



Brussels, 31.3.2021
SWD(2021) 76 final

COMMISSION STAFF WORKING DOCUMENT

EVALUATION

of the European Union Strategy for the Protection and Welfare of Animals 2012-2015

{SWD(2021) 77 final}

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Glossary

<i>Term or acronym</i>	<i>Meaning or definition</i>
ABM	Animal-Based Measure
AAC	Aquaculture Advisory Council
AHL	Animal Health Law
AW	Animal Welfare
BBFAW	Business Benchmark on Farm Animal Welfare
BTSF	Better Training for Safer Food
CAP	Common Agricultural Policy
CETA	Comprehensive Economic and Trade Agreement
CIWF	Compassion in World Farming
CS	Case study
CVO	Chief Veterinary Officer
DG AGRI	Directorate-General for Agriculture and Rural Development
DG DEVCO	Directorate-General for International Cooperation and Development
DG MARE	Directorate-General for Maritime Affairs and Fisheries
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DGs	Directorates-General
EAFRD	European Agricultural Fund for Rural Development
EAGF	European Agricultural Guarantee Fund
EARDF	European Agricultural Fund for Rural Development
EC	European Commission
ECA	European Court of Auditors
EEA	European Economic Area

EFSA	European Food Safety Authority
EU	European Union
EURCAW	EU reference centres for Animal Welfare
FAO	Food and Agricultural Organization
FAS	Farm Advisory System
FAWC	Farm Animal Welfare Committee
FVO	Food and Veterinary Office
GAEC	Good Agricultural and Environmental Conditions
GATT	General Agreement on Tariffs and Trade
HAPO	Hellenic Aquaculture Producers Organisation
JACUMAR	National Advisory Board for Marine Aquaculture
JEEPA	Japan EU Economic Partnership Agreement
Kg	Kilogram
NGO	Non-Governmental Organisation
OCR	Official Controls Regulation
OECD	Organisation for Economic Co-operation and Development
OIE	World Organization for Animal Health
RDP	Rural Development Plan
SMR	Statutory Management Requirement
SOPs	Standard operating procedures
TAIEX	Technical Assistance and Information Exchange
ToR	Terms of Reference
WTO	World Trade Organization

1. INTRODUCTION

1.1 Purpose and scope

Animal welfare is an issue of growing importance with a potential to attract the public¹ and media interest. The European Parliament is very active in engaging with different animal welfare dossiers². It has adopted several resolutions and closely monitors Commission's activities in this policy area by sending regularly questions and petitions, also from the civil society. Similarly, the Council of the EU adopted conclusions on animal welfare³ and followed up on specific subjects⁴ (e.g. animal transport, animal welfare labelling etc.).

The first EU legislation on the welfare of animals was adopted in 1974. It dealt with the protection of animals at slaughter⁵. Since then, animal welfare legislation has developed and expanded its coverage in response to political, market and citizens' demand as well as scientific developments.

Article 13 of the Treaty on the Functioning of the European Union (TFEU) recognises animals as sentient beings and requires that full regard be given to the welfare requirements of animals while formulating and enforcing some EU policies. This article does not provide a legal basis for protecting animals. However, it creates the obligation of the Member States and of the Union to ensure that the welfare requirements of animals are considered within the framework of certain EU policies, such as agriculture, the internal market and research⁶. Responsibility for enforcing animal welfare legislation is shared between the European Commission and the Member States.

¹ Special Eurobarometer 442, Attitudes of Europeans towards Animal Welfare of March 2016: <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/ResultDoc/download/DocumentKy/71348>

² <https://www.europarl.europa.eu/news/en/headlines/priorities/animal-welfare-and-protection>

³ [Council conclusions on animal welfare, 16 December 2019](#)

⁴ <https://www.consilium.europa.eu/en/council-eu/configurations/agrifish/#>

⁵ Council Directive 74/577/EEC of 18 November 1974 on stunning of animals before slaughter

⁶ Article 13 of the Treaty on the Functioning of the EU states that “*In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.*”

The EU policy on animal welfare builds on legislative and non-legislative tools. The main body of EU legislation on animal welfare applies to food producing animals⁷ and to animals used for scientific purposes⁸.

The Commission adopted a Communication with an [EU strategy for protection and welfare of animals \(2012-2015\)](#), in February 2012 (*“the strategy”*). It presented key strategic lines and a list of 20 specific actions.

In November 2018, the European Court of Auditors (ECA) made a detailed assessment of the strategy for the first time and published a [Special report No 31/2018: Animal welfare in the EU: closing the gap between ambitious goals and practical implementation](#). In particular, ECA’s recommendations aimed at improving the management of the animal welfare policy, calling upon the development of a strategic framework for animal welfare, more effective enforcement and guidance to achieve compliance, actions to strengthen the links between the cross-compliance system and animal welfare and action to better address animal welfare objectives through the rural development policy.

The ECA recommended⁹ the Commission to carry out an evaluation of the strategy by the end of 2020 in order to identify to what extent its objectives have been achieved and if the guidance it has issued is being applied.

Following the ECA’s recommendations, DG SANTE launched an evaluation of the strategy in early 2019.

In line with the principles of Better Regulation, the evaluation’s scope covers all stages of the strategy i.e. its design (e.g. choice of strategic objectives, priorities and actions), its implementation (e.g. mode of implementation, division of tasks between stakeholders), its monitoring arrangements and its follow-up. While the strategy relates to the years 2012-2015, the evaluation covers the period 2012-2018 in consideration of the fact that the

⁷ Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes;
Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens;
Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production;
Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs;
Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves;
Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport;
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

⁸ Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes;

⁹ Recommendation 1(a) from ECA Special report No 31/2018: Animal welfare in the EU: closing the gap between ambitious goals and practical implementation

implementation of some of the actions of the strategy has been delayed. It also analyses whether the strategy remained relevant and coherent up until today (2019), considering the most recent economic, scientific, social and environmental developments in the area of animal welfare. The geographical scope encompasses the 27 EU Member States and the UK, as well as international organisations and third countries concerned by the strategy.

The evaluation consists of an evidence-based assessment of the strategy's overall relevance, coherence, effectiveness, efficiency and EU added value. More specifically, the evaluation assesses whether the strategy achieved its objectives and delivered the (expected) results. In addition, it has also focused on identifying remaining animal welfare risk areas, notably according to Member States' degree of compliance (ECA's recommendation¹⁰), and areas of improvement.

