

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Director-General

Brussels,
SANTE G3/MF/mm (2015)

Dear Petitioner,

Subject: Exports of live animals from the EU to third countries

Thank you for your letter calling for a ban on the export of live farm animals from the European Union (EU) to non-EU countries¹. Commissioner Andriukaitis has asked me to reply on his behalf.

Such a "general ban" would not be in line with the principle of proportionality, which requires to limit the EU action to what is necessary to achieve the objectives of the EU Treaties, as it would not take into account the individual degrees of compliance with the relevant EU legislation in different EU Member States. Moreover, a general ban would raise legal concerns as it would represent a possibly unjustified restriction for international trade, which always needs to take account of the EU legislative framework and the WTO law.

As you know, the responsibility for the application and enforcement of the EU animal welfare legislation rests with the Member States of the European Union. The Commission is working, within its remit, to address the conditions related to exports, including through active promotion of animal welfare in the context of the relations with non-EU countries.

For instance, a number of dedicated training events took place, such as the first multi-beneficiary Technical Assistance and Information Exchange (TAIEX) workshop on welfare practices at the time of slaughter, organised in March 2015 in Beirut with the participation of delegates from Lebanon, Turkey, Jordan, Palestine, Algeria and Egypt. This event was followed-up by a Better Training for Safer Food (BTSF) workshop on animal welfare during transport and at the time of slaughter, held in Ispra (IT) last July and attended by delegates from 19 countries, including from the Middle East and North Africa.

Following these initiatives, the Commission and the main stakeholders are currently evaluating joint initiatives to increase the technical knowledge of operators on animal welfare during transport and at slaughter.

The Commission has discussed the issue of live animal exports with EU Member States on several occasions. In particular, Member States' obligations concerning long journeys

¹ Your letter bears the "title" petition, which in the framework of EU Law is used for petitions addressed to the European Parliament pursuant to Article 227 TFEU. Your letter is dealt with by the Commission according to the rules for correspondence with citizens.

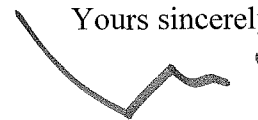
of animals to non-EU countries and the importance of performing a careful risk assessment to strengthen the official controls were discussed at the meeting of the Standing Committee on Plants, Animals, Food and Feed, held in November 2015.

Furthermore, the Commission supports EU Member States in bringing the application of the legislation on the protection of animals during transport in line with the recent judgement of the Court of Justice of the European Union² on animal transport. This judgement requires that, in case of a long journey of animals from the EU territory to a non-EU country, the provisions of the EU Regulation³ on the protection of animals during transport have to be complied with, including in the stages of the journey taking place outside the EU.

In this regard EU Member States, through their National Contact Points for animal welfare during transport⁴, at their December 2015 meeting identified the need to work on intensified checks of journey logs at places of departure, better contingency plans and supervision of loading of animals at departure as well as for checks at exit points. In 2016 the Commission will explore the most suitable ways to facilitate this process.

As you can read, many initiatives are already taking place to improve the situation of exported live animals. As you sent your letter with the support of and on behalf of a number of citizens of whom we do not have the individual contact data, I would be very grateful if Compassion in World Farming could publish the content of this letter on its website with a view to sharing this reply with all petitioners. On our side, we shall also publish this letter, expunged of protected personal data, on the transparency portal⁵.

Yours sincerely,



Xavier Prats Monné

² Judgment in Case C-424/13 Zuchtvieh-Export, available at: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=163872&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1&cid=303901>, paragraphs 50 to 52 and 56.

³ Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations; OJ L 3, 5.1.2005, p. 1.

⁴ This network has been established on the basis of Article 24 of Regulation 1/2005 which requires mutual assistance and exchange of information between Member States and a contact point to facilitate these exchanges

⁵ http://ec.europa.eu/transparency/index_en.htm