



## Questions and Answers: Commission's response to the European Citizens' Initiative on "End the Cage Age"

Brussels, 30 June 2021

### 1. What is the European Citizens Initiative 'End the Cage Age' about?

The European Citizens' Initiative (ECI) '[End the Cage Age](#)' called on the Commission to propose legislation to prohibit the use of cages for:

- laying hens, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese;
- farrowing crates for sows;
- sow stalls, where not already prohibited;
- individual calf pens, where not already prohibited.

Within one year, the organiser of the ECI (Compassion in World Farming) in collaboration with 170 NGOs across Europe, collected 1.4 million signatures from supporters in 28 Member States.

In recent months, and to prepare its response, the Commission met with the organisers and a public hearing and a plenary debate took place in the European Parliament on 15 April and 10 June respectively.

### 2. What is the response of the Commission?

The Commission has responded positively to the ECI and is committing to propose to phase out and finally prohibit the use of cages for all the animal species and categories referred to in the initiative: laying hens, sows, calves, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese.

The proposal, which will include the length of the transition period, is expected by the end of 2023 and will be part of the revision of EU animal welfare legislation. The Commission will assess the feasibility of working towards the proposed legislation entering into force from 2027.

### 3. How will this legislation be prepared? What are the next steps?

A public consultation will be launched latest in the first quarter of 2022 and an impact assessment will be finalised by the end of 2022.

The impact assessment will constitute an important element since it will determine, in particular, the length of a reasonable transition period and the accompanying and supporting measures to facilitate the transition.

Also, the approach will be species-to-species, meaning that it will take into account and assess characteristics of each different animal species or categories, which should have housing systems, suited to their specific needs.

The legislative proposal will also be based on scientific opinions of the European Food Safety Authority (EFSA), already requested by the Commission, the last of which is expected in the first quarter of 2023.

### 4. What is the current legislation on the caging of animals?

The first EU legislation on animal welfare was adopted almost 50 years ago (1974) and has evolved and expanded ever since then. The current legal framework for the keeping of farmed animals consists of a general Directive on the protection of animals bred and kept for farming purposes and four specific Directives.

General principles are set out in the general Directive, meaning that all farm animals are

covered, and Member States are free to adopt stricter provisions, provided they are compatible with EU rules.

The four species specific Directives have been adopted for the protection of the welfare of laying hens, broilers, calves and pigs, which lay down certain rules on confinement.

For example, the legislation for the rearing of laying hens adopted 22 years ago prohibited the use of barren ('battery') cages in the EU after a transition period.

Some Member States have adopted stricter rules than the ones foreseen in the EU's Directives.

The legislation on caging that the Commission intends to table in two years will go beyond the animals covered at the moment to cover all the animals referred to in the ECI.

## **5. Will animal welfare be reinforced via the Farm to Fork Strategy?**

Yes - animal welfare is a key component of a sustainable food chain, which is the reason why it is included in the [Farm to Fork Strategy](#) (F2F).

As announced in the F2F, the Commission will propose a revision of the EU legislation on the welfare of animals by 2023. This ambitious commitment includes the current rules relating to the breeding, and keeping in cages, of animals.

Before making new proposals in any field – including animal welfare – a careful evaluation of what is already in place is first needed to identify specific, targeted areas that may need improvement.

To that end, the Commission has started, in 2020, an evaluation ("Fitness Check") of the current EU legislation on the welfare of farmed animals.

In addition, the Commission has requested several scientific opinions from the European Food Safety Authority (EFSA). This is to ensure that any proposed revision of the current rules will be based on the latest available science and scientific evidence (see Question 8).

The proposed revision of the EU animal welfare legislation will also be based on the [evaluation](#) of the EU Animal Welfare Strategy 2012-2015, published on 7 April 2021.

## **6. What has the Commission done in recent years to support animal welfare?**

In recent years, the Commission has worked on three priorities for animal welfare: better enforcement, stakeholders' dialogue and the promotion of animal welfare globally.

Efforts on better enforcement are notably related to the transport of animals and the welfare of pigs.