In May 2020, animal welfare has been included in the [Farm to Fork strategy](#) and adopted in the context of the [European Green Deal](#). Hereby, as better animal welfare improves animal health and food safety and quality, reducing the need for medication and supporting to preserve biodiversity. The Covid-19 pandemic has reminded us of the strong links between animal health and human health, and of the need to consider animal health and welfare under a One-Health approach. Animal welfare measures can also have considerable co-benefits and synergies with climate and environmental objectives, notably for reducing air and water pollution (e.g. dry, clean animal housing and good manure management). The Farm to Fork strategy proposed an ambitious agenda in the area of animal welfare, including an evaluation ("fitness check") of the EU animal welfare acquis¹¹ with a view to revise the legislation, including the slaughter and transport regulations, in order to align them with the latest scientific evidence, broaden their scopes, make them easier to enforce and ultimately ensure a higher level of animal welfare. This evaluation does not cover the EU animal welfare legislation. However, its findings will feed into the fitness check, and be considered for possible future actions in the animal welfare area to be taken in line with the "One Health" approach.

2. BACKGROUND TO THE INTERVENTION

Description of the intervention and its objectives

The strategy was a continuation of the [Community action plan 2006-2010](#) which grouped defined areas where actions on animal welfare were mainly needed, while also announcing the upcoming development of the European Union strategy on animal welfare and other planned initiatives in this field¹².

¹⁰ Recommendation 1(b) from ECA Special report No 31/2018: Animal welfare in the EU: closing the gap between ambitious goals and practical implementation

¹¹ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_fitness-check_roadmap.pdf

¹² In particular, the Communication mentioned that "a European strategy to communicate on animal welfare in Europe and abroad will be developed to explain to citizens the variations in animal production systems and the costs and benefits of higher animal welfare standards. This strategy will also include analysis of the potential impact on trade (positive or negative) in Developing Countries

The design of the strategy was based on an [Impact Assessment](#) conducted in 2012, which identified key problems at EU level, their drivers, objectives to be met, and several policy options to reach such objectives¹³.

The impact assessment drew on an external [Evaluation of the EU Policy on Animal Welfare and Possible Policy Options for the Future](#), published in 2010.

The Impact assessment study identified a number of common drivers like:

- Lack of enforcement by the Member States of the EU legislation on animal welfare in a number of areas (e.g. laying hens, the grouping of sows and other);
- Business operators' lack of knowledge in respect to animals' welfare requirements and about possible alternative solutions;
- Consumers' lack of appropriate information on animal welfare;
- Lack of specific EU legislation and guidance for some categories of animals such as dairy cows, beef cattle, rabbits and other.

In addition, the evaluation conducted in 2010 also highlighted the following issues and trends at EU level, which were considered in the Impact assessment:

- A distortion of competition for EU business operators within the EU in the light of the different level of compliance with animal welfare legislation in the different MS accompanied by a lack of enforcement (battery cages/grouping of sows) and on global markets (lack of equivalent animal welfare standards for slaughterhouses exporting from third countries to the EU);
- Insufficient uptake of opportunities by Member States and farmers in exploiting the potential of the Common Agricultural Policy (CAP) in terms of support to animal welfare measures. The European Agricultural Fund for Rural Development (EAFRD) offers to Member States possibilities to co-finance animal welfare measures within their rural development programmes (RDPs). This mechanism constitutes the most important source of financial funding for animal welfare activities in the EU;
- Growing societal concerns over animal welfare across the EU (as shown e.g. in [Eurobarometer surveys](#) in [2006](#));

intending to export to the EU. Specific tools will be elaborated to better inform consumers and the general public of modern animal husbandry techniques and animal welfare considerations. There will be a continued use of stakeholder consultation and public internet surveys to receive input from the public at an early stage of the policy formulation process. This activity for animal welfare will also be integrated with other forms of communication already developed by the Community in the agri-food sector.”

¹³ In the IA it was highlighted that the preferred option was a policy mix, including some of the components of several options considered. Such a policy mix consisted of the following specific measures: 1. To explore the possibility of a simplified EU legislative framework 2. Develop tools for strengthening Member States' compliance with EU rules; 3. Support international cooperation; 4. Provide consumers and the public with appropriate information; 5. Investigate on the welfare of animals not covered by specific EU rules.

- Interest from EU consumers in receiving information on the handling of animals in order to make informed purchase choices;
- Uneven yet progressive integration of animal welfare issues in research, education and training across the EU.

The impact assessment highlighted that animal welfare was still at risk across EU Member States back in 2012. This conclusion was based on Commission audit reports, EFSA scientific opinions and Member States reports.

Broadly, the strategy aimed to ensure that existing animal welfare legislation is consistently applied and enforced across the EU and that animal welfare policy is properly integrated with the CAP. The guiding principle behind the development of the strategy was that *“Everyone is responsible”*, meaning that in the area of animal welfare there are many stakeholders involved at different levels of the chain and each of them has an important role to play. More specifically, the strategy set up the following six (specific) objectives, accompanied by a set of actions to achieve these objectives:

- **Consider the feasibility of introducing a simplified EU legislative framework (objective 1).** The idea behind this objective was to ensure the respect of animal welfare principles for all animals kept in the context of an economic activity including, where appropriate, pet animals.
- **Support Member States to improve compliance (objective 2)** by educating, training, advising and auditing the competent authorities to strengthen the compliance with the EU animal welfare legislation, sharing of best practices, guidance and raising awareness amongst business operators;
- **Develop EU level knowledge of certain issues, e.g. the welfare of farmed fish (objective 3),** by producing new EU-level knowledge and evidence and taking decisions on that basis;
- **Promote EU animal welfare standards globally (objective 4),** notably via bilateral & multilateral international cooperation activities, including within the European Neighbourhood Policy and the World Organization for Animal Health (OIE) and FAO;
- **Optimise synergies with the Common Agricultural Policy (CAP) and components of relevance (objective 5);** i.e. funding under the Rural Development Programme for animal welfare payments which compensate farmers for costs or income losses associated with commitments going beyond mandatory requirements, to support farmers investing in animal welfare, cross compliance linking some CAP support to the respect of animal welfare rules, organic farming which requires a higher level of animal welfare, marketing standards for eggs and production standards for broilers fattened for poultry meat requiring compliance with animal welfare legislation, promotional measures, quality policy (requiring compliance with higher animal welfare standards);
- **Provide consumers and the public with appropriate information on animal welfare (objective 6),** e.g. via EU communication and education activities (e.g.

Farmland designed for children and teachers in primary schools).

