interpretation of the mandate by the members of the relevant working group as well as sections on the transport practices that will be assessed by EFSA according to the protocols as described in the mandate.

This public consultation is carried out in order for EFSA to gain feedback as to whether its interpretation of the mandate will answer the questions posed. The scientific assessment requested in the mandate has been requested in two parts. Firstly, for common transport practices, EFSA has been asked to: describe the relevant welfare consequences for each category of animals (listed in the mandate) during each stage of the transport process; define qualitative or quantitative measures to assess the welfare consequences during transport (animal based measures); identify the hazards leading to these welfare consequences, and to provide recommendations to prevent, mitigate or correct the welfare consequences (resource and management based measures).

Secondly, the Commission has described a list of seven specific transport practices where the Commission *has identified practical difficulties or insufficient information in ensuring the welfare of animals* being transported:

1. "Export by livestock vessels" - Transport of adult cattle, weaned calves and sheep over long journeys involving the combination road/livestock vessels.
2. "Export by road" - Transport of adult cattle, weaned calves and sheep over long journeys by road involving the use of facilities where animals are unloaded and reloaded (control posts, livestock markets) or when animals are kept in stationary vehicles for hours (exit points) including in third countries.
3. "Roll-on-roll off" - Transport of adult cattle, calves and sheep over long journeys involving the combination road/roll-on-roll-off vessels.
4. "End-of-career animals" - Transport of end of career animals to slaughterhouses of dairy cows, breeding sows, and laying hens.
5. "Unweaned calves" - Transport of unweaned calves over long journeys; this scenario will particularly consider the risks regarding fitness for transport, watering, feeding and thermal comfort of the current practices associated with inappropriate drinkers and liquid feed for unweaned calves.
6. "Horses" - Transport of horses on long journeys to slaughterhouses
7. "Special health status animals" - Transport of ruminants and pigs where unloading them before the final destination might jeopardize their health status.

For at least these seven specific practices or scenarios EFSA has been asked to propose detailed animal-based measures and where possible detailed binary (*yes/no*) or *quantitative preventive or mitigating criteria for any welfare consequences that are identified*.

This public consultation gives stakeholders the opportunity to provide useful information in relation to current transport practices thereby enabling EFSA to produce a more comprehensive assessment. Therefore, it would be valuable to EFSA if stakeholders could identify any other transport practices, in addition to the common transport practices described in section 3.2 below and the seven specific scenarios already identified, where *practical difficulties exist or where there is insufficient information in ensuring the welfare of animals* in question.

It would also be very important for EFSA to learn what the practical difficulties are, and what the insufficient information is in ensuring the welfare of animals in question, for the seven specific practices or scenarios and for any other additional practices identified.

In addition, EFSA would welcome any available recorded data related to the microclimatic environment experienced by animals during transport. By microclimatic data we refer to the environmental temperature, humidity and ammonia levels that the animals are exposed to in their form of transport during the journey. It would be of particular value if these microclimatic conditions were linked to adverse welfare experiences as indicated by animal based measures (ABMs).

Please note that *the Terms of Reference* as specified in the *Protection of Animal during Transport* mandate received by EFSA from the European Commission have been finalised and will not be subject to change.

2 Request for a scientific opinion concerning the protection of terrestrial animals during transport as provided by the European Commission

2.1 BACKGROUND

In the framework of its Farm to Fork strategy, the Commission will start a comprehensive evaluation of the animal welfare legislation. This will include the following acts:

Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes.

Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens.

Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves.

Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs.

Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production.

Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/976.

Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

These acts are based on scientific opinions that are outdated. The current EU legislation on the protection of animals during transport is based on a scientific opinion adopted in 2002. Since then the EFSA adopted opinions in 2004 (two opinions) and 2011.

In the context of possible drafting of legislative proposals, the Commission needs new opinions that reflect the most recent scientific knowledge.

Against this background, the Commission would like to request the EFSA to review the available scientific publications and possibly other sources to provide a sound scientific basis for future legislative proposals.

This request is about the protection of terrestrial animals during transport.

2.2 TERMS OF REFERENCE

The Commission therefore considers opportune to request EFSA to give an independent view on the protection of animals during transport for the following groups and categories of farmed animals:

Free-moving animals (group 1):

1. Equids (horses, donkeys and their crossings),
2. Bovine animals (cattle and calves),
3. Small ruminants (sheep and goats),
4. Pigs,

Animals in containers (group 2):

5. Domestic birds (chickens for meat, laying hens, turkeys, ducks, geese, quails, etc.)
6. Rabbits.

The request refers to any journey, i.e. journeys of less than 8 hours ("short journeys"), journeys of more than 8 hours ("long journeys") and long journeys that need unloading and/or feeding ("very long journeys").

