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# The European Union legislation on animal welfare: state of play, enforcement and future activities

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*The views expressed in this article are purely those of the writers and may not in any circumstances be regarded as stating an official position of the European Commission.*

## Abstract

The European Union (EU) has since 1974 established a wide range of legislative provisions concerning animal welfare. Under the EU treaties, animals are recognised as sentient beings, and in consequence, the EU and the Member States must pay due regard to the welfare requirements of animals when preparing and implementing EU policies in for example, agriculture or internal market. Today EU legislation on the welfare of farm animals covers with specific provisions the farming of poultry, calves and pigs as well as, for all species, transport and slaughter operations. This legislation is one of the most advanced in the world. In particular the EU has banned traditional cages for laying hens and requires group housing for pregnant sows.

While Member States are primarily responsible for the daily implementation of these rules, the Commission monitors the implementation of the legislation. Experts from the European Commission perform regular audits to check that the competent authorities are performing appropriate official controls. Non-compliant Member States may be brought to the Court of Justice of the EU. The Commission also contributes to raise awareness of animal welfare through training programmes, scientific advice and legal interpretations.

The European Commission adopted an EU strategy for the protection and welfare of animals for the period 2012-2015. Some actions remain to be completed and the present priority is therefore to achieve all the actions listed in the strategy before considering new ones. In parallel the Commission will continue to prioritise enforcement, strengthen and broaden dialogue with stakeholders and better valorise animal welfare at global level.

## Introduction

The European Union (EU) has progressively built legislation on animal welfare over the last 40 years. The first, concerning the slaughter of animals, was adopted in 1974. It was progressively extended to the transport of animals and different types of animal production. Most of the EU legislation on animal welfare refers to farm animals but the Union has also adopted legislation to protect animals used for scientific purposes as well as in other areas such as animals kept in zoos and aquaria or regarding the use of leg hold traps. Some legal texts also restrict the trade of certain products (seal products or cat and dogs fur) on ethical grounds.

It is worth mentioning that animal welfare is also present in various EU legal texts of the Common Agriculture Policy (cross-compliance and single payment, subsidies for rural development, organic farming and the marketing standards for eggs) although this aspect will not be developed here.

In this article we will provide detail of the EU legislation on farmed animals which constitutes, in term of number of legal acts, the most important and comprehensive body of legislation in the

EU. We will then present the main ways in which the European Union ensure enforcement of this legislation, and conclude on the future possible actions at the level of the Union.

## A. EU legislation on animal welfare: 40 years of experience

At the end of the Second World War, many countries in Europe had food shortages and modernisation of agriculture was considered as one of the priorities of the European Economic Community. The Common agriculture policy was developed in the sixties with the main objective of providing enough food at an affordable price. It was with the entrance of the United Kingdom into the Economic Community in 1973 that animal welfare became an issue dealt at European level. The European Union adopted the first legal text on the protection of animal in 1974.

### 1. Article 13 of the Treaty on the Functioning of the European Union

Article 13 of the Treaty on the Functioning of the European Union (TFEU) is under a section of the Treaty which contains provisions having general application such as gender equality, the fight against discrimination or environmental protection.

Article 13 of the Treaty on the Functioning of the European Union

*In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.*

There has been some misunderstanding of this provision which needs to be clarified here.

First, like similar articles under this section of the Treaty, it does not constitute a legal base for the EU to act on animal welfare. It is an obligation to consider this aspect within the framework of a list of specific EU policies. Therefore, all pieces of EU legislation on animal welfare are based on one of these EU policies such as agriculture for farmed animals or the internal market for laboratory animals where the EU has a legal base to act.

This explains why the scope of EU action on animal welfare is limited and some areas are not within EU competence (like stray animals for example).

