

Message 001

Communication from the Commission - TRIS/(2025) 0541

Directive (EU) 2015/1535

Notification: 2025/0111/NL

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20250541.EN

1. MSG 001 IND 2025 0111 NL EN 25-02-2025 NL NOTIF

2. Netherlands

3A. Ministerie van Financien, Dienst Douane Noord, CDIU.
(cdiu.notificaties@belastingdienst.nl 050 5232135)

3B. Ministerie van Landbouw, Visserij, Voedselzekerheid en Natuur, directie Wetgeving en Juridische Zaken.

4. 2025/0111/NL - C90A - Well-being of animals and pets

5. Policy guideline of the Minister for Agriculture, Fisheries, Food Security and Nature of ..., No WJZ/, amending the policy guideline on animal transport at high temperatures

6. This policy guideline concerns the transport of live vertebrate animals within the scope of Regulation 1/2005.

7.

8. The amendment to the policy guideline on animal transport at high temperatures may contain technical provisions (see Article I of the amending regulation).

This policy guideline specifies, for the situation of transport at high ambient temperatures, the prohibition to transport or have animals transported in such a way that it is likely to cause injury or unnecessary suffering to the animals under Article 3 of Council Regulation (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 (OJ L 3 of 2005).

The current policy guideline (notified at the time under notification number 2020/0129/NL) assumes a temperature limit of 35 degrees Celsius. With this amendment, the temperature limit is lowered to 30 degrees Celsius, as new scientific insights indicate that above this outdoor temperature, animals are at high risk of experiencing heat stress. The policy guideline applies to all transport in the Netherlands, even if they originate from another country or are en route to another country. The above does not apply to any means of transport equipped with an active cooling system. For the transport of ornamental fish, reptiles, fish for consumption, crabs and lobsters, the outside temperature limit remains 35 degrees Celsius because it is not plausible that they have an increased chance of experiencing heat stress when transported above 30 degrees Celsius.

As the policy guideline contains an interpretation of Article 3 of the Transport Regulation (see further under 9), no mutual recognition clause has been included. The inclusion of a mutual recognition clause has no added value in this case, and is therefore not necessary.

9. This technical regulation only concerns the realisation of what is already required under Article 3 of Council Regulation No 2005/1. The draft Order therefore does not go further than is necessary to promote – in the interest of the welfare of the transported animals – the proper implementation of this provision at high outdoor temperatures. The draft Regulation does this by providing both carriers and the national enforcement authority with the clarity that has proved necessary in practice on a specific aspect of the scope of the aforementioned provision in Regulation 2005/1. After the entry into force of this policy guideline, there will not be more or less space for transporting animals at high temperatures than is already provided for in Council Regulation No 2005/1. In view of the above, the draft Regulation should be considered a necessary and proportionate measure in light of the importance of animal welfare. The limit of 30 degrees Celsius is the same as the temperature limit already applied for long-distance transport following a call from the European Commission in 2019 (20 June 2019, reference 10451/19) to Member States, to no longer allow long transports when an outdoor temperature of 30 degrees Celsius or higher is expected en route.

The draft Regulation has no discriminatory effects, since it applies to all animal transport in the Netherlands with no distinction to the Member State of origin of the transporter.

10. Numbers or titles of basic texts: The basic texts were sent with a previous notification:
2020/0129/NL

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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