

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Director-General

Brussels,
SANTE G2/SR/rb(2016)2170350

Dear Petitioner,

Dear Mr Johnson,

Subject: Live animals transported to Turkey

Commissioner Andriukaitis asked me to thank you for your e-mail presenting the petition "*EU Commissioners fail live animals transported to Turkey*"¹ and to reply on his behalf.

The petition calls for a general ban on the export of live farm animals from the European Union (EU) to non-EU countries, including Turkey.

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 live animal exports, including through active promotion of animal welfare in the context of the relations with non-EU countries.

To this end, the Commission organises regular meetings of Member States represented by their National Contact Points² on animal welfare during transport. Specific meetings will be held this year to improve coordination on checks on journey logs at place of departure, on better contingency plans and supervision of loading of animals at the departure.

Moreover, the Commission continues to monitor the state of implementation of the EU legislation on the transport of animals³ by using different tools, including annual reporting on the inspections carried out by Member States⁴ and deploying audits on specific topics.

¹ Your e-mail refers to a "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.

² The network has been established on the basis of Article 24 of Council Regulation (EC) No 1/2005 on the protection of animals during transport (OJ L 3, 5.1.2005, p. 1) which requires mutual assistance and exchange of information between Member States and a contact point to facilitate these exchanges.

³ Council Regulation (EC) No 1/2005 on the protection of animals during transport.

⁴ The Member States' obligation to submit to the Commission each year an annual report on inspections carried out to check that the requirements of Regulation (EC) No 1/2005 have been complied with is laid down in Article 27(2) of that Regulation. More detailed rules on the contents of these annual reports are laid down in Commission Implementing Decision 2013/188/EU on annual reports on non-discriminatory inspections carried out pursuant to Council Regulation (EC) No 1/2005 on the protection of animals during transport (OJ L 111, 23.4.2013, p. 107).

On several occasions, the Commission raised with the Turkish authorities the need to optimize their controls and improve their facilities at the border inspection posts. Although the Commission has no legal power to impose its standards to Turkey, it will continue pursuing the enforcement of the Regulation and monitoring the situation with the Member States by using all appropriate tools.

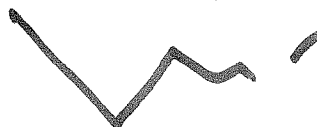
The Commission will continue to evaluate concrete actions to ensure that only compliant transporters with realistic journey logs are approved at departure, as well as to improve the controls at the exit points.

Furthermore, a number of dedicated training events have taken place to enhance knowledge in this area, 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 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.

As regards your call for a "general ban" on live animal exports, such a 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 restriction for international trade. All measures concerning exports to non-EU countries need to take account of the relevant EU legislative framework and the WTO law.

As highlighted above, 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 citizens of whom we do not have the individual contact data, I would be very grateful if you could publish the content of this letter on your 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 Commission's transparency portal⁵.

Yours sincerely,



Xavier Prats Monné

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