



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.1.2006
SEC(2006) 65

COMMISSION STAFF WORKING DOCUMENT

Annex to the

**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

and

COMMISSION WORKING DOCUMENT

on a Community Action Plan on the Protection and Welfare of Animals 2006-2010

Strategic basis for the proposed actions

IMPACT ASSESSMENT

{COM(2006) 13 final}

{COM(2006) 14 final}

1. PROCEDURAL ISSUES AND CONSULTATION OF INTERESTED PARTIES

Recent years have witnessed important advances in the Community's animal protection and welfare policies and, in line with this, gradually increasing resources have been allocated to this issue. The EC Treaty's Protocol on Protection and Welfare of Animals recognises animals as "sentient beings" and requires that full regard is paid to their welfare requirements in formulating and implementing the Community's policies, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.

These considerations provide the foundations for the Commission's activities in the field of animal protection and welfare. To date the formulation of legislative initiatives has been one of the main tools used at Community level to ensure that animals do not endure avoidable pain, distress or suffering and obliging the owner/keeper/hunter/trader or any other persons dealing with animals to respect minimum welfare requirements. Legislation at Community level has been primarily founded on the legal bases of Article 37 of the EC Treaty as regards farm animals, on Article 95 in respect of the welfare of experimental animals and Article 175 as far as wild animal species are concerned.

Recognising the afore-mentioned considerations and the important ongoing evolution of this policy area, at the Agriculture and Fisheries Council meeting of 21-22 December 2004 Commissioner Markos Kyprianou announced the Commission's intention to develop the first Community Action Plan on the Protection and Welfare of Animals, to be submitted to the European Parliament and to the Council in the form of a Communication from the Commission. This announcement has been welcomed by several Member States and stakeholders who have highlighted the importance of such an initiative. The political importance of animal welfare has been highlighted on several occasions by the European Parliament and the Council, and indeed a European Conference on Animal Welfare is already scheduled to take place during the Austrian Council Presidency in the first half of 2006.

Taking the specific sector of animal welfare various initiatives have been undertaken to foster a more inclusive and consultative approach to policy formulation. This has involved the commissioning of specific research projects and surveys to investigate consumers' attitudes to animal welfare. In the area of the protection of experimental animals technical expert working groups (TEWGs) have been convened involving a wide range of interested parties such as scientists, non-governmental organisations (NGOs), industry, government representatives etc. Similar specific stakeholder consultation meetings were organised in preparing other Commission proposals such as for the protection of broiler chickens.

Concerning farm animals a recently established Advisory Group on the food chain and animal and plant health is serving as a forum to discuss future policy directions with stakeholders at an early stage. In July 2005 this Advisory Group was consulted on the Commission's intention to elaborate this Action Plan. Open internet consultations have also been performed with regard to issues concerning farm animal welfare (e.g. on animal transport during 2002) as well as future European policy in the area of chemicals and animal testing (REACH). These initiatives have demonstrated the benefits of maintaining an open dialogue with interested stakeholders. In certain areas such as animal health and animal breeding "*technology platforms*" have been established in order to promote dialogue and consultation between interested groups on matters of common interest. In terms of civil society dialogue *ad hoc* seminars have been organised by NGOs as part of the Commission's Civil Society Dialogue on the issue of "*Sustainable production and good animal welfare practices: trade opportunities for developing countries*". Such consultative initiatives are fully in line with the principles enounced in the White Paper on European Governance.

Extensive and diverse data are already available on the specific issue of animal welfare and the basis for current Commission policies in this area. Careful consideration will also be given to international advances in the field of animal welfare and future planned initiatives required under EU legislative obligations. Some details and background documents on the Commission's animal welfare activities, links to the relevant Directorates General and international organisations etc. are annexed to this staff working document and are also available via the website http://europa.eu.int/comm/food/animal/welfare/index_en.htm

