

Message 001

Communication from the Commission - TRIS/(2025) 0313

Directive (EU) 2015/1535

Notification: 2025/0066/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 - Atidējimai 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: 20250313.EN

1. MSG 001 IND 2025 0066 NL EN 04-02-2025 NL NOTIF

2. Netherlands

3A. Douane Groningen, CDIU

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

4. 2025/0066/NL - C90A - Well-being of animals and pets

5. Decree amending the Decree on the holders of animals due to a ban on the use of electric livestock prods in livestock farming

6. The ban concerns the use of electric livestock prods when driving animals in livestock farming.

7.

8. The newly proposed Article 1.3(i)(4) and (5) of the Animal Keepers Decree (see Article I(B) of the amending Regulation) may contain technical requirements (an exception to the ban on the use of electric

livestock cattle prods for milking robots, and GPS collars meeting certain conditions). A mutual recognition clause is included in the amending Regulation for such milking robots and GPS collars (see Article I, point C, of the amending Regulation).

The ban on the use of electric livestock prods concerns their use in driving animals kept commercially for the production of animal products. Under the Animals Act, it in principle concerns all animal species designated as production animals in Annex II to the Animal Keepers Decree (on the basis on Article 2.1 of the Animal Keepers Decree in conjunction with Article 2.3(2) of the Animals Act). In the practice of animal husbandry, electric cattle drives are mainly used for pigs and cattle, and only when they have to be loaded onto a wagon, or moved within a stable towards a transport wagon. Driving of animals means any use of the electric cattle prod intended to force the animal in question to move in a direction, for example when loading or unloading the animals in the context of transport or making them stand up.

The ban also includes the use of electric livestock prods in the transport of animals taking place entirely on the territory of the Netherlands, or during transport by sea that departs from the Netherlands. The ban is therefore a nationally stricter rule for improving animal welfare within the meaning of Article 1(3) of Regulation 1/2005 on the protection of animals during transport and related operations.

9. The use of electric livestock prods always causes a pain and stress reaction in the animal, even if applied in accordance with the specific requirements of the regulations. Staff working at livestock transporters and slaughterhouse staff often see the use of electric shocks as a useful tool that leads to quick results. Whilst practice shows that the use of alternative, less aversive methods leads to equally good, or even better results, as the European Food Safety Authority (EFSA) also describes and advises in its study 'Welfare of pigs at slaughter' from 2020.

The problem is that although European regulations clearly state that the use of these devices must be avoided, and may only be used in a very specific way, they do not explicitly prohibit this use. Observations by the NVWA, undercover images, and experience from the practice of the sector parties indicate that such a device, if handled, is used negligently and not in accordance with the conditions laid down in the European regulations.

For instance, the loading and unloading of animals at primary holdings, assembly centres, and slaughterhouses often takes place under certain time pressure. The desire for efficiency and speed leads to the chasing of animals and excessive use of devices that can administer electric shocks. This leads to avoidable stress and pain in the animals. Especially if the electric shocks are applied to body parts that are particularly vulnerable, such as the head or nose. Even without this time pressure, these devices can be used in undesirable ways in other processes and at other times, out of habit or negligence.

The examples of negligent use that have reached the media have led to a lot of resistance in society and in politics. Animal welfare is a topic that has become increasingly important to Dutch citizens over the years. The pressure from the Lower House to introduce a ban on the use of electric livestock drives is a reflection of this growing desire to improve animal welfare in the Netherlands.

A ban is necessary in order to no longer allow the use of electric livestock prods as a general rule. The proposed ban is proportionate because there are sufficient other, more animal-friendly, possibilities to drive animals. Excluding use of electric livestock prods as a general rule has certain precisely defined exceptions, and is thus the least restrictive means of achieving the objective pursued. The ban, and the exceptions

thereto, apply without distinction on grounds of nationality within the Netherlands. The exceptions for milking robots and 'virtual herding' are also defined in such a way that they do not discriminate on the basis of nationality, including a mutual recognition clause (see the new Article 6.11).

10. Numbers or titles of basic texts: The basic texts were sent with a previous notification:  
2025/0025/NL

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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