In addition, thanks to the new Official Controls Regulation, the Commission has designated three European reference centres for animal welfare, one concentrating on pigs, one on poultry and other small farmed animals and a third centre was recently appointed for ruminants and equines.

On 7 May 2021, the Commission adopted a Decision renewing, until 30 June 2025, the mandate of the EU Platform on Animal Welfare (a forum composed of Member States authorities, businesses, and organisations from civil society and scientists). The platform has been operating and supporting the Commission since June 2018.

## **7. When will the Fitness Check be concluded?**

The results of the Fitness Check will be published by the summer of 2022.

The purpose of the evaluation of the legislation is to identify the strengths and the weaknesses of the current EU legislation and the extent to which it remains fit for purpose in view of today's needs and tomorrow's challenges.

## **8. What will be the scientific input for the revision of the Animal Welfare legislation and the proposal on the phasing out of cages?**

The European Food Safety Authority (EFSA) has already been requested by the Commission to provide scientific opinions, which will cover the scope of the current legislation (including, amongst others, laying hens and pigs), but also the animals flagged in the ECI. These will be

available in the course of 2022 and in early 2023.

Scientific studies have shown that better animal welfare improves animal health and reduces the need for medication, thus slowing the possible triggering of antimicrobial resistant microorganisms and improving food quality. In addition, reducing stress in laying hens, for example, reduces the prevalence of Salmonella in flocks.

## **9. Will the Common Agricultural Policy contribute to the phasing out of cages?**

Yes - in the years to come, while the Commission will be preparing its proposal, and beyond 2023, the Common Agricultural Policy (CAP) will constitute a key contributor towards cage-free systems. It will, in particular, financially support farmers since new investments to upgrade the facilities will have to be envisaged.

The Farm to Fork Strategy already recognises the role of the CAP in supporting the transition to sustainable food systems. Moreover, it is envisaged that, as from 2023, animal welfare will be included in the CAP's specific objectives. Member States will also be encouraged to take into account animal welfare in the preparation of their national CAP strategic plans.

As regards financial support, the European Agricultural Fund for Rural Development (EAFRD) will continue to be mobilised, with Member States' co-financing, to support in particular:

- Animal welfare payments (management commitments) compensating farmers for upgrading animal welfare standards beyond mandatory requirements. The total 2014-2022 budget planned for these measures, from EAFRD and national/regional co-financing, is €3.1 billion, representing more than 1.9 % of total rural development public expenditure.
- Upgrading of animal welfare friendly housing (investments);
- Training and advice;
- Converting to organic farming methods.

In addition, the new CAP introduces eco-schemes, a new instrument available under CAP income support. Eco-schemes are designed to reward farmers that choose to go one step further in terms of environmental care, animal welfare and climate action, beyond mandatory requirements. Part of the Commission's [list of potential eco-schemes](#), can include, for example, the setting up of feeding plans, friendly housing conditions and increasing grazing period.

## **10. Will the Commission act to make sure that imported products from third-countries comply with the EU's animal welfare standards, notably on caging?**

For many years, the Commission has been working in bilateral and multilateral relations to raise awareness and promote the importance of animal welfare. As a major food importer, the EU can contribute to improving animal welfare conditions also in third countries.

The EU's marketing standards for example also apply to imported eggs. According to these standards, table eggs have to be labelled with "Farming method not according to EU standards" if there is no agreement with the country of origin to determine the hens' farming conditions. In the case of animal stunning, meat can only be imported where the accompanying health certificate certifies that the exporting country's slaughter requirements are at least equivalent to the ones applied in the EU.

The impact assessment to be carried out by the Commission will explore various options (such as enhanced cooperation with trade partners, additional rules on imported products, labelling, training) to ensure coherent rules for domestically produced and imported food. These measures must be proportionate and non-discriminatory in order to comply with WTO rules.

## **11. What is the European Citizens Initiative?**

The European Citizens' Initiative (ECI) was launched in April 2012 as an agenda-setting tool in the hands of citizens. An ECI allows 1 million citizens from at least seven EU Member States to invite the European Commission to propose legal action in areas where the Commission has the power to do so.

