Ministry of Economic Affairs,
Agriculture and Innovation

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European Commission
Commissioner Dalli
Director-General for Health and Consumer Protection
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Department of Food, Animal Health and Welfare and Consumer Policy

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Re EU strategy Animal Welfare

Dear Commissioner Dalli,

The European Commission envisages a new EU strategy for animal welfare that will play a key part in shaping European animal welfare policy.

The Dutch Government's coalition agreement reflects the country's concern for safeguarding animal welfare, a concern the Dutch Parliament shares.
I am confident you understand these concerns, and I would like to express my appreciation for the regular constructive contacts and the open dialogue on this subject between my Ministry and your Directorate General. I would also like to express my confidence that our productive cooperation and dialogue will continue during further development and elaboration of the EU strategy. In this letter, I would like to clarify some key areas I would like to see addressed by the new EU strategy for animal welfare.

First and foremost, I believe the new EU strategy must be ambitious in its approach to further improve animal welfare. Of the three policy options you have outlined (baseline /no action, legislative options and non-legislative options), the baseline option is unacceptable for the Netherlands, as it does not meet public expectations about animal welfare. There is a growing social awareness of animal welfare in Europe and beyond, clearly reflected in the evaluation of the EU animal welfare policy and the results of the Eurobarometer. Moreover, the Treaty of Lisbon explicitly recognises animal welfare as an area of public concern. In addition, further development of EU animal welfare policy is necessary to create a level playing field, fair competition and for proper functioning of the internal market.

I think a sound mix of both the 'legislative' and 'non-legislative' policy options will be needed for developing a new EU strategy. The so called 'Declaration of Brussels', on alternatives to surgical castration of pigs is a prime example of stimulating a development without legislation on this matter. It is a good thing that the Commission is supporting this approach.

a. Legislative Options

Regarding the legislative options you outlined, I would welcome a proposal for a framework law that establishes general provisions. However, as I indicated earlier in the Agricultural Council, I also think specific legislation is necessary for animal categories not covered by any specific EU legislation. I believe the Council of Europe's recommendations could provide a good basis for this.
In my opinion specific EU welfare regulation is required for dairy cattle, broiler-breeders, turkeys, rabbits and minks. I would also urge the Commission to introduce a good regulation for the labelling of animal products in relation to animal welfare.
The Netherlands also aims to establish a basic level of EU animal welfare for dog breeders and dealers (including rules against breeding dogs with genetic defects), a harmonised ban on certain surgical interventions (primarily docking the tails of dogs and horses) and minimum welfare standards for circus animals. Regarding circuses I would also press for a review to look into the possibility of a future ban on taking animals from the wild.

I also indicated in the Agricultural Council that I would like to see more ambitious standards and regulations for existing EU regulations. In this respect I would urge modernisation or reform of various parts of these regulations, where I consider that the following areas of legislation should have priority for farm animals:

1) Revise and strengthening of Council Regulation (EC) No 1/2005, intended to limit transportation duration, particularly for slaughter animals, improvement of transport conditions, such as space allowances, temperature limits, climate control requirements, watering and feeding, headroom, and collecting transport data via GPS for storage in an EU databank; Regarding duration of transport I would like to see a substantial decrease in the number of transports longer than 8 hours or further than 500 kilometres and that transport conditions should become more stringent the longer the journey takes. For slaughter animals I would press for an absolute maximum limit of 8 hours; I urge the Commission to come up with its impact report of the current Regulation shortly, and to arrive at proposals for revision of this regulation;
2) Ban on the use of the current water bath method for stunning poultry and replacement with more humane methods and inclusion of mandatory stunning methods for farmed fish (incl. eel);
3) Tightening the welfare directive requirements for pigs, including pen size for porkers;
4) Tightening of standards in the Directive for the protection of calves, to an individual haemoglobin concentration of 4,5 mmol per litre;
5) Tightening and supplementing the standards in the broiler Directive, regarding contact dermatitis and other animal-oriented indicators;
6) Tightening of requirements for 'enriched cages' in the framework of Directive 1999/74/EC on commercial housing of laying hens.

In addition to farm animals, priority should also be given to improving existing veterinary rules for the trade in dogs, to improve supervision.

In terms of all components of legislation, I would generally like to see standards that are more outcome-based, with regard to animal-related indicators, preferably

based on the Welfare Quality system. I believe agreements should also be made about workable measurement protocols.

b. Enforcement and compliance

Proper enforcement and compliance with existing EU regulations is also an important issue for the Netherlands. I believe the Commission should be more involved in FVO inspections and should more actively follow up the findings, by DG SANCO's policy departments and legal service. I would also ask the Commission to play a more active role in assessing reports from Member States about the checks they have carried out, to ensure the necessary level playing field. I would also urge EU guidelines to be prepared and issued for a uniform interpretation of regulations and better compliance.

I emphasise enforcement and compliance as this is a matter that must be addressed in the short term due to the ban on battery cages for laying hens that enters into force as of 2012 and the compulsory group housing for pregnant sows that enters into force in 2013.

c. Non-legislative actions

In addition to legislative efforts, the use of non-legislative actions should play an important role in the new EU strategy for animal welfare. I would urge you to include the following actions:

- Actions in the area of communication and education, for example on transparency about current housing systems;
- Stimulate and develop an EU benchmarking system / assessment framework for welfare-friendly animal products, in cooperation with, for example, the international ´Welfare Quality (WQ) Network´ and NGOs;
- Encourage development of welfare-friendly products and production methods and stimulating these segments of the market, with for example the help of an EU benchmarking system and labelling, taking into consideration existing good practices and WTO;
- Research and innovation, including clustering of and cooperation on scientific research;
- Develop a European network of reference centres for animal welfare, for purposes including collation of research results, putting into practice research results, help desk functions, etc.;
- Develop and issue guidelines for the interpretation of regulations, as these are necessary for clear interpretation and better compliance with amongst others, the transport regulation;
- Promote improved cooperation between Member States in dog trade.

Finally I would like to stress that it is vital that the discussion on animal cloning is continued at European level. I would urge you to present proposals on cloning as quickly as possible. In addition I would ask you to commission a follow-up study into the modality of tracing of foodstuffs originating from the first generation progeny of cloned animals.

As you can see, I believe there are many important aspects within the framework of the new EU welfare strategy for the coming years and I would be glad to continue discussions with the Commission about the development and elaboration of this strategy. During your visit to the Netherlands on 11 November 2010, you accepted my invitation for a working visit to demonstrate innovative examples where animal welfare and economy go hand in hand. I would be grateful for the opportunity to meet with you in the Netherlands in the next few months so we can discuss animal welfare. I look forward to further illustrating why we must be ambitious in our efforts to create an EU animal welfare strategy. Our departments will coordinate an appropriate date for your visit.

Henk Bleker
Minister for Agriculture and Foreign Trade

Department of Food, Animal Health and Welfare and Consumer Policy

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