To achieve its objectives, the strategy included 20 actions. (see a detailed overview in Annex 4) which can be grouped as follows:

- Studies, research projects, and scientific advice were envisaged as means to explore the various components of a potential animal welfare law (**objective 1** - action 20).
- Member State support activities envisaged included training activities targeting competent authorities (e.g. via the [Better Training for Safer Food programme](#)), implementing plans, as well as guidelines (e.g. slaughter, transport, etc.) developed for competent authorities (**objective 2** - actions 1, 2, 3, 6, 9, 14), business operators and stakeholders (actions 4, 13, 16). The strategy also included enforcement actions, audits, and infringement proceedings at EU level to enhance further progress on compliance with animal welfare legislation (e.g. welfare of laying hens, pigs, slaughter etc.).
- Scientific advice and studies on fish welfare and other issues (e.g. welfare of broilers, stunning of poultry etc.) were expected to address knowledge gaps in specific areas (**objective 3** - actions 5, 7, 8, 10, 11, 12, 17, 18, 19).
- Bilateral and multilateral international cooperation activities aimed to enhance the competitiveness of European livestock producers in a globalised world (**objective 4** - action 15).
- A dedicated cooperation structure was to be set up to assess how to optimise synergistic effects of the current mechanisms of the CAP in particular relating to cross-compliance, rural development, promotional measures, quality policy, organic farming, etc. at the farm (**objective 5** - no link to actions listed in the Annex to the Strategy).
- Communication and education activities targeting the general public & consumers were also anticipated (**objective 6** - actions 8 and 12).

By means of those actions the strategy aimed to contribute to the achievement of the following results:

- A more comprehensive and uniform protection of animals (as a result of progress towards a simplified legislative framework, and training and other support to Member States to improve enforcement of existing legislation) (objective 1).
- Improved awareness and changes in practices from industry (following the received guidance and training) (objective 2).
- Improved enforcement and compliance on behalf of the Member States (as a result of EU support to MS enforcement, training, infringement proceedings, audits and other support) (objective 2).
- Policy decisions to be taken based on new evidence (as a result of studies completed, notably on fish welfare) (objective 3).

- Increased EU influence on global organisations and third countries (as a result of multilateral and bilateral international activities) (objective 4).
- Improved use by Member States of cross-compliance checks under the CAP to encourage farmers to comply with EU animal welfare standards (by linking full CAP payments to farmers among others to animal welfare requirements); and improved use by Member States of co-financing possibilities for animal welfare measures within their RDPs (objective 5).
- Consumers making decisions based on animal welfare considerations (as a result of initiatives to better inform consumers on matters of animal welfare) (objective 6).

These results were expected to lead to four main types of impacts:

- Better treatment of animals.
- Open and fairer competition (both within and outside the EU).
- Increased consumer empowerment.
- Improved business opportunities.

Several factors were identified as having different levels of influence on the impacts of the Strategy (details on the role of the factors can be found in section 5.3. Effectiveness).

The intervention logic diagram presented below provides a visual representation of how the strategy was originally expected to work.



3. IMPLEMENTATION / STATE OF PLAY

3.1 Description of the current situation

The EU has a substantial population of livestock including at present 88 million bovine animals, 148 million pigs, and around 100 million sheep and goats¹⁴. Chickens, egg-laying hens and turkeys in the EU are estimated to be around 4.5 billion¹⁵.

Following a Commission's study on the welfare of dogs and cats¹⁶ it was estimated in 2012 that in the European Union there were 60.8 million dogs and 66.5 million cats.

¹⁴ https://ec.europa.eu/eurostat/search?p_auth=8TujuEo7&p_p_id=estatsearchportlet_WAR_estatsearchportlet&p_p_lifecycle=1&p_p_state=maximized&p_p_mode=view&estatsearchportlet_WAR_estatsearchportlet_action=search&text=animal+population

¹⁵ European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs, "[Animal Welfare in the European Union](#)", Brussels, 2017

¹⁶ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf

In 2017, the agricultural industry of the EU produced a total output value of 427 billion Euro (up from 400 billion Euro in 2016). 39.6% of this output value came from animals and animal products (with milk accounting for the greatest share of output value)¹⁷.

In 2014 and 2015, EU finfish aquaculture industry produced almost 700,000 tonnes of finfish, and, together with other EFTA countries, produced over 2 million tonnes¹⁸. According to the latest Scientific, Technical and Economic Committee for Fisheries (STECF) report¹⁹, the performance of the aquaculture sector had reached 1.4 million tonnes in sales volume and 4.9 billion Euro in sales value in 2016.

Estimates for the number of persons involved in agricultural activities reach 22.2 million for 2013, many of whom are working part-time. Converted into full-time equivalents, this comes to somewhere between 8.7 and 9.5 million²⁰.

Over the years, the EU invested significant efforts to make sure that its rules achieve the right balance between the need to protect the welfare of animals, while also supporting the competitiveness of the EU farming and agricultural industry.

Implementation of the strategy

All the actions under the strategy (listed in Annex 4) have been implemented, with the exception of the one requiring to assess the feasibility of introducing a simplified legislative framework. While the project concerning animal welfare law was not pursued, however several EU Reference Centres for animal welfare were established, and the development of standardised animal welfare indicators was initiated.

A set of training activities for Member States have been put in place under the Better Training for Safer Food (BTSF)²¹ to support them in enforcing the legislation on the welfare at farm, during transport and at slaughter. Various guidelines and/or implementing plans on the welfare of pigs, slaughter and transport were developed for competent authorities, business operators and stakeholders, to assist the various actors in complying with animal welfare rules.

Enforcement is primarily under the responsibility of the Member States. The Commission' role in improving enforcement is to stimulate and facilitate the work of the

¹⁷ DG AGRI, Agricultural and farm income report: <https://ec.europa.eu/agriculture/sites/agriculture/files/statistics/facts-figures/agricultural-farm-income.pdf>

¹⁸ Commission overview report of a series of fact-finding missions carried out in 2014 and 2015 on the implementation of the rules on finfish aquaculture: file:///C:/Users/ralchst/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/Overview%20report%20for%20publication.pdf

¹⁹ Economic Report of the EU Aquaculture sector (STECF-18-19)

²⁰ DG AGRI, Farm structures report: <https://ec.europa.eu/agriculture/sites/agriculture/files/statistics/facts-figures/farm-structures.pdf>

²¹ https://ec.europa.eu/food/safety/btsf_en

Member States competent authorities. For this reason, Member States are regularly audited by the Commission. Audits are carried out for all specific EU legislation applicable to farm animals and their reports are made public on the internet²².

As part of the enforcement actions, infringement proceedings were launched against 13 Member States for non-compliance with the requirement on group housing of sows after the end of the transitional period in 2013. The strategy launched ‘EU pilot dialogue schemes’, including 18 EU pilots²³ on laying hens and pigs, and 5 pilots in other areas, mostly relating to transport.

Studies on the welfare of farmed fish (i.e. common practices during transport and slaughter)²⁴ and on the welfare of dogs and cats involved in commercial practices²⁵ were carried out to address knowledge gaps in specific areas.

EU producers have to comply with EU animal welfare legislation for products they export. Products imported into the Union do not have to comply with EU animal welfare standards (except for slaughter) and EU producers perceive this as a limitation to their competitiveness (see 5.4.4 Competitiveness and the economic sustainability). Overall EU and third countries operators seem to have a different perception also on the impact of animal welfare standards on productivity. However, they both consider that compliance with animal welfare legislation has a positive impact on product quality.

