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COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION STAFF WORKING DOCUMENT

accompanying the

Proposal for a

COUNCIL REGULATION

on the protection of animals at the time of killing

SUMMARY OF THE IMPACT ASSESSMENT REPORT

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SUMMARY

Every year nearly 360 millions pigs, sheep, goats and cattle as well as more than 4 billions of poultry are killed in EU slaughterhouses. In addition the European fur industry kills around 25 millions animals while hatcheries kill around 330 millions day-old-chicks. The control of contagious diseases may also require the killing of thousands to millions of animals.

The killing of farm animals is regulated by Council Directive 93/119/EC¹ on the protection of animals at the time of slaughter or killing. The directive has never been amended. The present impact assessment will therefore mainly focus on whether the problems have changed and whether the original objectives are still valid.

The starting point of the Commission proposal has been the adoption in 2004 and 2006 of two scientific opinions from the European Food Safety Authority, which suggest revising the technical annexes of the Directive. In parallel the World Organisation for Animal Health adopted in 2005 two guidelines on the welfare of animals at slaughter and killing leading to similar conclusions. As a consequence the Commission mandated an external consultant in 2006 to carry out a study on stunning/killing practices in slaughterhouses and their economic, social and environmental consequences. The study was finalised in 2007. At the same time the Commission conducted consultations of interested parties and Member States. Reports from the Commissions' experts from the Food and Veterinary Office (FVO) were analysed as they reflect the state of implementation of the current directive within the Member States. An internet consultation was also performed from December 2007 to February 2008.

This legislation mainly affects slaughterhouses, fur farming, hatcheries and killing performed for disease control purposes. The meat industry is the most concerned sector since it kills the largest number of animals. This is also where legislative requirements are more detailed and explain why most of the impact assessment focuses on this industry.

¹ OJ L 340, 31.12.1993, p. 21.

The context for killing farm animals has considerably changed since 1993. New technologies have been introduced, new scientific research have been carried out making current standards obsolete in some areas. Animal welfare concerns have also grown in our society and European citizens are increasingly more demanding on this aspect of the food chain. The legal environment has also changed for slaughterhouses with the adoption of the "Hygiene Package", a series of EU legislation on food safety which emphasizes the responsibilities of the food business operators. Massive killing during large animal epidemics have also raised questions on our way to ensure humane killing of animals. In 2006 the Commission adopted the first Community Action Plan on the Protection and Welfare of Animals, introducing new concepts such as the welfare indicators and the need for further research programs and centres of reference on animal welfare.

Specific problems have also been identified with the present EU legislation such as the lack of harmonised methodology for new stunning methods, the lack of clear responsibilities for operators on animal welfare, the insufficient competence of personnel handling animals, or insufficient conditions for the welfare of animals during killing for disease control purposes.

The killing of farm animals is an area subject to EU legislation since 1974 and Community competence has been reinforced in 1993. Consultations from stakeholders and Member States confirm the relevance of Community initiative in this domain. This legislation affects the meat industry, the sector of equipment manufacturers and some farmers' activities. All of them are working at international level and ask for an EU framework.

The general objectives of the initiative attached to this impact assessment is to improve the protection of animals at the time of slaughter or killing, while ensuring a level playing field for all business operators concerned, so that their competitiveness is not affected by discrepancies in their costs of production or their market access. This initiative should also contribute to the Better Regulation/simplification policy.

The specific objectives are to encourage innovation for stunning animals humanely, to ensure better integration of animal welfare in the production process of slaughterhouses, to increase the level of knowledge of personnel concerned and to improve the protection of animals when massive killings occur.

The options range from doing nothing (=baseline= option 1), non-binding recommendations (option 2), amending the directive (option 3) through its technical annexes and reorganising the legislation (option 4).

Slaughtering costs represent a limited part of the total costs of slaughterhouses activities (20%) but could affect their competitiveness. However changes in costs for slaughtering animals are unlikely to affect the final price of meat. Slaughterhouses are already submitted to permanent official inspection through food safety legislation. The current animal welfare legislation does not introduce additional requirements for official inspections. Animal welfare has a positive impact on meat quality and occupational safety. It also represents positive market values. No significant environmental impacts have been identified.

From the comparison of the options it appears that doing nothing (option 1) have a number of negative impacts on the objective pursued. None of them is likely to be achieved by this option. Animal welfare on many aspects is likely to be worsened while businesses will have to operate in an increasingly different environment from Member State to another. Therefore simplification is far from being improved. Innovation will be discouraged by this situation despite efforts made in some Member States. Economic costs on business and authorities will be limited in the short term. But detrimental effects on meat quality, public perception and occupational safety could have long term negative economic impacts on the meat sector.

The comparison between the other options in the light of the objectives makes clearly more advantageous to reorganise the legislation (option 4) while amending the directive (option 3) would bring some benefits and providing non-biding recommendations (option 2) will not suffice to tackle most of the objectives. Therefore option 2 alone can not be considered as to be sufficient way to address the issues, but could be considered interesting as a complementary instrument.

Non bidding recommendations (option 2) would in particular contribute to improve animal protection and meat quality. It could also contribute to establish a certain level playing field among businesses but in a very limited way due to the non mandatory nature of the option.

Reorganising the directive (option 4) is the only option where innovation can be encouraged and simplification provided (changing the legal instrument and having a new approach). It is also brings more benefits than amending the directive (option 3) as regards animal protection. It is also the option that is likely to bring the most positive impacts in terms of meat quality, public perception and better working conditions in slaughterhouses.

Options 3 and 4 will generate short terms costs for certain businesses but their effects will depend if specific measures are taken like possible transitional periods or exemption in specific cases.

Environmental impacts are considered to be neutral for all options as there was no evidence during the collection of data of substantial and/or direct effects on environment.

The general monitoring of the legislation on animal welfare is included in the Regulation 882/2004 on official controls of food and feed² and this document does not suggest developing at this stage specific instrument that would create administrative burden for the Member States.

² OJ L 165, 30.4.2004, p. 1–141.