2.2.1 Assessment of common transport practices

For each category of animals (1 to 6), the EFSA will describe, based on existing literature and reports, the current practices regarding:

- a. the preparation for transport (including catching and crating of poultry and rabbits), loading, unloading and handling of animals at all stages of the journey, including at destination
- b. the means of transport by road, roll-on-roll-off vessels, livestock vessels, the means of transport by rail and by air
- c. the conditions within the means of transport: space, microclimatic conditions, watering and feeding
- d. the journey duration and its circumstances as well as the resting of animals in the vehicle being stationary or being unloaded
- e. the conditions for areas where animals are unloaded and/or grouped as part of the journey (assembly centres, livestock markets, control posts, EU ports)

Additionally, for each of the above practices, the EFSA will:

- Describe the relevant welfare consequences for each category of animals during each step of the process. Relevance will not need to be based on a comprehensive risk assessment, but on EFSA's expert opinion regarding the severity, duration and occurrence of each welfare consequence,

- Define qualitative or quantitative measures to assess the welfare consequences during transport (animal based measures),
- Identify the hazards leading to these welfare consequences,
- Provide recommendations to prevent, mitigate or correct the welfare consequences (resource and management based measures).

2.2.2 Assessment of seven specific transport practices

For the following scenarios, the Commission has identified practical difficulties or insufficient information in ensuring the welfare of animals. At least for them, the EFSA is asked to propose detailed animal-based measures and preventive and corrective measures with, where possible, either qualitative (yes/no question) or quantitative (minimum/maximum) criteria (i.e. requirements to prevent and/or mitigate the welfare consequences):

1. "Export by livestock vessels" - Transport of adult cattle, weaned calves and sheep over long journeys involving the combination road/livestock vessels;
2. "Export by road" - Transport of adult cattle, weaned calves and sheep over long journeys by road involving the use of facilities where animals are unloaded and reloaded (control posts, livestock markets) or when animals are kept in stationary vehicles for hours (exit points) including in third countries;
3. "Roll-on-roll off" - Transport of adult cattle, calves and sheep over long journeys involving the combination road/roll-on-roll-off vessels;
4. "End-of-career animals" - Transport of end of career animals to slaughterhouses of dairy cows, breeding sows, and laying hens;
5. "Unweaned calves" - Transport of unweaned calves over long journeys; this scenario will particularly consider the risks regarding fitness for transport, watering, feeding and thermal comfort under Section c of the current practices associated with inappropriate drinkers and liquid feed for unweaned calves;
6. "Horses" - Transport of horses on long journeys to slaughterhouses;
7. "Special health status animals" - Transport of ruminants and pigs where unloading them before the final destination might jeopardize their health status.

For all scenarios, the EFSA will consider the risks regarding microclimatic conditions under Section c of the current practices associated with extremely high or low temperatures including the difficulty of measuring of temperature, humidity and gas concentration within animals' compartment.

3 Interpretation of the Terms of Reference

3.1 General interpretation

The Opinions will use definitions concerning transport of animals, provided by Council Regulation (EC) No. 1/2005 of 22 December 2004 on the protection of animals during transport and related operations, which entered into force in 5 January 2007. This Regulation applies to the transport of live vertebrate animals carried out within the Community, including the specific checks to be carried out by officials on consignments entering or leaving the

customs territory of the Community. The Regulation defines transport as the movement of animals effected by one or more means of transport and the related operations, including loading, unloading, transfer and rest, until the unloading of the animals at the place of destination is completed. Furthermore, EFSA will assume for the purposes of the scientific assessment that the minimum requirements laid down in the Regulation are followed. However, when practical difficulties in this regard are evident, this will be addressed in the Scientific Opinions.

The scientific assessment to be carried out by EFSA is to take two forms. Firstly, for all the common transport practices, as described in section 3.2 below, each animal category and means of transport will be identified, described and assessed in terms of welfare consequences, animal based measures, hazards leading to the welfare consequences and recommendations to prevent, correct or mitigate those welfare consequences. Secondly, for the seven specific industry practices listed in the mandate (and in section 2.2.2 above), for which there are practical difficulties in implementation of the legislation, or insufficient information, EFSA will provide more detail, where possible, meaning binary (yes/no) or quantitative preventive or corrective measures.

A list of welfare consequences will be developed, focusing on the effect on the animal's welfare. These welfare consequences can lead to negative affective states such as fear, pain and/or distress. The relevant welfare consequences are selected based on expert opinion considering the severity, duration and frequency of occurrence the welfare consequence. Each welfare consequence will then be linked to one or more ABMs that are indicative of it.