The Advisory Group on the Food Chain and Animal and Plant Health representing a very broad section of stakeholder interests (industry, professionals, NGOs, consumer groups etc.) has been consulted on the planned initiative on the occasion of their first meeting on 5-6 July 2005. Member States have been informed at the December 2004 Agriculture and Fisheries Council meeting and have specifically welcomed this initiative. A public internet consultation (November-December 2005) and EUROBAROMETER survey (February-March 2005) have been organised on attitudes to the welfare of farmed animals and Member States' representatives were again consulted via a meeting of the Standing Committee on the Food Chain and Animal Health on 13-14 September 2005 and at a meeting of 10-11 November were informed of the launch of the internet consultation on farm animal welfare. The results of the public internet consultation have shown a high level of interest of the broad public in the matter. The responses show clear differentiation and indicate that the internet consultation confirms some trends from the EUROBAROMETER survey (for example the opinion that laying hens and broilers need particular attention, as well as food labelling). The results, compiled upon closure of the consultation on 20 December 2005 have been carefully analysed and published on the Commission's website¹. The data represents an additional source of information for the future debate on the Action Plan and the subsequently proposed initiatives. Furthermore other Directorates General of the Commission dealing with issues related to animal production could benefit from that data to fine tune their policies given that the protection and welfare of animals is a horizontal issue (e.g. Directorates General Agriculture, Trade, Research, Environment, Enterprise etc.). Various relevant data and background studies/speeches etc. have also been published on the Commission's website². Within the Commission an inter-service steering group was established to coordinate the inputs to this initiative from various Directorates General having important responsibilities in the fields of animal protection and welfare.

2. PROBLEM DEFINITION

Animal welfare is now accepted as an integral part of the Community's "*farm to fork*" policies and is one of the strategic priorities related to the development of more sustainable food production policies. However, animal welfare is not only related to the production of food and important challenges exist with regard to protecting the welfare of experimental, zoo and companion animals etc. The importance attached to animal welfare is evolving in terms of ethical concerns and this has become a "*cultural attitude*" for European society. This is acknowledged by the EC Treaty's Protocol on Protection and Welfare of Animals which recognises animals as **sentient beings**. These considerations provide the foundations for the Commission's activities in the field of animal welfare. Furthermore the OIE (World Organisation for Animal Health) in its animal welfare strategy has recognised that "*animal welfare is a complex, multi-faceted public policy issue that includes important scientific, ethical, economic and political dimensions*". In the past the Commission has been called upon on several occasions to take initiatives in this area in order to incorporate and balance these dimensions in a single European action. To facilitate this, greater coordination is necessary at Community level and it is difficult to satisfactorily

¹ http://europa.eu.int/comm/food/animal/welfare/index_en.htm

² See for example http://europa.eu.int/comm/food/animal/welfare/index_en.htm

address this matter in particular in the longer term by the sole action of Member States acting unilaterally. Consequently the general aim of this initiative is to map out the Commission's planned animal welfare initiatives for the coming years and to ensure that these actions are performed in the most coherent fashion possible, taking account of the cross-cutting nature of some issues, their European and international dimensions and value and the range of associated and inter-connecting competencies as distributed today among the Commission's various Directorates General. It is clear that the recent and future enlargements of the EU also require close attention in terms of their consequences for the Community's animal welfare policies. A dialogue is needed with countries such as Bulgaria, Romania, Turkey and Croatia on this issue, as well as other countries in the Western Balkans for example.

Given the diverse Community policies having an effect on animal welfare there is a clear need for more close liaison and cooperation between the interested parties in the formulation and implementation of policy initiatives, thus respecting the obligations under the EC Treaty Protocol on the Protection and Welfare of Animals. By pooling experience, expertise and resources a common response coordinated at EU level can be set in train which will be more effective than that which any individual Member State could muster on its own. Citizens have also highlighted the importance of this issue in recent EUROBAROMETER surveys³.

³ http://europa.eu.int/comm/public_opinion/archives/ebs/ebs_225_report_en.pdf
http://europa.eu.int/comm/food/animal/welfare/euro_barometer25_en.pdf

The views of a variety of interest groups need to be taken into account in formulating policy proposals on issues such as animal welfare: the animals themselves (via those who seek to represent them), the owners or keepers of animals, food processors, retailers in the case of farm animals producing food, the pharmaceutical or chemicals industry in the case of laboratory animals for example, the research community, scientific experts (e.g. veterinarians, ethologists), consumers, governments, international organisations and society at large. The public good aspects of improved animal welfare must also be taken into account and tools such as greater transparency and inclusiveness, greater interest group involvement and wider communication tools can be used to address such challenges.

Animal welfare often stimulates strong emotions and it is important that, while addressing ethical aspects of new technologies whenever appropriate, developments in the field of animal welfare are based on a firm scientific background. Therefore, policies and recommendations related to the protection of animal welfare should take into account the latest available scientific information. Correspondingly, where there is a lack of objective information needed to develop appropriate policies and recommendations this should be used to inform the debate on prioritising new research. Constant dialogue and communication with stakeholders and the public in the field of use of animals in research and testing needs to be encouraged.