The inclusion of animal welfare in bilateral trade agreements has always been at the EU request. Within or outside trade agreements, the bilateral cooperation has achieved concrete results over the years such as the creation of working groups with partners (e.g. Chile and New Zealand) with annual work plans and corresponding actions. This was for example a trigger for Chile to develop a full body of national legislation on animal welfare and for New Zealand and Canada to set up equivalence on animal welfare at slaughter. The EU-Brazil Sectorial Dialogue Instrument in the context of a Memorandum of Understanding on animal welfare has also made progress²⁶. In parallel, the Commission and the EU Member States have also been active on a multilateral level by contributing to the process of development, adoption and implementation of the OIE

²² https://ec.europa.eu/food/audits-analysis/audit_reports/index.cfm

²³ EU Pilot is a mechanism for informal dialogue between the Commission and the Member State before launching a formal infringement procedure.

²⁴ <https://op.europa.eu/en/publication-detail/-/publication/facddd32-cda6-11e7-a5d5-01aa75ed71a1/language-en/format-PDF/source-49981830>

²⁵ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf

²⁶ Study on the impact of animal welfare international activities: <https://op.europa.eu/en/publication-detail/-/publication/dc039353-ca9c-11e7-8e69-01aa75ed71a1>

international standards on animal welfare²⁷ and cooperating with the FAO.

The CAP has encouraged farmers through the European Agricultural Fund for Rural Development (EAFRD) to implement animal welfare standards that go beyond the minimum legislative requirements. These animal welfare payments compensate farmers for income loss and/or additional costs stemming from carrying out commitments going beyond the minimum requirements set out in the legislation. However, this measure is optional and only a limited number of Member States has used this possibility in their RDPs.²⁸

Apart from table eggs²⁹, there are no compulsory EU marketing standards³⁰ to allow consumers to choose animal welfare friendly products. Voluntary animal welfare labelling schemes³¹ exist in few Member States.

The level of understanding of animal welfare issues within diverse groups such as general public, students, consumers and professionals working with animals were also assessed during the strategy³². The aim was to identify where deficiencies still persist and to suggest means of improving knowledge levels through education and the dissemination of information.

3.2 Ongoing Commission activities on animal welfare

For the last years until the launching of the strategy evaluation in 2019, the work on animal welfare focussed on better enforcement, stakeholders' dialogue and promotion of animal welfare globally. These were areas for which, despite the progress made by the strategy, the Commission aimed to do more. In terms of enforcement, the two key Commission priorities were and remain the protection of animals during transport and the welfare of pigs with particular focus on tail docking. Tail docking should only to be carried out under strictly defined circumstances, however it is still routinely practiced by many Member States.

Regarding the transport of animals, the Commission focussed its work on addressing

²⁷ Section 7 of the Terrestrial Animal Health Code (<https://www.oie.int/en/standard-setting/terrestrial-code/access-online/>) and Section 7 of the Aquatic Animal Health Code (<https://www.oie.int/en/standard-setting/aquatic-code/access-online/>)

²⁸ https://www.eca.europa.eu/Lists/ECADocuments/SR18_31/SR_ANIMAL_WELFARE_EN.pdf

²⁹ https://ec.europa.eu/food/animals/welfare/other_aspects/labelling_en

³⁰ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products

³¹ Private sector initiatives (e.g. pig sector in Finland), voluntary labelling schemes (e.g. Spain or Danish 'Better Animal Welfare' label³¹) and high welfare barn systems introduced by producers (e.g. Kipster, Rondeel)

³² Study on animal welfare education and on information activities directed to the general public and consumers: https://ec.europa.eu/food/sites/food/files/animals/docs/aw_eu-strategy_study_edu-info-activ.pdf

challenges related to long journeys³³. To ensure that the legislation is correctly applied, the Commission audited several Member States within a three-year project (2017-2019). This project focused exclusively on the welfare of animals exported to third countries by road and by sea. Other activities carried out include the [Commission's Project on Animal Transport Guides](#), the organisation of regular meetings for the EU National Contact Points for animal transport and communication between the Commission and Member States on relevant issues such as transportations/exports at extreme temperatures. Furthermore, the Commission supports financially the implementation of the [OIE Platform on Animal Welfare for Europe](#) and the [OIE animal welfare action plan for Middle East countries for 2016-2019](#), which included targeted training activities on transport and slaughter of animals. Nevertheless, there are still some challenging issues requiring further efforts like high temperatures during transport/export by road and by sea. Animal welfare NGOs regularly approach the Commission with reports and complaints against national competent authorities concerning welfare during transport, with a particular focus on animal exports to the Middle East or Northern African countries and the export of animals by sea.

On 19 June 2020, the European Parliament set up a committee of inquiry to investigate alleged contraventions and maladministration in the application of Union law in relation to the protection of animals during transport within and outside the Union.³⁴

As regards the welfare of pigs, the Commission developed activities to support Member States to improve their level of compliance. In March 2016, the Commission adopted a [Recommendation on the application of Directive 2008/120/EC](#) laying down minimum standards for the protection of pigs as regards measures to reduce the need for tail docking. It is accompanied by a [Staff Working Document](#), which provides the technical tools to improve implementation and enforcement of the legislation. Furthermore, the Commission carried out study visits, produced overview reports, analysed and supported the implementation of Member States action plans (i.e. peer-to-peer support, organisation of technical meetings and fora).

In addition to the strategy, the Commission performed audits³⁵ in the Member States to evaluate how they have used this Recommendation to improve compliance with EU legislation.

The Commission has also developed extensive [communication materials](#) to help pig farmers and to encourage them, with different approaches to avoid routine tail-docking.

³³ Journey that exceed 8 hours

³⁴ <https://www.europarl.europa.eu/news/en/press-room/20200619IPR81604/protection-of-transported-animals-parliament-establishes-inquiry-committee>

³⁵ https://ec.europa.eu/food/audits-analysis/audit_reports/index.cfm

In 2017, the European Commission established the EU Platform on animal welfare³⁶, an expert group of the Commission serving as a forum to exchange good practices, promote non-binding activities and advise the Commission on animal welfare matters³⁷. The Commission, through the Platform, aimed to show that non-legislative initiatives have the potential to improve the welfare of animals, and that these improvements depend on Member States' and stakeholders' commitments.

Given the priority given to live animal transport and the welfare of pigs, the Commission decided to establish dedicated sub-groups focusing their work on both topics. Commission's sub-groups on transport³⁸ and the welfare of pigs³⁹ take into account all existing work in these areas and assist the Platform in its work by fostering the exchange of information, experience, good practices and facilitating cooperation. In 2020, the Commission set up a new sub-group on animal welfare labelling.