Secondly, this article contains explicit limitations with regard to areas where Member States may have provisions which may limit EU actions (in relation with religious rites, cultural traditions or regional heritage). Some issues that are often raised by European citizens including bullfighting or the use of animals in shows or competitions are therefore excluded from the scope of EU action, either because they are not linked to a defined EU policy and/or because they belong to a particular exemption laid down in Article 13 TFEU.

Finally, it should be noted that Article 13 TFEU identifies specific EU policies where the obligation applies but certain EU policies areas are not mentioned (like environment). This does not limit the EU to consider the welfare of animals into these policies.

### 2. Legislation on the welfare of farmed animals

Legislation on the protection of farm animals covers all the different steps of production from farming itself, to transport and killing.

Farming activities are covered by five *directives* which impose minimum standards while the transport and the killing of animals are covered by *regulations* which set up similar requirements for all Member States.

### *Directives vs. regulations in the EU legal order*

In the European Union's legal order, *directives* are applicable to Member States which have to transpose them into their own national legal system, with the possibility to go beyond the minimum rules laid down in an EU directive. By contrast, *regulations* are directly applicable to citizens and businesses, without being transformed into national laws. They usually establish common standards and restrict the possibility for the Member States to adopt standards other than those laid down in a regulation. Member States however, still have to establish sanctions in their national legal order.

The legislation on farming activities is provided by one general umbrella directive which covers all farmed species and four specific directives that cover respectively calves, pigs, laying hens and chickens for meat production (broilers). This body of legislation was built progressively to address at the time of adoption the most intensive systems of animal production.

By comparison, the two regulations on transport and killing cover all farmed species even those not subject to specific farming legislation such as adult bovine animals or small ruminants.

### **2.1. Directive 98/58<sup>1</sup>: All farmed animals**

This directive contains general provisions applicable to all vertebrate farmed species but the annex to the directive does not apply to fish, reptiles and amphibians.

This annex contains very general requirements (staff, record keeping, freedom of movement, accommodation, equipment, feed and water, mutilations and breeding procedures) which tend to reflect the principles of the five freedoms initially developed in the United Kingdom.

The directive refers to the conclusion (i.e. the ratification) by the EU of the *European Convention on the protection of animals kept for farming purposes*, an international convention elaborated under the aegis of the Council of Europe<sup>2</sup>. The EU is a contracting party of this convention, which contains itself a series of general requirements as well as twelve specific recommendations (see Annex). The recommendations cover a larger range of farmed species than the ones covered by the EU legislation (like for example farmed fish, turkeys, fur animals, ducks, geese, ostriches, cattle, sheep and goats).

The link between these recommendations and the EU legal order (the Union being a contracting party of the convention as well as all Member States) is subject to legal debate. However, each Member State being a contracting party of this convention (this is a condition to access to the status of Member State of the EU), has to put it into effect under its national legal order as any international convention that a country ratifies.

### **2.1. Directive 2008/119<sup>3</sup>: Calves**

This directive was actually adopted in 1991 (Directive 91/629/EEC) then consolidated in the present legal text. The requirements focus on accommodation standards, in particular by introducing group housing for calves older than eight weeks of age.

This directive was mainly designed in response to intensive systems of rearing dairy calves for "white" veal meat. At that time, dairy calves were kept in individual stalls for all their life, often in complete darkness and under restricted diet in order to keep the meat as "white" as possible.

For these reasons, the directive forbids keeping calves in permanent darkness and tethering. It also requires a balanced diet adapted to the needs of the calves by providing progressively fibrous food and sufficient iron. Muzzling is also forbidden.

### **2.3. Directive 2008/120<sup>4</sup>: Pigs**

Similar to the one for calves, this directive was initially adopted in 1991 (Directive 91/630/EEC) and later consolidated into the current version.

The directive addresses the various steps of production from breeding sows to fattening pigs. In addition, even though accommodation remains one of the key areas of the text, operational aspects are also considered in details.