There is a strong move to reduce, replace and refine the use of animals for research purposes i.e. the so-called “3Rs” principle and European legislation exists to regulate the use of animals in research, along the lines of the 3Rs principle. EU research funded under the Framework Programmes also respects this principle, as well as European and national legislation in this field⁴. The use of animals in research, however, remains vital for the development of knowledge which will lead to improvements in human and animal health and welfare. There are strong arguments for differentiating the use of animals in research, not only on the basis of the 3Rs, but also with respect to their species, in particular related to their genetic proximity to man, and this differential should, with scientific backing, be respected. For example, enhanced ethical review should take place in cases where primates are involved as experimental animals in research. Therefore, while holding to the 3Rs principle and the strong European and national legislation in place, the ability to use animals in research under appropriate controls needs to be preserved in the absence of alternatives to animal experiments which now play an increasing role in the implementation of relevant legislation. However, public and political pressure and the availability of alternatives are very variable in different sectors.

In addition to animal welfare benefits alternative methods also have the potential to provide robust information through quality-controlled, state-of-the-art tests which are faster and less cost-intensive than classical animal-based tests. For example, it has been estimated that the need (costs and animals) for testing under REACH⁵ could be reduced by up to 70% by using intelligent testing strategies: available and promised information, (Q)SARs, grouping, read-across etc. (source: European Chemicals Bureau and the German Federal Institute for Risk Assessment), without compromising the scientific quality of the data obtained.

⁴ http://europa.eu.int/comm/research/science-society/ethics/ethics_en.html

⁵ Registration, Evaluation, Authorisation and Restriction of Chemicals.

3. OBJECTIVES OF THE PROPOSALS

The general objectives are

- to outline future Commission planning in this area and present the origins of the Commission's policies, the current state of play and future steps,
- to ensure the proper exercising of responsibilities under the Treaty to pay full regard to the welfare requirements of animals in formulating and implementing Community policies, whilst limiting Community action in accordance with the principle of subsidiarity to those objectives which can be better achieved at Community level,
- to clearly map out future Commission activities in the field of animal welfare and ensure a coordinated and coherent approach across the Commission on this issue, in turn responding to demands from stakeholders and Member States to be more proactive in this field,
- to contribute to a more intense dialogue on this issue both within and outside the Commission and present a coherent view of the European position in this field in particular in the light of recent developments in the international arena.

4. POLICY OPTIONS

Community policies in the field of animal welfare are currently fragmented among various Directorates General and in light of important recent advances at Community and international level it is appropriate at this time to reflect on future animal welfare actions and priorities. Several existing Community legislative acts are demanding the Commission to elaborate an important number of specific legal initiatives in the near future. Furthermore the demand from Member States and stakeholders for relevant legislative and non-legislative future Commission initiatives is increasing and as a consequence a more strategic coordination of the actions is needed.

The options for this area are:

- do nothing/ maintain the current status quo;
- produce a non-paper for discussion within the Commission or involving stakeholders and Member States in a limited and informal manner;
- produce an Action Plan in the form of an official Communication from the Commission to the European Parliament and the Council in order to promote reflection, debate and dialogue on this issue, thus seeking consensus for the future long-term initiatives.

5. IMPACT - POSITIVE AND NEGATIVE

- The impact of **doing nothing** and maintaining the current status quo would be to fail to address the calls from stakeholders, Member States and policy makers for a more coordinated approach to the issue of animal welfare in Community

policies. It would also insufficiently respond to the EC Treaty Protocol to pay full regard to the welfare requirements of animals in formulating and implementing relevant Community policies. Such an approach would be wholly inadequate and inappropriate and the impact would be to fail to give a clear and focussed direction to future Community policies. The Community position in this area and its currently recognised international leadership would be clearly damaged.

Maintaining the current status quo would not allow the harnessing of synergies which could be realised by a more coordinated and coherent approach to this issue at Community level, including the possibilities of improved efficiencies, planning and organisation at Commission level between the various Directorates General having responsibilities in this area.

Furthermore the Commission would have to undertake several initiatives to respond to the demands from the current European legislation without proper coordination and thus dissipating energies on single framed actions.

- The impact of producing a **non-paper for discussion** within the Commission or involving stakeholders and Member States in an informal manner would not lend sufficient weight to the importance of this issue and would not be capable of achieving the stated objectives and involving as required the institutions of the Council and European Parliament. The proposed action should entail a commitment on the part of the Commission to furthering the initiatives foreseen, which would respond to a realistic expectation on the part of Member States, the European Parliament, Council and relevant stakeholders.
- The impact of producing an **Action Plan in the form of an official Communication from the Commission to the European Parliament and the Council** would promote a deeper reflection, debate and dialogue on this issue, thus seeking consensus for the future long-term initiatives. A strategic longer-term approach to this issue would facilitate analysis of the wide range of cross-cutting issues involved and highlight the importance of achieving a more level and uniform approach across the Community. Member States and major stakeholders have stated on several occasions the relevance of a European initiative in order to obtain a more substantial impact on the international arena than the one that could be obtained by the initiative of any single Member State. Furthermore the lack of clarity in future planned European initiatives often leads to Member States taking unilateral initiatives that had in several cases a disruptive effect on the functioning of the internal market. On the other hand, clear perspectives on the future actions at Community level will also enable the EU-Institutions and Member States to identify actions and related objectives which could be sufficiently achieved by the Member States.