In some circumstances, valid and reliable ABMs may not exist, or are not feasible in the context of transport. For example, when all or some of the animals in a truck cannot be properly inspected. If welfare consequences are identified for the visible animals, it is plausible that other animals in the truck are also affected. In this type of situation particular emphasis will be given to the presence of hazards. If certain hazards are present, it can be assumed that the animals experience the related welfare consequences. Relevant measures to prevent the hazards or to mitigate the welfare consequences will also be identified. The identification of preventive measures is of particular importance in the transport of animals as corrective measures are often not possible to implement during the course of a journey.

During preparation for transport, animals might have various conditions, some of them already being a welfare consequence that will increase in magnitude during transport (injuries, disease). Certain other conditions, while not being a welfare consequence as such, are conditions that predispose the animal to experience welfare consequences if transported, for example, late stage pregnancy. Rather than assessing all welfare consequences that might occur at any given stage of a journey due to animals being unfit for transport, a separate section in the Scientific Opinions, focusing on preventive and corrective measures during preparation for transportation, will be developed.

For animals transported in cages, the catching and crating will be considered as part of the loading stage, not as part of the preparation (as in the mandate).

For the purposes of this scientific assessment, failure to implement or non-compliance with the current rules as specified in the transport regulation will not be considered. This is outside the remit of EFSA as a Risk Assessor. However, practices where it is not possible to implement the legislation will be covered.

EFSA's scientific assessment will not indicate what transport practices are acceptable, this is the function of a risk manager. EFSA's assessment will however ascertain the welfare consequences of an animal for a given practice or situation.

For the seven specific transport scenarios the Working Group may review scientific information from practices not currently accepted in the European Union and to assess the magnitude of welfare consequences not covered by the transport regulation.

In relation to the 1st specific transport practice, "export by livestock vessels", the assessment to be carried out by EFSA will cover the journey up to and including the unloading of the animals in question at port of destination in said 3rd country. A 3rd country is a country that is not a member of the European Union (or a member of the 4 EFTA countries).

In relation to the 2nd specific transport practice, the export of livestock to 3rd countries by road, the assessment to be carried out by EFSA will cover the journey up to and including the unloading of the animals in question at the premises of destination in said 3rd country.

For animals transported for slaughter, unloading and subsequent operations at the slaughterhouse has been assessed in recent EFSA Scientific Opinions (2019, 2020). For this reason, this will not be covered and the opinion will refer to previous opinions.

3.2 Identification and assessment of common transport practices

The following transport practices will be described and assessed as detailed in section 2.2.1 above:

1. The transport of horses (and their crossings) by road, Roll-on Roll-off ferry and by air.
2. The transport of cattle by road, "Roll-on Roll-off" ferry and by air.
3. The transport of un-weaned calves by road, "Roll-on Roll-off" ferry and by air.
4. The transport of sheep and goats by road, "Roll-on Roll-off" ferry, and by air.
5. The transport of un-weaned lambs and kids by road, "Roll-on Roll-off" ferry, and by air.
6. The transport of pigs by road, "Roll-on Roll-off" ferry, and by air.
7. The transport of broilers, pullets, end of lay hens, turkeys, geese, quail, game birds and day-old chicks (all species where they are transported) by road.
8. The transport of day-old chicks by air.
9. The transport of rabbits by road.

3.3 Assessment of seven specific transport practices

For at least the seven transport scenarios/practices, listed in section 2.2.2 above, EFSA will explore the relationship between relevant factors (e.g., space, microclimatic conditions, watering and feeding, and journey length) and the welfare consequences (e.g. heat stress, motion stress, restriction of movement, prolonged hunger) occurring to the animals as indicated by animal-based measures(e.g., panting, injuries), where possible. As part of the assessment, EFSA will propose requirements to prevent, mitigate or correct the identified welfare consequences.

4 Information requested through the public consultation.

EFSA would like to receive the following information:

1. Please identify any industry practices of particular concern not already identified above.
2. Please describe the practical difficulties or insufficient information in ensuring the welfare of animals, for the seven specific transport practices and for any other additional practices of concern that might be identified.
3. Please provide any available recorded data from road or sea transport, for example from a data logger, related to the microclimatic environment (temperature, humidity and ammonia levels). The data should demonstrate a link between the microclimatic conditions and any adverse welfare consequences that are experienced by the animals during transport.

Please note that for the purposes of this scientific assessment EFSA is interested in incidents where there are transport practices where it is not possible to comply with the legislation due to practical difficulties. However, non-compliance with the current rules as specified in the transport regulation is outside the remit of EFSA and will not be considered. Therefore, please do not provide information on incidents of this nature.

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