As regards accommodation, the directive requires for all holdings from 1 January 2013 the obligation of group housing of sows and gilts for certain period of their breeding lives. Previously, breeding females could be kept their whole lives within individual stalls, without being able to move or turn. Group housing is now compulsory for an important part of their lives, individual stalls being still permitted to allow the service (natural service or artificial insemination and the necessary time to check if it has succeeded), the farrowing (one week before the expected time of farrowing) and the lactation period.

Like the ban on battery cages for laying hens (see below), the group housing of sows represents a major change for the lives of many animals (estimated at 12 million sows in 2013).

The directive also contains detailed space requirements for all pig categories.

The directive requires for all pigs the provision of manipulable materials such as straw, hay, wood, sawdust, etc. in order to allow pigs to express their normal behaviour for rooting.

The directive limits the use of certain procedures such as tooth clipping, tail docking, castration and nose ringing. For example, tail-docking is not permitted routinely but only where there is evidence that injuries have occurred. Minimum weaning age is also regulated.

#### **2.4. Directive 1999/74<sup>5</sup>: Laying hens**

This directive defines three different farming systems: unenriched cages, enriched cages and alternative systems.

Unenriched cages are cages without *enrichment materials*<sup>6</sup> and very little space for the hens to move (a minimum of 550 cm<sup>2</sup> per hen so less than an A4 page). From 1 January 2012, such a system was banned in the EU after a long transitional period for the industry to adapt. The ban brought a dramatic change in the life of the approximately 360 million laying hens kept in the Union.

Enriched cages are cages that are equipped with enrichment materials and which provide hens a bigger space (a minimum of 750 cm<sup>2</sup> per hen).

Alternative systems are non-cage systems like barn or free range (including organic production) that provide even larger space than enriched cages.

In addition, the annex to the directive contains some operational requirements (inspection, sound level, light levels, etc.).

This directive is also linked to EU legislation on the marketing of eggs<sup>7</sup> which established the obligation of marking the eggs based on the production system (0 for organic eggs, 1 for free range eggs, 2 for barn eggs and 3 for eggs from caged hens). This link between animal welfare standards and labelling has probably increased the demand for alternative systems of productions in the EU. This is today the sole mandatory system in the EU informing consumers on the welfare conditions under which animals are kept.

#### **2.5. Directive 2007/43<sup>8</sup>: Chickens for meat production**

This directive is the last adopted piece of EU legislation on the welfare on farm and introduces for the first time the concept of animal-based indicators.

The directive establishes a maximum stocking density of 33 kg/m<sup>2</sup> with a possibility of extension up to 39 kg/m<sup>2</sup> and 42 kg/m<sup>2</sup> depending on the quality of the management and the results of the monitoring on the animals. Member States are expected to establish a system of monitoring on farms and at slaughterhouses (based on the lesions observed after slaughter).

## **2.6. Regulation 1/2005<sup>9</sup>: Animal transport**

This Regulation represents a comprehensive piece of legislation which applies to all live vertebrate animals transported in connection with an economic activity. Most technical requirements however are designed for terrestrial farmed animals even if some administrative requirements remain applicable to other species (wild animals, dogs and cats, experimental animals, farmed fish, etc.). Certain rules (handling of animals) also apply to livestock markets and assembly centres.

The administrative requirements include the obligation for transporters to be authorised and drivers to obtain a certificate of competence. Vehicles used for transport over eight hours and livestock vessels have to be approved. For the main livestock species, journeys over eight hours between two Member States have to follow a certain administrative procedure (journey log).

The technical rules include various aspects of the transport: the fitness for transport (for example the following animals are considered unfit for transport: weak or sick animals, animals not able to walk unassisted, females at the end of their gestation, etc.), the quality of the means of transport and transport practices (loading, unloading, handling of animals, space allowances and travelling times).

Minimum space allowances and maximum travelling times are subject to precise rules for certain species which have both an important economic impact. For example, pigs and horses are not allowed to be transported more than 24 hours without a stop and beyond this time must be rested for at least 24 hours after being unloaded, fed and watered before they can be transported again.