- The preparation of an Action Plan *per se* is unlikely to result in major economic, social or environmental impacts, given that it merely serves to present in a more focussed and compiled manner a variety of planned actions in this field of the protection and welfare of animals.

The identification of five main fields of action will facilitate the future work of the Commission to analyse the impact of the corresponding specific actions before implementing them. It needs to be remembered that the vast majority of proposed actions are not “new” but rather constitute initiatives which have already been announced, foreseen or are specifically required to comply with obligations envisaged under Community legislation. It is also not appropriate to seek to prepare at this preliminary stage a single compiled impact assessment on such a broad range of diverse planned and possible policy actions, many of which are not due to be realised for some years. The fact that an initiative is listed as a specific action in the Action Plan does not restrict the right of initiative of the Commission. In particular the impact assessments that will be carried out in the future for each specific action if necessary, could reveal that the option not to act would be preferable. The action plan will serve as a framework in order to scrutinise the possible content and the impact of the different specific actions. This will help the Commission and Member States to optimise the allocation of resources in the future in this area.

- Therefore, it is appropriate in this impact assessment to present the general and relevant considerations applicable to the preparation of an Action Plan and to subject any applicable future concrete initiatives taken consequent to this Action Plan to the standard process of careful and considered impact assessment, incorporating relevant data collection and stakeholder consultation as appropriate. It is likely that the Action Plan will allow a rationalisation of the future activities and a better planning and organisation of the resources required at Commission level thus facilitating improved efficiencies and synergies. The preparation of an Action Plan is likely to facilitate a wider debate and discussion on this issue both within Europe and also as a communication tool with Third Country trading partners in order to present current Community policies and future planned actions. It is clear that efforts to improve animal welfare can impose extra costs on either the keepers of such animals or administrations responsible for enforcing such controls. Consequently any economic, social or environmental consequences need to be taken into account. Nevertheless these need to be counter-balanced by the benefits both to the animals in particular in respect of their improved protection and also to wider society in general.

- Equally, the Action Plan does not interfere with Member States' competencies in this area. The proposed actions will be individually submitted to a close scrutiny whether and to which extent the achievement of their objectives requires measures at Community level and thus the measures are in compliance with the principle of subsidiarity. This applies also to those actions embedded in the Action Plan which are already foreseen in several Council acts. A coherent planning will facilitate the assessment of the relevance of certain legislative actions demanded by Council decisions in the past. The discussion initiated by a formally adopted Action Plan will ensure a timely and appropriate involvement of the Member States as well as stakeholders.
- It would be inappropriate to take no action and not attempt to more clearly focus and design future Commission activities in this field. The preparation of a non-paper would diminish the formal status and importance given to this initiative. The approach of a formal Action Plan has been already welcomed by stakeholders and Member States and represents an appropriate tool to address this issue. Consequently the preparation of a European Action Plan, covering the whole policy-making activities of the Community, represents an ideal means to better configure the role played by the EU internationally and consolidate its leadership in this political area. Such an Action Plan will cover the whole policy making activities of the Community and will facilitate fully respecting the key principles of subsidiarity and proportionality.

6. MONITORING THE RESULTS AND THE IMPACT OF THE PROPOSALS

One of the outcomes of publication of the Action Plan will be to engage EU civil society, stakeholders and policymakers in a wider debate on the place of animal welfare in our society and the importance given to this issue. Follow-up input from the European Parliament and Council will of course be crucial, as well as wider consultation with EU citizens and feedback from international organisations and trading partners.

It is clear that the Commission needs to communicate more clearly its planned animal welfare initiatives and to take into account all available data (scientific, socio-economic etc.) in the formulation of future proposals. Public events should be organised (either by the Community or with the support of the Community) to enrich and broaden the debate (e.g. European Conference on Animal Welfare to be organised by the Austrian Council Presidency in the first half of 2006). Use should also be made of available informatic tools such as e-newsletters, website updates as well as other communication resources.

Such a communication strategy on animal welfare should be allied with other forms of communication already developed by the Community in the agri-food sector. On-line training tools could be developed to better inform society on issues related to the welfare of animals and further more in-depth surveys organised on consumers' attitudes. The Commission will also consider promoting the establishment of a specific Information Platform for Animal Welfare to facilitate dialogue and the exchange of experience-expertise between relevant interest groups.