In addition, several members of the Platform have decided to work on a voluntary basis on five initiatives that deal with the welfare of horses and alike, welfare of pets, welfare of farmed fish, welfare of pullets (i.e. young hens before they lay eggs) and the castration of piglets.

The Official Controls Regulation (EU) 2017/625 (OCR), which replaced Regulation (EC) No 853/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, aimed to introduce a more harmonised and coherent approach to official controls and enforcement actions along the agri-food chain⁴⁰. In May 2019, the Commission adopted an Implementing Regulation 2019/723 establishing the standard model form for the information and data, including on controls on animal welfare, to be included in the annual report submitted by Member States. This was an important step forward to unify data collection, including on animal welfare implementation and streamline risk based controls at farm, during transport and at slaughter.

Under the framework of the OCR, the Commission designated in 2018 the first EU Reference Centre for Animal Welfare⁴¹ focusing on the welfare of pigs. Another centre on the welfare of poultry and other small farm animals was designated in 2019 and a third one on ruminants and equids has been announced in June 2020. The centres will

³⁶ https://ec.europa.eu/food/animals/welfare/eu-platform-animal-welfare_en

³⁷ The activities of the Platform include two plenary meetings per year, the work of two subgroups, on transport and on pigs, established and managed by the Commission from Grange as well as five voluntary initiatives created by members.

³⁸ https://ec.europa.eu/food/animals/welfare/eu-platform-animal-welfare/thematic-sub-groups/animal-transport_en

³⁹ https://ec.europa.eu/food/animals/welfare/eu-platform-animal-welfare/thematic-sub-groups/pigs_en

⁴⁰ https://ec.europa.eu/food/safety/official_controls/legislation_en

⁴¹ https://ec.europa.eu/food/animals/welfare/eu-ref-centre_en

provide scientific and technical expertise to perform official controls.

Approximately one and half million citizens have signed a [European Citizens' Initiative \(ECI\) calling for an end to the use of cages for farm animals](#). This initiative was launched by Compassion in World Farming in Sept 2018 in partnership with Eurogroup for Animals and approximately 170 other animal welfare and environmental organisations.

4. METHOD

4.1 Short description of methodology

For the purposes of the evaluation, the Commission published a roadmap⁴² in May 2019 for a period of four weeks, presenting the scope, the key evaluation questions and a consultation strategy to ensure stakeholders' engagement in the process. Feedback was received by a range of stakeholders including public authorities, business associations, organisations, NGOs, citizens, academia, research and other.

An inter-service steering group including all the relevant Commission services accompanied and supported the evaluation, by providing further views and evidence which have been integrated in this document.

[An extensive one-year study \('the study'\)](#) carried out by a Commission external consultant provided the main evidence base for this evaluation. This study – which started in 2019 - applied a mixed-method approach in order to address the evaluation questions. The methods used included desk research, an online public consultation, targeted surveys and semi-structured interviews. In addition, eight case studies using contribution analysis⁴³, comparative analysis⁴⁴ and an assessment of opportunity costs of partially (or not) meeting (some of) the objectives of the strategy were carried out to further support the analysis. The findings were validated during a stakeholders' workshop.

Furthermore, to ensure objectiveness of findings, the study applied a systematic categorisation of the evidence and used triangulation methods for qualitative research in weighing the different sources.

4.1.1 Desk research

⁴² <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/2140-Evaluation-of-the-EU-Animal-Welfare-Strategy-2012-2015->

⁴³ To identify the contribution the strategy has made to a change or set of changes.

⁴⁴ An assessment in which two things are compared and contrasted.

The desk research included a review of all existing quantitative and qualitative data and evidence. It focused primarily on: EU policy and legislative documents, reports and communications; national reports and other relevant documents, audit reports, national action plans, international reports on animal welfare standards and policies, various web-based sources from relevant stakeholders, academic publications, scientific opinions, consumer opinions on animal welfare, and competitiveness in the farmed animal sector, among others.

4.1.2 Consultation activities

The consultation was based on primary data collected from three different sources:

- a) Public consultation targeting all stakeholders; and
- b) Targeted consultations addressed to specific stakeholder groups, which involved:
 - surveys and
 - semi-structured interviews addressed to specific stakeholder groups.

All stakeholder groups (with the exception of consumer organisations, who did not contribute to surveys/interviews) were reached in the context of the consultation activities. All feedback received has been analysed and taken into account for the purpose of the evaluation. To the extent possible the number and the percentage of stakeholders who took part in specific consultation activities were indicated in the analysis. More details on the representativeness of the findings can be found in the synopsis report (see annex 2) and in the study.

a) Public consultation

The goal of the public consultation was to gather information and perspectives from all stakeholders, including the public at large. For this purpose, an online questionnaire was designed around the five objectives of the strategy, and included questions relating to each of the five evaluation criteria as well as future challenges.

The public consultation was launched on 23 March and ran for 13 weeks. A total of 3,375 respondents contributed to the consultation, of which 2,704 were identified to come from a coordinated response.

Of the remaining 671 responses, 410 came from EU citizens, and 55 from non-EU citizens. The other 207 respondents were 30 academics/researchers, 34 were business associations, 31 companies, 49 NGOs, 8 organisations (2 consumer organisations and 6 environmental organisations), 19 public authorities, 4 trade unions and 31 self-identified as ‘other’.

b) Targeted surveys

The online survey, tailored to the different stakeholder groups, complemented the information collected through the public consultation and interviews, and focuses on questions about effectiveness, coherence, relevance and EU added value. The survey was conducted in English and targeted the following stakeholders:

- national competent authorities in Member States;
- business organisations; trade/professional organisations;
- non-governmental organisation (NGOs);
- consumer organisations;
- national Member States in non-EU countries;
- and international organisations.

The survey was launched on 1 April 2020 and ran for five weeks. The survey was disseminated through several channels, including 348-targeted emails and via the EU Animal Welfare Platform, with 75-targeted members representing the different stakeholder groups.

c) Semi-structured interviews

The interviews explored in detail specific aspects, such as the contribution of the strategy actions to the achievement of its objectives, coherence among policies and the strategy's costs and benefits. The study team completed 102 telephone interviews from the initially planned 130 with a sample of key stakeholders at national, EU and international level.

4.1.3 Validation workshop

An online validation workshop was organised on 9 July 2020. The event enabled various stakeholders and experts to share their perspectives and insights on the preliminary findings of the study. It served as an additional source of information and as a tool for validating all data gathered from the desk research, stakeholder interviews, surveys, and the public consultation. The stakeholders invited to this event were the 75 members of the EU Animal Welfare Platform since they represent various types of stakeholders.

4.1.4 Case studies

In support to the data collected through desk research and the set of consultation activities eight case studies aimed to assess the extent to which the actions of the strategy contributed to its planned objectives. Each case study explored the impact for each delivery model (i.e. tools used to deliver on specific actions) of the strategy in order to understand the processes and what contributed to the outcomes.