Additional rules exist for journeys beyond eight hours ("long journeys") since they represent a higher risk for the welfare of animals. Vehicles transporting the main livestock species (horses, cattle, sheep, goats and pigs) are required to be equipped with a ventilation system (in order to control temperature), watering devices and a satellite navigation system.

## **2.7. Regulation 1099/2009<sup>10</sup>: Killing of animals**

This regulation applies to various situations where animals are killed in context of production. It applies mainly to slaughterhouses but includes farm killing which occurs for different reasons (fur animals, depopulation for disease control or other purposes, culled animals, emergency slaughter).

Under the regulation, stunning animals before killing is compulsory, with a list of authorised stunning methods, depending on the species and contexts concerned (human consumption or not). The stunning methods are described and in some cases specific requirements are attached to the method like minimum currents for electrical methods of stunning.

Slaughter without stunning is however permitted in a context of ritual slaughter (for the production of halal or kosher meat) provided that it takes place in a slaughterhouse. Member States may however adopt stricter rules in this context.

As for the directive on chickens for meat production, this regulation puts more emphasis on the responsibility of operators. In addition, it requires standard operating procedures on animal welfare. Slaughterhouses are expected to establish and implement a monitoring procedure to verify that the stunning process is efficient. Staff handling animals have to prove their competence. Slaughterhouses must designate an animal welfare officer to assist them in ensuring compliance with the regulation. Rules apply for the lay out and the restraining and stunning equipment in slaughterhouses as well as for the operational aspects (handling, restraining and bleeding).

In addition, the regulation requires for meat imported into the EU to be accompanied with an attestation certifying that requirements at least equivalent to those of the EU have been met.

## **B. Enforcement**

### **1. Member States' role**

The competent authorities of the Member States are responsible for the daily implementation of EU legislation. Whatever the EU legal text is a directive or a regulation, Member States have to provide the technical instructions and logistical arrangements necessary for appropriate implementation as well as setting up an appropriate system of sanctions.

The role of the Member States in implementing EU rules is therefore essential and implies important activities such as informing stakeholders on new rules, providing technical and legal instructions as well as training their officials. They should also develop a proper reporting system in order to monitor progress in implementation.

Member States' competent authorities are therefore primarily responsible for carrying out proper checks by dedicating the necessary human and financial resources for the purpose.

### **2. European Commission's role<sup>11</sup>**

#### **2.1. Audits of the Food and Veterinary Office**

As regards EU legislation on the welfare of farm animals, the Commission has developed a system of regular audits performed by experts from the Food and Veterinary Office (FVO)<sup>12</sup> of the Commission's Health and Food Safety Directorate General. The FVO audits cover various areas of EU legislation, mainly related to food safety, animal and plant health.

The purpose of the audits is to verify that Member States have planned and applied the necessary measures to implement EU rules. The role of the Commission's experts is therefore to check that the competent authorities are able to detect and identify non-compliances and take the appropriate remedial action. They have no legal competence to directly inspect individual establishments or sanction them. Their audits include visits of establishments but not to judge an individual case but to use it as a sample that could reflect a general situation.

For this purpose, the FVO has a particular team of experts dedicated to EU animal welfare legislation which performs around one audit a month. In addition, other FVO expert teams also check some animal welfare rules in the context of other audits (like audits on food safety in slaughterhouses will also check the stunning of animals). The FVO reports are [publicly available on the Internet](#).

When the Commission's experts find failures in the inspection system of a Member State, there are a series of follow up actions in order to address the issues through a continuous dialogue. In case there is a persistent failure of the Member State to address certain issues, the Commission may decide to trigger a legal procedure (see below).

With time, the FVO has diversified its activities regarding enforcement on animal welfare by in particular performing study visits, organising meetings to improve coordination and dialogue between the competent authorities.