It is clear that proper monitoring will be needed during the course of the proposed Action plan to monitor progress or limitations in realising the planned initiatives. A mid-term review could be envisaged during 2008 to review and reflect upon progress achieved at that stage, as well as a subsequent evaluation of the Action Plan's outcome upon its completion in 2010. At that stage the possibility of a follow-up programme will need to be considered.

ANNEXES

ANNEX I

Community legislation on the protection and welfare of animals

General

- Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts - Protocol annexed to the Treaty on the European Community - Protocol on protection and welfare of animals Official Journal C 340, 10/11/1997, p. 0110.

Protection on farms

All farm species

- European Convention for the protection of animals kept for farming purposes Official Journal L 323, 17/11/1978, p. 0014 – 0022.
- 78/923/EEC: Council Decision of 19 June 1978 concerning the conclusion of the European Convention for the protection of animals kept for farming purposes Official Journal L 323, 17/11/1978, p. 0012 – 0013.
- Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes Official Journal L 221, 08/08/1998, p. 0023 – 0027.
- 2000/50/EC: Commission Decision of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes (notified under document number C(1999) 4534) (Text with EEA relevance) Official Journal L 019, 25/01/2000, p. 0051 – 0053.

Calves

- Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves Official Journal L 340, 11/12/1991, p. 0028 – 0032.
- Council Directive 97/2/EC of 20 January 1997 amending Directive 91/629/EEC laying down minimum standards for the protection of calves Official Journal L 025, 28/01/1997, p. 0024 – 0025.
- 97/182/EC: Commission Decision of 24 February 1997 amending the Annex to Directive 91/629/EEC laying down minimum standards for the protection of calves (Text with EEA relevance) Official Journal L 076, 24/02/1997, p. 0030 – 0031.

Pigs

- Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs Official Journal L 340, 11/12/1991, p. 0033 – 0038.
- Council Directive 2001/88/EC of 23 October 2001 amending Directive 91/630/EEC laying down minimum standards for the protection of pigs Official Journal L 316, 01/12/2001, p. 0001-0004.
- Commission Directive 2001/93/EC of 9 November 2001 amending Directive 91/630/EEC laying down minimum standards for the protection of pigs Official Journal L 316, 01/12/2001, p. 0036-0038.

Laying Hens

- Council Directive 88/166/EEC of 7 March 1988 laying down minimum standards for the protection of laying hens kept in battery cages Official Journal L 074, 19/03/1988, p. 0083 – 0087.
- Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens Official Journal L 203, 03/08/1999, p. 0053 – 0057.
- Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC Official Journal L 30, 31/01/2002, p. 0044 – 0046.

Protection at the time of slaughter and killing

- European Convention for the protection of animals for slaughter Official Journal L 137, 02/06/1988, p. 0027 – 0038.
- 88/306/EEC: Council Decision of 16 May 1988 on the conclusion of the European Convention for the Protection of Animals for Slaughter Official Journal L 137, 02/06/1988, p. 0025 – 0026.
- Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing Official Journal L 340, 31/12/1993, p. 0021 – 0034.

Protection during transport

- Council Regulations (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 1255/97 Official Journal L 3, 05/01/2005, p. 0001 – 0044.
- Council Decision of 21 June 2004 on the signing of the European Convention for the protection of animals during international transport. Official Journal L 241, 13/07/2004, p. 0021.
- European Convention for the Protection of Animals during International Transport (revised). Official Journal L 241, 13/07/2004, p. 0022 – 0043.

- Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC Official Journal L 340, 11/12/1991, p. 0017 – 0027.
- Council Directive 95/29/EC of 29 June 1995 amending Directive 91/628/EEC concerning the protection of animals during transport Official Journal L 148, 30/06/1995, p. 0052 – 0063.
- Council Regulation (EC) 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC Official Journal L 174, 02/07/1997, p. 0001 – 0006.
- Council Regulation (EC) 411/98 of 16 February 1998 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours Official Journal L 052, 21/02/1998, p. 0008 – 0011.
- Commission Regulation (EC) 639/2003 of 9 April 2003 laying down detailed rules pursuant to Council Regulation (EC) 1254/1999 as regards requirements for the granting of export refunds related to the welfare of live bovine animals during transport Official Journal L 093, 10/04/2003, p.0010 – 0017.
- Commission Decision 2001/298/EEC of 30 March 2001 amending the Annexes to Council Directives 64/432/EEC, 90/426/EEC, 91/68/EEC and 92/65/EEC and to Commission Decision 94/273/EC as regards the protection of animals during transport (Text with EEA relevance) Official Journal L 102, 12/04/2001, p. 0063 – 0068.
- Council Resolution of 19 June 2001 on the protection of animals during transport, Official Journal C 273, 28/09/2001, p. 0001 – 0001.
- Council Regulation (EC) 1040/2003 of 11 June 2003 amending Regulation (EC) No 1255/97 as regards the use of staging points. Official Journal L 151, 19/06/2003 p. 0021 – 0023.