Under the new ECI Regulation applicable since 1 January 2020, the Commission normally must react within 6 months of submission of a successful ECI that has managed to collect the required

one million validated statements of support in at least seven Member States. Special rules adopted in view of the COVID-19 pandemic allowed an extension of this period and were used for the reply to 'End the Cage Age'.

The Commission must decide whether it acts by adopting legislation, acts in some other way to achieve the goals of the ECI, or does not act at all, stating its reasons if it decides to do so or not to do so.

The Commission has to explain its reasoning in a Communication that is adopted by the College of Commissioners. If the Commission intends to act, the Communication must also set out the indicative timeline of its actions.

## **12. How many ECIs have been registered in total? What is their status?**

The Commission has received 104 requests to launch an ECI by 23 June 2021.

Out of these 104 requests, 81 were in fields where the Commission has the power to propose legislation and thus qualified to be registered. This includes [two new ECIs](#) registered today.

Of these 81:

- 6 have so far reached the threshold of one million signatures and were submitted to the Commission, with 'End the Cage Age' being the 6th one; 5 among them already received a Commission response, the latest being 'Minority SafePack' in January 2021;
- 3 initiatives have declared having reached the required support, but have not (yet) successfully completed the verification process and/or been submitted to the Commission for examination;
- 35 have reached the end of their collection period without reaching the threshold;
- 12 are currently collecting statements of support; [4 have been registered (including two registered today) but are yet to start their collection]
- 21 were withdrawn by the organisers without reaching the required support.

## **13. Has any ECI led to an actual legislative proposal by the Commission?**

Since the ECI was launched in 2012, six initiatives collected over 1 million signatures each and the Commission officially replied to 5 of them; the reply to "End the Cage Age" is the 6th one.

Out of the first 5, the Commission has committed to follow-up actions on 4 of them:

- In response to the 'Right2Water' [initiative](#), the Commission proposed a revised Directive on Drinking Water to ensure guaranteed access to safe drinking water for Europeans. In December 2019, the European Parliament and the Council of the EU have reached an agreement on the modernised EU rules. The Directive entered into force on 12 January 2021, and Member States have now two years to transpose it into national legislation.
- In response to one of the aims of the [initiative](#) 'Ban glyphosate and toxic pesticides', the Commission adopted a proposal for a Regulation on transparency and sustainability of the EU risk assessment in the food chain, amending the [General Food Law Regulation](#). The [Regulation](#) was adopted in 2019 and applies since 27 March 2021.

In its response to another objective of this initiative, the Commission also committed to establishing harmonised risk indicators for pesticide use (under Directive 2009/128/EC), which led to the adoption of the [Commission Directive 2019/782 establishing Harmonised Risk Indicators](#) on 15 May 2019.

In the Farm to Fork Strategy, published in May 2020, the Commission sets ambitious targets for pesticides, notably a reduction by 50% of the use and risk of chemical and most hazardous pesticides.

- The [initiative](#) 'Stop Vivisection' called for a proposal for a European legislative framework aimed at phasing out animal experiments. In its Communication of 2015, the Commission responded that Directive 2010/63/EU on the protection of animals used for scientific purposes already provides the right framework to ensure a high level of protection of the animals used in research, but that a series of non-legislative follow-up actions are taken towards the goal of phasing out animal testing. In December 2016, the Commission

organised a scientific conference in Brussels and on that occasion presented a progress report on the actions taken.

- In its recent response to the 'Minority SafePack' [initiative](#), calling for the improved protection of persons belonging to national and linguistic minorities, the Commission underlined that inclusion and respect for the rich cultural diversity of Europe is one of its main priorities and objectives. Therefore, a wide range of measures addressing several aspects of the initiative's proposals have been taken since the initiative was originally presented in 2013. While the Commission did not propose further legal acts, it underlined that the full implementation of legislation and policies already in place do provide a powerful arsenal to support the initiative's goals.

## More Information

[Press Release](#)

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