#### **2.2. Member States reports on inspections**

EU legislation on animal welfare requires Member States to report to the Commission on their inspection activities on farms and on transport.

In addition, the Commission may also require the Member States data needed for checking the implementation of particular EU rules. This has been the case for the implementation of the ban on traditional cages for laying hens and the group housing of sows.

## **2.3. Non-compliance reported by individuals or non-governmental organisations**

The European Commission regularly receives complaints on animal welfare. Those referring to individual cases of non-compliance are not considered since they have to be first addressed to the competent authorities of the Member State concerned. As previously stated, the Commission has no legal competence to intervene in individual cases since this matter is under the responsibility of the competent authorities of the Member States concerned.

However, the Commission may also receive allegations of systematic breach of the EU legislation due to consistent failure of a Member State to implement certain EU rules. In this case the Commission requests further information from the Member State competent authorities and possibly proceed to further action in order to reach compliance.

## **2.4. Legal proceedings and sanctions**

If it appears that a competent authority of a Member State fails to apply EU rules, the Commission may consider opening an infringement procedure under Article 258 of the Treaty against the Member State concerned. The Commission may initiate an infringement procedure based on consistent, sufficient and reliable data. Information concerning the failure of a Member State to apply EU rules can originate from the services of the Commission as an official mission report from the Food and Veterinary Office or from complaints by organisations or individuals.

Article 258 of the Treaty on the Functioning of the European Union

If the Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations.

If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

It is also important to note that the Commission has discretionary power to open infringement proceedings against a Member State since it may consider it more efficient to use other ways to achieve compliance. Legal proceedings require substantial resources from both parties and usually take a long period of time (could be up to two years before going to the Court) which could sometimes be better used to solve the issue. Most issues are therefore resolved before this final step. It may however happen that a Member States is brought to the Court of Justice and possibly sentenced to financial sanctions.

## **3. Supporting role of the Commission: Education, scientific opinions and interpretations**

### **3.1. Education and awareness**

Raising awareness among stakeholders and officials is essential to ensure proper enforcement of EU animal welfare rules. This role is mainly under the responsibility of the Member States since performing efficient communication and education requires important national, regional and local networks, various supports and good knowledge of the specific culture and language of the targeted audience.

Nevertheless, despite these limitations, the Commission has taken a number of initiatives in order to raise awareness on animal welfare.

The programme *Better Training for Safer Food (BTFSF)* is an important Commission training programme related to food and feed law, animal health and welfare and plant health rules. It trains the staff involved in these official controls coming from Member States and candidate countries.

Training sessions are also organised specifically for countries outside the EU, particularly developing countries to familiarise them with EU requirements.

From 2006 to 2013, the BTSF programme provided around 30 training sessions with more than 1,500 participants in the EU on various pieces of animal welfare EU legislation. Some training programmes were performed in third countries in a context of international cooperation (Thailand and Brazil in 2014, South Korea in 2012, etc.). Attendance figures alone do not reflect the wider impact of the training sessions - the “train the trainer” approach ensures that participants disseminate their newly acquired knowledge among control inspectors in their own country.

In 2014 the BTSF programme made available a first e-learning module on animal welfare which was viewed by more than 1,000 people. This programme is still under development. Subject matters and linguistic versions will be progressively extended. This e-learning module is designed to be accessible in the future by up to 5,000 people per year, with the potential of increasing considerably access to training for officials.

In addition, the Commission, in cooperation with the Federation of Veterinarians of Europe, has developed dedicated initiatives to raise awareness on animal welfare among veterinary practitioners in Europe. The difference with the BTSF programme is that it is targeted to a regional audience of veterinarians (not only officials). The programme has been developed between 2011 and 2015 with 9 workshops in various European countries and attracted around 1,200 veterinarians.