A synopsis report summarising all activities carried out as part of stakeholder consultations, and their results, is provided in Annex 2.

4.2 Limitations and robustness of findings

Overall, the Commission agreed with the conclusions of the study despite the methodological limitations and lack of robust quantitative data (especially affecting the effectiveness and efficiency analysis), as described below.

With respect to the data collection activities, the following key limitations have been identified:

4.2.1 Lack of longitudinal data⁴⁵

The lack of sufficient quantitative longitudinal data has been identified as an obstacle to develop the baseline provided in the Impact Assessment of 2012. As an alternative, a ‘snapshot’ data (data available for certain periods and for certain states) together with qualitative data (collected during the consultation with stakeholders) was used by the study. Due to limitations to demonstrating the causal link between the strategy and the impacts achieved, the study instead focused on assessing the extent to which the strategy may have contributed to outputs and any outcomes that could be documented. In the effectiveness section, it has not been possible to obtain impact level data for any of the objectives. This gap was filled by using the intervention logic to assess the extent to which the strategy’s actions and activities have delivered the anticipated outputs, outcomes, results and ultimately contributed to addressing the problems identified. Further, other information gaps have also been filled through qualitative inputs from stakeholders consulted. The lack of baseline data that correspond with the specific strategy objectives and related actions was a major challenge for assessing the relevance analysis as well.

4.2.2 Breakdown analysis of the public consultation and survey data

An analysis of the results by production system and geography⁴⁶ was not possible due to a small base of data for both categories (business representatives were n=38 in the survey and n=45 in the public consultation). For this reason, the responses were analysed taking these categories as a whole and not including evidence by geography or type of industry.

4.2.3 Low response rate on some specific questions and limited quantitative evidence available

Efficiency questions were difficult for many stakeholders to answer due to limited familiarity with the strategy. To address this issue the interview and survey data provided insights into some of the costs incurred by stakeholders. There was no dedicated budget for the strategy, nor any dedicated data collection to measure the strategy’s progress. It

⁴⁵ This is a data on the same subjects over some period of time like in the particular case at the time of the adoption of the strategy and the time of its end of implementation.

⁴⁶ Public consultation responses Belgium, n=17; France, n=16; Germany, n=13; Ireland, n=10; Italy, n=24 and Spain, n=31

has not been therefore possible to quantify accurately all costs of the strategy, so some estimates were used instead. Given the lack of information, it was not possible to establish proper and complete costs and benefits analysis and to establish the distributions among stakeholders, both in terms of differences by Member State and over time. Instead, a qualitative approach to assess the study questions on efficiency has been used.

The efficiency analysis has been based on data gathered from Commission documents, desk research, interviews, targeted survey and the public consultation. Even when cost information related to the strategy was gathered, it was challenging to identify the share of it that directly pertains to the strategy and would not be incurred in its absence.

4.2.4 Covid-19 crisis

Some of the data collection activities encountered additional delay due to the Covid-19 crisis in the mid of the study. An additional week was granted to contribute to the public consultation, to ensure wider participation of stakeholders. While the Covid-19 crisis contributed to the delay of the process it did not hampered any of the findings.

5. ANALYSIS AND ANSWERS TO THE EVALUATION QUESTIONS

5.1 RELEVANCE

To assess the relevance of the strategy, the evaluation looked at the relationship between the needs and problems in society and the objectives of the strategy. In particular, the analysis aims to reply to the following evaluation questions:

- The extent to which the objectives of the strategy, its actions and other activities, properly addressed animal welfare needs at EU-level at the time of its adoption (2012)?
- The extent to which each of the objectives and actions remained relevant to animal welfare problems and drivers, as well as the context, at EU-level over time and up until today (2019)?

Main findings:

The strategy was an appropriate response to the animal welfare needs and challenges at the time of its adoption in 2012. The key problems, drivers and objectives have been well identified and incorporated into one document. The majority of stakeholders consulted perceived the strategy as a positive attempt by the Commission to coordinate actions around animal welfare in the EU.

The delivery model of the strategy was appropriate for around half of the objectives in 2012. For example, **enforcement actions to support Member States were well designed and specific enough.** For the other half like for example optimising synergies with the CAP, supporting international cooperation and providing consumers with

appropriate information, actions were perceived either as not ambitious enough or as not being sufficiently concrete in their formulation.

The **enforcement actions** were the most appropriate. The development of **guidelines** were also appropriate but would have needed more dissemination efforts. The production of **studies and reports** were also appropriate but concrete follow up actions would have been required.

Most of the problems and drivers identified in the strategy remain relevant today. Despite the progress made **the need to improve compliance across Member States in some legislative areas, enforcement remains a key challenge.** Considering the increasing EU citizens concerns towards animal welfare, **the adequate information to consumers makes the objective even more relevant today** than it was in 2012.

Although the strategy objectives have evolved over time, a majority of them continue to be relevant today.

5.1.1 Relevance in 2012

The strategy properly identified common problems and drivers affecting animal welfare in the EU and set out six objectives for addressing them. The objectives were all relevant at the time of the adoption of the strategy. An analysis of the relevance for each objective in 2012 is provided below.

Objective 1: Consider the feasibility of introducing a simplified EU legislative framework for animal welfare

With this objective, the strategy targeted two problems. The first was to simplify the legislative framework. The wording “*simplification*” led to different perceptions amongst stakeholders. In general, NGOs believed a simplification of the legislative framework would dilute the existing requirements, while others such as industry thought it could create additional burden.

The second element relates to achieving a more comprehensive protection of animals across the EU, by including welfare principles for all animals. Evidence suggests that the relevance of this element was high since only farm animals were covered by EU legislation and not all farmed species were protected by species-specific legislation.

Overall, while the problem identified was relevant, the objective and the strategy’s response lacked specificity. The action for possible legislative proposal for a simplified EU legislative framework for animal welfare was not pursued, however, the new Official Controls Regulation⁴⁷ empowers the Commission to set up EU reference centres on

⁴⁷ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products

animal welfare and introduce animal welfare indicators, and to adopt requirements for control of compliance.

Objective 2: Develop tools, including where relevant implementing plans, to strengthen Member States' compliance

This objective was highly relevant in 2012 due to the uneven level of compliance with EU legislation on animal welfare across the EU. The Impact assessment of 2012, Commission audit reports⁴⁸, Parliament⁴⁹, NGOs⁵⁰ and various stakeholders largely support these findings by pointing at concrete issues related to the protection of calves, pigs, broilers, laying hens and animal transport.