Other areas:

Wild animals/ zoos etc.

- Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos, Official Journal L 094, 09/04/1999, p. 0024 – 0026.
- 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 Official Journal L 308, 09/11/1991 p. 0001 – 0004.
- Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein Official Journal L 061, 03/03/1997 p. 0001 – 0069.

- Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom Official Journal L 091, 09/04/1983 p. 0030 – 0031.
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora Official Journal L 206, 22/07/1992 p. 0007 – 0050.
- Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds Official Journal L 103, 25/04/1979 p. 0001 – 0018.

Protection of animals used for experimental and scientific purposes

- Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes Official Journal L 358, 18/12/1986, p. 0001 – 0028.
- Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products Official Journal L 262, 27/09/1976, p. 169.

ANNEX II

Scientific opinions issued in the animal welfare field upon requests from the Commission

European Food Safety Authority (EFSA)

- The welfare of weaners and rearing pigs: effects of different space allowances and floor types (adopted 13 September 2005)
- The impact of the current housing and husbandry systems on the health and welfare of farmed domestic rabbits (adopted 13-14 September 2005)
- Animal health and welfare aspects of Avian Influenza (adopted 13-14 September 2005)
- Welfare aspects of various systems of rearing laying hens (adopted 10-11 November 2004)
- Opinion on standards for the microclimate inside animal road transport vehicles (adopted 20 October 2004)
- Opinion on welfare aspects of the castration of piglets (adopted 12-13 July 2004)
- Opinion on welfare aspects of the main systems of stunning and killing the main commercial species of animals (cattle, sheep, pigs, horses, chickens, turkeys and farmed fish) (adopted 15 June 2004)
- Opinion on the welfare of animals during transport (species not covered in the 2002 SCAHAW report: poultry, deer, cats, dogs, farmed fish etc.) (adopted 30 March 2004)

Reports of the Scientific Committee on Animal Health and Animal Welfare (SCAHAW)

- The welfare of non-human primates used in research (adopted 17 December 2002)
- The welfare of animals during transport (details for horses, pigs, sheep and cattle) (adopted 11 March 2002)
- The welfare of animals kept for fur production (adopted 12-13 December 2001)
- The welfare of cattle kept for beef production (adopted 25 April 2001)
- The welfare of chickens kept for meat production (Broilers) (adopted 21 March 2000)
- Standards for the microclimate inside animal transport road vehicles (adopted 8 December 1999)

- Animal welfare aspects of the use of Bovine Somatotrophin (adopted 10 March 1999)
- Welfare aspects of the production of foie gras in ducks and geese (adopted 16 December 1998)
- The use of mixtures of the gases CO₂, O₂, and N₂ for stunning or killing poultry (adopted 23 June 1998)

Reports of the Scientific Veterinary Committee (Animal Welfare Section)

- The killing of animals for disease control purposes (adopted 30 September 1997)
- The welfare of intensively kept pigs (adopted 30 September 1997)
- The welfare of calves (adopted 9 November 1995)
- The slaughter and killing of animals (adopted 30 October 1996)
- The welfare of laying hens (adopted 30 October 1996)

Group of Advisers to the European Commission on the Ethical Implications of Biotechnology

- Ethical aspects of genetic modification of animals, May 1996
- Ethical aspects of cloning techniques, May 1997

ANNEX III

Recent Community-funded research projects on animal welfare issues

Welfare Quality: Integration of animal welfare in the food quality chain: from public concern to improved welfare and transparent quality

Laywel: Welfare implications of changes in production systems for laying hens

Code-efabar: Code of good practice for farm animal breeding and reproduction

Cloning in public: Farm animal cloning and the public – A project to facilitate a European public debate and to make recommendations on regulation and on guidelines for research and applications of farm animal cloning

COST 846: Measuring and monitoring farm animal welfare

CATRA: Minimising stress inducing factors on cattle during handling and transport to improve animal welfare and meat quality

SEFABAR: Sustainable European Farm Animal Reproduction and Selection

FAIR-CT-1995-00075: Genetic solutions to health and welfare problems in poultry caused by painful skeletal disorders