Finally, the Commission regularly organised major conferences in order to increase awareness on animal welfare among stakeholders on various issues<sup>13</sup>. Each event generally attracted between 150 and 200 people, with key EU stakeholders, having significant dissemination effects among the organisations concerned (farmers, traders, transporters, slaughterhouse operators, veterinarians, scientists, animal welfare organisations, etc.)

More recently, in association with the World Veterinary Association, the Commission arranged in 2013 and 2014 two Global Webinar on animal welfare<sup>14</sup>, attended each time with around 300 veterinarians or students from more than 50 countries.

The Commission is also associated through active participation to many events where animal welfare is one of the core topics.

### **3.2. Scientific opinions**

The European Food Safety Authority (EFSA) has been created to provide independent scientific advice to the EU decision makers who regulate food safety in Europe. It provides scientific opinions on animal welfare following requests from the Commission. Scientific opinions contribute indirectly to better implementation of EU rules on animal welfare in a variety of ways.

First, most EU legislation has been prepared based on scientific data. The regular scientific opinions of the EFSA allow stakeholders to update their technical and scientific knowledge in order to understand and find optimal solutions to comply with the legislation.

Secondly, the EFSA plays an increasing role in involving stakeholders in their work, contributing to widening the debate on animal welfare beyond the scientific community and consequently, raising awareness on the issue among the various players (farmers, food industry, veterinarians, etc.).

Thirdly, the EFSA is also questioned on matters related to the implementation of EU rules such as for example the monitoring procedure for the stunning animals or the validation of possible animal-based indicators in various species.

In all these aspects, the role of science advice is essential in not only shedding light on the way EU rules should be understood but also in giving the necessary direction to stimulate further research and innovation<sup>15</sup>.

### **3.3. Legal interpretations and guidelines**

The Commission regularly replies to stakeholders and the competent authorities regarding the interpretation of some particular provisions of EU legal requirements. While the views of the Commission have no legal effect<sup>16</sup>, the contribution will harmonise and clarify some aspects of the legislation.

In addition, the Commission may in some instance develop guidelines in order to also address issues that are particularly problematic to enforce. This approach has not yet been fully exploited for the welfare of farmed animals but starts to be used with ongoing initiatives on the welfare of pigs as well as on animal transport.

## **C. Future EU actions on animal welfare**

### **1. Complete the EU animal welfare strategy 2012-2015**

The Commission adopted in 2012 an EU animal welfare strategy for the period 2012-2015<sup>17</sup> which includes a list of actions. Some actions remain to be completed and the present priority is therefore to achieve all the actions listed in the strategy before considering new ones.

Some of the outstanding actions are directly related to enforcement of EU law. This is the case for the guidelines on the welfare of pigs which will target issues such as the provision of manipulable materials or the end of routine tail-docking, two legal requirements that remain insufficiently implemented in many Member States. The Commission has also initiated a pilot project to develop best practices on animal transport that is expected to contribute to a better implementation of the rules in this area. Finally, the Commission will develop guidelines on the protection of animals at the time of killing.

Other outstanding actions are studies and reports that will contribute to design the future actions of the Commission. This concern in particular areas where today the Union has little or no activities such as the welfare of dogs and cats or farmed fish. Other studies and reports relate to broader issues like animal welfare education and information or animal welfare international activities.

The completion of all these actions is therefore essential as it will provide the necessary information to identify potential new activities.

### **2. Prioritise enforcement**

In parallel, the Commission will continue to work towards better enforcement. As previously stated in this article, the Commission has an important role in helping Member States in better enforcing EU rules. For this purpose, Commission's services have started to innovate by developing new mechanisms to further contribute in improving the level of implementation. Examples are the organisation of regular meetings of national experts on animal transport and the compilation of procedures for official controls (so called "network documents"). The preparation of various guidelines or best practices (as outlined previously) will have to be accompanied with measures to ensure wide access and dissemination of such knowledge.