The strategy included a wide spectrum of measures targeting Member States and industry to improve compliance with EU legislation. For Member States, the strategy designed enforcement actions, implementing plans and reports targeting low enforcement areas of the EU legislation (e.g. welfare of laying hens and pigs). For industry, the strategy proposed the creation of guidelines targeting specific areas of EU legislation that were often seen as complex. The study and Commission audit reports from the time of strategy highlight that these measures were appropriate in addressing the identified challenges.

Commission audit reports on the protection of animals on slaughter from the period 2016-2017 confirm the need for further support, supervision and guidance. *Objective 3: Investigate on the welfare of farmed fish*

According to the Impact Assessment of 2012, the lack of knowledge about the welfare of farmed fish was a relevant issue in 2012. A report on the future of European aquaculture from 2012 also identified aquatic animal health and welfare as one of eight priority areas and contained a goal to 'develop and improve existing welfare/stress indices' (European Aquaculture Technology and Innovation Platform, 2012). To address this objective, the strategy included two actions: a study on the welfare of farmed fish assessing common practices during transport and at slaughter⁵¹ and a report to the European Parliament and the Council on the possibility of introducing certain requirements regarding the

⁴⁸ https://ec.europa.eu/food/audits-analysis/audit_reports/index.cfm

⁴⁹ Interview with MEP Marit Paulsen of 2012: <https://www.europarl.europa.eu/news/en/headlines/society/20120628STO47902/name-and-shame-member-states-dragging-their-feet-over-animal-welfare>

⁵⁰ "EUROPEAN UNION LEGISLATION ON THE WELFARE OF FARM ANIMALS" by Peter Stevenson, January 2012: <https://www.ciwf.org.uk/media/3818623/eu-law-on-the-welfare-of-farm-animals.pdf>

⁵¹ <https://op.europa.eu/en/publication-detail/-/publication/facddd32-cda6-11e7-a5d5-01aa75ed71a1/language-en/format-PDF/source-49981830>

protection of fish at the time of killing⁵². Given the need for more knowledge about fish welfare, these actions were appropriate.

Objective 4: Support international cooperation

The Commission worked to support international cooperation on animal welfare far before the adoption of the strategy⁵³. However, this objective remained also relevant in 2012 because the international cooperation requires long term vision and action. The strategy built on previous work done in this domain and contributed by further promoting the need to include animal welfare in trade agreements or cooperation fora. Inter alia, this was done by exploring better integration of animal welfare in the European neighbourhood policy framework and organising international events promoting EU views on animal welfare. Additionally, the Commission had collaborated with inter-governmental organisations such as the Food and Agriculture Organisation of the United Nations (FAO) and the World Organisation for Animal Health (OIE), providing financial support to the OIE and being actively involved in the development and implementation of international welfare standards. A report on the impact of animal welfare international activities on the competitiveness of European livestock producers in a globalised world⁵⁴ has been published by the Commission under the strategy.

Overall, activities foreseen under the strategy were appropriate and relevant to support the international cooperation on animal welfare. However, the lack of specificity in formulating this objective posed a challenge to evaluate the impact of its activities.

Objective 5: Optimise synergistic effects from current Common Agriculture Policy (CAP)

The 2010 Evaluation of the EU Policy on Animal Welfare concluded that EAFRD animal welfare payments were under-utilised by Member States at the time. Despite the fact that there were already some tools in place (e.g. CAP Farm Advisory System (FAS), Cross-compliance measures and EAFRD), this objective was relevant considering the perceived insufficient integration between animal welfare policy and the CAP in 2012.

The CAP provided opportunities for improving the awareness of farmers on the compliance requirements with animal welfare rules. Cross-compliance linked the payments of the CAP with the compliance of basic standards including animal welfare⁵⁵. In addition, the EAFRD offered Member States the possibility of co-financing support for animal welfare, via specific animal welfare payments (i.e. voluntary management

⁵² REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the possibility of introducing certain requirements regarding the protection of fish at the time of killing, COM/2018/087 final

⁵³ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_international_2002_0626_en.pdf

⁵⁴ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_international_publication-report_en.pdf

⁵⁵ Directive 2008/119/EC, Directive 2008/120/EC and Directive 98/58/EC

commitments going beyond the legally binding requirements or commonly used agricultural practices, which compensated farmers for additional costs incurred and/or income foregone) or other measures (e.g. investments, training and advice) aimed at improvements in animal welfare.

The strategy planned to tackle problems in 2012 by establishing “*a specific inter-services arrangement to assess how to optimise synergistic effects of the current mechanisms of the CAP in particular through cross-compliance, rural development, promotional measures, quality policy, organic farming, etc.*”. No specific inter-service arrangements with this purpose was set-up during the period considered. Inter-service consultations took place on an ad hoc basis. The lack of specificity posed a challenge to assess whether the objective could have been met only with such an arrangement or not, and whether this could have been an appropriate tool to increase synergies between the two policy areas.

Objective 6: Provide consumers and the public with appropriate information

The Community Action Plan on the protection and welfare of animals (2006-2010) states that there has been a „*clear shift of public attitudes towards animals over recent decades*”. Providing consumers and the public with appropriate information was another highly relevant objective in 2012, supported by evidence from the Evaluation of the EU animal welfare policy of 2010⁵⁶ and the Impact assessment of 2012. An EU wide Eurobarometer survey on “*Attitudes of EU citizens towards Animal Welfare*” showed that animal welfare was a concern for 64% of the population (March 2007).

5.1.2 Relevance today

According to the evidence gathered in the study, the six objectives of the strategy continue to be relevant today. Considering the fact that objectives and problems have evolved with time there are some differences in the extent of their relevance.

Objective 1: A simplified EU legislative framework for animal welfare

The objective remains relevant because the existing legal framework has not being updated with the latest scientific evidence and does not contain species specific requirements for all animal species.

The appropriateness of other measures included under this objective like the creation of common requirements for personnel handling animals remain appropriate and are still relevant. The establishment of EU Reference Centres and the development of science-based animal welfare indicators were considered at the time as very useful tools for an improved animal welfare. For this reason the ideas were retained and included in the Official Controls Regulation.

⁵⁶ Evaluation of the EU Policy on Animal Welfare & Possible Options for the Future: https://ec.europa.eu/food/sites/food/files/animals/docs/aw_arch_122010_full_ev_report_en.pdf

Changes and influencing factors:

There were limited improvements in terms of the use of science-based welfare indicators. There were small improvements in the development of such indicators by EFSA (e.g. dairy cows, broilers and a statement on the use of animal-based measures which included recommendations around the development and use of such measures). The ECA report of 2018 recommends⁵⁷ the Commission to define baseline and target indicators to measure and compare the Member States' degree of compliance in remaining risk areas identified by the evaluation of the strategy.