FAIR-CCT-1997-03576: Feather pecking: solutions through understanding

FAIR-CT-1996-02049: Chain management of veal calf welfare

FAIR-CT-1998-03678: Consumer concerns about animal welfare

FAIR-CT-1998-04405: Network for animal health and welfare in organic agriculture

FAIR-CT-1998-04339: Embryonic origin of health and welfare: a new concept for understanding the susceptibility to diseases

BIO4-CT-1998-00055: The future developments in farm animal breeding and reproduction and their ethical, legal and consumer implications

FAIR-CT-1998-03821: Ethical, Legal and Social Aspects of Fisheries Management in Europe

FP6-501984: Welfare and health in sustainable aquaculture

FP6-022720: On farm assessment of stress levels in fish

CRAFT 512991: Development of prototype equipment for humane slaughter of farmed fish in industry

FAIR CT97-3127: Harvest procedures of farmed fish

AER: an integrated system to provide real-time information on the transportation of animals, including environmental conditions, warnings and animal identification

Projects funded under FP6 in area of *in vitro* alternatives and 3Rs.

LSHB-2004-503257 ReProTect: Development of a novel approach in hazard and risk assessment for reproductive toxicity by a combination and application of *in vitro*, tissue and sensor technologies

LSHB-CT-2004-504761 PREDICTOMICS: Short-term *in vitro* assays for predicting long-term toxicity (liver, kidney)

LSSB-CT-2004-504776 CONAM: Consensus networking on alternative methods within Europe

LSH-2003-512051 A-CUTE-TOX: Optimisation and pre-validation of an *in vitro* test strategy for predicting human acute toxicity

LSH-2003-513698 TOXDROP: Highly parallel cell culture in nanodrops, a new format for high content cell based toxicity screening on Cell on Chips

LSH-2003-005199 BBMO: Biosensors Based on Membrane Organisation

LSH-2003-512153 NHR DevTox: A Prospective Analysis of the Mechanisms of Nuclear Hormone Receptors and their Potential as Tools for the Assessment of Developmental Toxicity

LSH-2004-018681 Sens-it-iv: Strategies to replace animal models by *in vitro* assays for identifying skin and respiratory sensitizers

LSH-2004-018940 Vitrocellomics: Optimisation and pre-validation of human hepatic *in vitro* models derived from embryonic stem cells for pre-clinical drug testing

LSH-2004-518246 Memtrans: Assessment of drug-transporter interactions, prevalidation of *in vitro* cultured cell predictive screening models, to predict transport across the biological membranes

LSH-2004-018695 Rainbow: Workshop on impact of toxic properties of chemical compounds on the environment

LSH-2004-018776 Rethink: Mini-pigs as models for toxicity testing of new drugs and chemicals

Projects with smaller animal welfare components

Eadgene: European Animal Disease Genomics Network of Excellence for Animal Health and Food Safety

PCVD: Studies on the epidemiology, early pathogenesis and control of Porcine Circovirus Diseases (PCVDs)

Lamecow: A multidisciplinary approach to the reduction in lameness and improvement in dairy cow welfare in the European Community

Turkey gait disorders: The roles of selection and husbandry in the development of locomotory dysfunction in turkeys

SAFO: Sustaining Animal Health and Food Safety in Organic Farming

Mastitis resistance: New breeding tools for improving mastitis resistance in European dairy cattle

BBP: Broiler breeding production – solving a paradox

Qualityporkgenes: New gene tools to improve pig welfare and quality of pork

FAIR-CT-1998-03372: Organic salmon production and consumption: ethics, consumer perceptions and regulation

ANNEX IV

Council of Europe activities on the protection of animals

EUROPEAN CONVENTION FOR THE PROTECTION OF ANIMALS DURING INTERNATIONAL TRANSPORT (ETS 65)

Current work

- Technical Protocols

Technical protocols as provided for by the revised Convention, concerning the minimum space allowance and the maximal length of travel, minimum intervals of feeding and watering, as well as minimum period of rest respectively, are currently being elaborated by the Working Group.

- Recommendations of the Committee of Ministers

New recommendations of the Committee of Ministers containing Codes of conduct addressing the transport of animals not by species but by transport means (road, sea, air and rail) are currently being elaborated. They aim at replacing the existing recommendations on the transport of different species of animals.

Adopted text

- Recommendation No. R (87) 17 of the Committee of Ministers on the transport of horses
- Recommendation No. R (88) 15 on the transport of pigs
- Recommendation No. R (90) 1 on the transport of cattle
- Recommendation No. R (90) 5 on the transport of sheep and goats
- Recommendation No. R (90) 6 on the transport of poultry
- Revised Convention ETS 65 (ETS 193)

EUROPEAN CONVENTION FOR THE PROTECTION OF ANIMALS KEPT FOR FARMING PURPOSES (ETS 87)

Current work

The T-AP is currently elaborating two new recommendations concerning respectively rabbits and farmed fish. In addition, it is revising its Recommendation concerning cattle, adopted in 1988.