The ban on traditional cages for laying hens in 2012 and on the group housing of sows in 2013 provided successful experience of enforcement. Based on these achievements, the Commission and the Member States need to develop clear methodology to establish benchmarks and to monitor

results based on specific indicators. Such methodology could be further developed and extended in other areas where enforcement is needed.

### **3. Strengthen and broaden dialogue with stakeholders**

There is also a need to establish and widen the dialogue on animal welfare with the various stakeholders. Animal welfare is not a stand-alone issue and needs to be connected with related subjects like sustainable food production or antimicrobial resistance. Relationships with other EU policies such as agriculture, trade or research are also important and need to be better considered in the future development of animal welfare activities. Stakeholders' dialogue could also be a forum where the outcomes of strategic studies deriving from the EU Animal Welfare Strategy 2012-2015 could possibly be debated.

### **4. Better valorise animal welfare at global level**

The EU has one of the most comprehensive and advanced animal welfare legislation in the world. This leading position is an asset in the long term but importation of cheaper products from third countries with sometimes lower animal welfare standards could jeopardize the progress made by EU producers as well as mislead EU consumers. In addition, EU producers have to compete at global level and consumers outside the EU are not necessarily aware of the high animal welfare standards of EU products.

It is therefore important that the Commission continues and reinforces its international activities on animal welfare. They take place at the level of international organisations such as the *World Organisation for Animal Health* (OIE) which has adopted a series of international standards on animal welfare. The Commission also negotiates free trade agreements with individual third countries<sup>18</sup> where animal welfare is included. Other forms of dialogues may also exist with third countries on animal welfare, in order to exchange experience and expertise.

In the future the Commission could explore how the potential market value of EU animal welfare can be better valorised at global level.

## **Conclusion**

The European Union has adopted in the last 40 years a very comprehensive and advanced set of legislation on animal welfare. The Union has developed animal welfare legislation quite extensively for farmed and laboratory animals. Some other areas of animal welfare remain under the sole competence of the Member States.

This body of EU legislation contributes to the sustainability of the EU food chain. Respecting production animals addresses the ethical concerns of citizens and consumers but also helps to develop production systems that are innovative and economically viable in the long term.

While Member States are primarily responsible for implementing EU rules in the field of animal welfare, the Commission has built a series of instruments to ensure a harmonised enforcement, through audits, training, scientific expertise and advice.

Enforcement remains an important challenge since animal welfare is sometimes perceived as an economic hurdle rather than an opportunity for better and more efficient production.

Against this background continuous stakeholders' dialogue, information and education are essential to create a positive dynamic for animal welfare and to improve enforcement through better understanding of the underlying animal welfare principles.

Stakeholders' dialogue is also crucial in order to better integrate animal welfare within a general context of sustainable production, considering its integration within other societal issues such as public health, environment and global competitiveness.

Scientific opinions and research play also an important role in providing the necessary understanding of the legislation as well as the innovations to make animal welfare an economic opportunity.

The Union is one of the major world importers of food products and the globalisation of the food market has an impact on the applicability of EU rules including those on animal welfare. The Union has so far been successful in advocating and promoting its food standards in the international arena, showing that consumers beyond EU borders also appreciate and value high quality standards. Such a policy should be therefore continued in order to consolidate the credibility of the EU food sectors in external markets.