Adopted texts

- Recommendation concerning Cattle (adopted by the T-AP on 21 October 1988)
- Recommendation concerning Sheep (adopted by the T-AP on 6 November 1992)
- Recommendation concerning Goats (adopted by the T-AP on 6 November 1992)
- Appendix C to Recommendation concerning Cattle: special provisions for Calves (adopted by the T-AP on 8 June 1993)
- 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)
- Recommendation concerning Ratites (adopted by the T-AP on 22 April 1997)
- Recommendation concerning 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 Muscovy Ducks and hybrids of Muscovy and domestic Ducks (adopted by the T-AP on 22 June 1999)
- Recommendation concerning Fur Animals (adopted by the T-AP on 22 June 1999) (Replacing the previous Recommendation adopted on 19 October 1990)
- Recommendation concerning Turkeys (adopted by the T-AP on 21 June 2001)
- Recommendation concerning Pigs (adopted by the T-AP on 2 December 2004) (replacing the previous Recommendation adopted on 21 November 1986)
- Amendment Protocol to the Convention ETS 87 (ETS 145)

EUROPEAN CONVENTION FOR THE PROTECTION OF ANIMALS FOR SLAUGHTER (ETS 102)

Current work

The revision and update of the Convention will be resumed when the current work on transport and experimentation have been completed.

Adopted texts

- Recommendation No. R (91) of the Committee of Ministers on slaughter of animals.

EUROPEAN CONVENTION ON THE PROTECTION OF PET ANIMALS **(ETS 125)**

Current work

The work on revision and updating of the Convention will be resumed once the current work on transport and experimentation has been completed.

Adopted texts

- Resolutions adopted by the multilateral consultation of the parties to the European convention for the protection of pet animals
- Resolution on surgical operations in pet animals (adopted on 10 March 1995)
- Resolution on the breeding of pet animals (adopted on 10 March 1995)
- Resolution on the keeping of wild animals as pet animals (adopted on 10 March 1995)

EUROPEAN CONVENTION FOR THE PROTECTION OF VERTEBRATE **ANIMALS USED FOR EXPERIMENTAL AND OTHER SCIENTIFIC PURPOSES** **(ETS 123)**

Current work

In 1998, the Parties to the Convention undertook a revision of Appendix A to the Convention, on the accommodation and care of animals. The work was completed in September 2004. The Multilateral Consultation of the Parties, which will formally adopt the revised Appendix A, will be held immediately after the entry into force of the Protocol amending the Convention.

This Appendix contains guidelines based on present knowledge and good practice for the accommodation and care of animals. It explains and supplements the basic principles adopted in Article 5 of the Convention. The object of the Appendix is thus to help authorities, institutions and individuals in their pursuit of the aims of the Council of Europe in this matter. It is composed by a General Section - providing guidelines on accommodation, housing and care relevant to all animals used for experimental and other scientific purposes and Species-Specific provisions on dogs, cats, ferrets, rodents and rabbits, farm animals (cattle, sheep, goats, horses, pigs and minipigs), non-human primates, birds, fish, amphibians and reptiles.

Adopted texts

- Resolutions adopted by the Multilateral Consultation of the Parties to the European Convention for the protection of vertebrate animals used for experimental and other scientific purposes
- Resolution on the interpretation of certain provisions and terms of the Convention (adopted by the Multilateral Consultation on 27 November 1992)

- Resolution on education and training of persons working with laboratory animals (adopted by the Multilateral Consultation on 3 December 1993)
- Resolution on the acquisition and transport of laboratory animals (adopted by the Multilateral Consultation on 30 May 1997)
- Resolution on the accommodation and care of laboratory animals (adopted by the Multilateral Consultation on 30 May 1997)

ANNEX V

OIE achievements in the field of animal welfare

- 2001 Animal welfare identified as high priority for 2001-2005 OIE Strategic Plan
- 2002 First Permanent OIE animal welfare working group established
- 2003 Detailed work programme advanced by specific OIE ad-hoc groups
- 2004 OIE Global Conference on Animal Welfare organised in Paris and OIE Guiding Principles on Animal Welfare adopted
- 2005 OIE Animal Welfare Standards adopted on the issues of land transport, sea transport, killing for disease control and slaughter for human consumption. Specific animal welfare edition of OIE Revue Scientifique et Technique published