## References

1. Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23).
2. The Council of Europe is not an EU institution.
3. Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).
4. Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5).
5. Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards on the protection of laying hens (OJ L 203, 3.8.1999, p. 53).
6. Enrichment materials are equipment inside the cage which provide for the normal behavioural needs of the hens like a nest, a perch and a litter for pecking and scratching.
7. Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).
8. Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production (OJ L 182, 12.7.2007, p. 19).
9. Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directive 64/442/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).
10. Council Regulation (EC) No 1099/2009 of 24 September on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).
11. For readers who are not familiar with the EU, the *European Commission* is one of the key EU institutions established by the EU treaties, with the *European Parliament* and the *Council*. While the Commission proposes pieces of legislation, the Parliament and the Council adopt them. The Commission has also a role of guardian of the Treaties making sure that they are properly implemented by the Member States.
12. Editor's note: the name of the "Food and Veterinary Office" has been replaced in 2016 by "Directorate F Health and food audits and Analysis".
13. 2014: "The achievements of the EU Strategy for the welfare of animals 2012-2015 - Mid-term review", 2013: "The welfare of dogs and cats in the EU - Building a Europe that cares for companion animals" and "Global Veterinary Seminar on Animal Welfare" in the context of the 31st World Veterinary Congress, 2012: "International conference on the new EU strategy 2012-2015", "Protection of animals in slaughterhouses: getting ready for 2013" and "Enforcement of animal welfare during transport - Bringing Best Practice to Light, 2010: "1st International Conference on Animal Welfare Education" and in 2009: "Conference on global trade and farm animal welfare".
14. April 2014: "Veterinary leadership: "Empowering tools for vets in the field of Animal Welfare"; December 2014: "The importance of new technologies to empower vets in the field of Animal Welfare"
15. See for example the EU research project [Precision Livestock Farming](#).
16. Only the Court of Justice of the European Union can interpret EU law authoritatively.
17. EU strategy for the Protection and Welfare of Animals 2012-2015 COM(2012)6 final.
18. Third countries are countries that are not EU Member States.

## Additional references:

Council of the European Union (1991) Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards OJ L 308, 9.11.1991, p. 1-4.

Council of the European Union (1999) Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos OJ L 94, 9.4.1999, p. 24–26.

European Commission (2006) Communication from the Commission to the European Parliament and the Council on a Community Action Plan on the Protection and Welfare of Animals 2006-2010 - COM(2006) 13 final.

[European Commission Food and Veterinary office reports.](#)

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## Annex

### [Recommendations of the European convention on the protection of animals kept for farming purposes](#)

The European Union concluded the European convention on the protection of animals kept for farming purposes (under the aegis of the Council of Europe) through Council Decision of 19 June 1978 concerning the conclusion of the European Convention for the protection of animals kept for farming purposes ([OJ L 323, 17.11.1978 p. 12](#)).

- [Recommendation concerning farmed fish](#) (adopted by the T-AP on 5 December 2005, entry into force on 5 June 2006)
- [Recommendation concerning Pigs](#) (adopted by the T-AP on 2 December 2004, entry into force on 2 June 2005)  
(Replacing the previous Recommendation adopted on 21 November 1986)
- [Recommendation concerning Turkeys](#) (adopted by the T-AP on 21 June 2001)
- [Recommendation concerning Fur Animals](#) (adopted by the T-AP on 22 June 1999) (Replacing the previous Recommendation adopted on 19 October 1990)
- [Recommendation concerning Muscovy Ducks and hybrids of Muscovy and domestic Ducks](#) (adopted by the T-AP on 22 June 1999)
- [Recommendation concerning domestic Geese](#) (adopted by the T-AP on 22 June 1999)
- [Recommendation concerning domestic Ducks](#) (adopted by the T-AP on 22 June 1999)
- [Recommendation concerning Ratites](#) (adopted by the T-AP on 22 April 1997)
- [Recommendation concerning Domestic Fowl \(\*Gallus gallus\*\)](#) (adopted by the T-AP on 28 November 1995) (Replacing Recommendation of 1986 concerning the poultry of the species *Gallus gallus* kept to produce eggs)
- [Appendix C to Recommendation concerning Cattle: special provisions for Calves](#) (adopted by the T-AP on 8 June 1993)
- [Recommendation concerning Goats](#) (adopted by the T-AP on 6 November 1992)
- [Recommendation concerning Sheep](#) (adopted by the T-AP on 6 November 1992)
- [Recommendation concerning Cattle](#) (adopted by the T-AP on 21 October 1988)

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