Objective 2: Support Member States and take action to improve compliance

This objective remains highly relevant today although significant progress has been made. Some areas of legislation have seen improved levels of compliance (e.g. banning of non-enriched cages for laying hens⁵⁸, grouping of sows, animal transport and slaughter), but non-compliance (e.g. use of enrichment materials and routine tail docking of pigs) is still perceived by stakeholders to be driven by a lack of knowledge of animal owners and handlers, despite guidelines produced under the strategy. The need for continued training and education of personnel working with animals remains highly relevant. This is also supported by a survey of Chief Veterinary Officers (CVOs) under the Finish Presidency of the EU⁵⁹, where both the attitude and insufficient knowledge of operators and farmers were highlighted as the main reasons for lack of compliance.

Changes and influencing factors:

Consumer awareness and citizens' interest in animal welfare have increased with time as also confirmed by Eurobarometer on the "*Attitudes of EU citizens towards Animal Welfare*" made in 2007 and 2016. Expectations and behaviours of consumers changed over time, resulting in greater awareness overall (Cembalo et al., 2016) and therefore a greater commitment to act to make improvements.

The lack of scientific and technological progress hampered the success of this objective in some legislative areas. For example an IT system or a software for tracking the transportation vehicles, their journey time, outside and inside temperature and other parameters could have improved compliance even further.

NGO initiatives and specific campaigns (e.g. animal transport, pig's tail docking and other) also played a role in influencing enforcement and compliance.

⁵⁷ Recommendation 1(b) from ECA's Special report No 31/2018: Animal welfare in the EU: closing the gap between ambitious goals and practical implementation

⁵⁸ Article 5(2) of Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens

⁵⁹ <https://data.consilium.europa.eu/doc/document/ST-6007-2020-INIT/en/pdf>

Objective 3: Investigate on the welfare of farmed fish

Overall knowledge regarding the welfare of farmed fish has improved as a result of the strategy, which has contributed to this objective with the production of the aforementioned study and a Commission report. Considering the high interest to this subject there is a need for follow-up actions based on the conclusions of the Commission report (e.g. scientific and technical progress, guidelines etc.). Stakeholders from across different disciplines believed that legislation and enforcement related to fish welfare needed to improve. The increased interest in fish welfare among consumers indicates that there is public support for this. While progress has been made under the strategy, this objective remains relevant today.

Objective 4: Support international cooperation

Despite the progress made, the need to support international cooperation remains relevant. The Commission study and report on the impact of the animal welfare international activities concluded that *“animal welfare standards have a limited impact overall on the competitiveness of EU producers on world markets”*. Despite this, industry still perceives animal welfare improvements as costly. EU businesses and business/trade associations expressed high degree of concern in relation to this objective, as they perceive that higher animal welfare standards would put them at a competitive disadvantage globally. This evidence was further supported also by the survey, where the majority (84%) agreed that further EU action was needed.

All the actions and activities were appropriate as they filled a knowledge gap but international cooperation is an ongoing objective and as such it remains relevant today. Stakeholders perceive that the strategy could have been more ambitious and concrete in the description of this objective.

Changes and influencing factors:

Consumer awareness is again considered a factor affecting the relevance of this objective. Despite increases in awareness and interest in animal welfare in the EU, this is overall lower in third countries. As a result, the demand for higher animal welfare products is still considerably lower in these countries following the Commission study on animal welfare international activities. This in turn influences exports from the EU as consumers in these countries may be less willing to pay for higher welfare products. The objective is also affected by trade of live animals. The level of trade between the EU and third countries has increased annually by 5%, with exports of agricultural products being higher in value (€182 billion) in 2019 than imports (€143 billion) and the share of agricultural products as a proportion of total trade reached 8% (Eurostat, 2020).

Objective 5: Optimise synergies with the Common Agriculture Policy (CAP)

The CAP supports animal welfare by improving farmers' awareness of their legal obligations, and incentivising farmers to pursue higher standards.

This objective remains relevant, considering the need for higher animal welfare is foreseen in the context of sustainable food production referred to under the Farm to Fork strategy. Regular coordination between the CAP and animal welfare policies existed before and continued after the end of the strategy. However, no specific actions were carried out towards this objective under the strategy.

Changes and influencing factors:

Increased consumer awareness on animal welfare affected (and is likely continuing to affect) this objective. The Eurobarometer survey conducted across all 28 Member States, found that respondents perceived the CAP was fulfilling its objectives of supporting farmers in Member States in achieving higher animal welfare standards (Special Eurobarometer, 2018). The recent proposal for the CAP reform (2018) has taken a step in this direction by explicitly mentioning animal welfare, and linking it to animal and human health, as part of Specific Objective 9 “to improve the response of EU agriculture to societal demands on food and health, including safe, nutritious and sustainable food, reducing food waste, as well as animal welfare”.

Objective 6: Provide consumers and the public with appropriate information

This objective is even more relevant today than in 2012. This is due to a lack of progress on information available to EU consumers on animal welfare, despite perceived increases in the level of public interest on the topic, and the commitment to consider options for animal welfare labelling under the Farm to Fork Strategy.

However, apart from the two studies to tackle the issue of consumer awareness (e.g. on the stunning of animals and education and information activities directed at the public and consumers), the strategy did not include more specific actions.

There is also variation from one Member States to another supported by the findings of different surveys on consumers’ behaviours and willingness to pay for higher welfare products⁶⁰. Organisations responding to the public consultation supported this view, with the majority (76%)⁶² considering lack of information among consumers to be extremely or very relevant in 2020. Furthermore, a special Eurobarometer (March 2016) indicated significant increase in the interest of citizens to animal welfare by concluding that: “*More than nine in ten EU citizens believe it is important to protect the welfare of farmed animals (94%).*”

⁶⁰ “Consumer interest in environmental impact, safety, health and animal welfare aspects of modern pig production: Results of a cross-national choice experiment”, Grunert et al., 2018

⁶¹ “Farm Animal Welfare, Consumer Willingness to Pay, and Trust: Results of a Cross-National Survey”, Nocella et al., 2010

⁶² 73% of academics, 76% of industry, 90% of NGOs, and 63% of competent authorities in Member States

One of the means to achieve improvements in consumer knowledge on the topic of animal welfare are labelling schemes. This is supported by stakeholders and evidence from the evaluation⁶³ of EU marketing standards⁶⁴ contained in the Common Market Organisation (CMO) Regulation, the ‘Breakfast Directives’ and CMO secondary legislation, which found that rules for indicating the farming methods applied for laying hens had been effective in promoting ‘animal welfare-friendly’ production methods for eggs.

There are also EU voluntary marketing standards for poultry meat, which includes reference to types of farming. In addition, the EU organic farming rules encourage a high standard of animal welfare.

Apart from EU initiatives, various certification schemes have been developed with animal welfare claims. In 2009, the Commission adopted a report on options for animal welfare labelling, based on a study. Already at that time several quality schemes were in place, some of them specifically targeted towards animal welfare, others had animal welfare in their characteristics.

This interest of the consumers to receive information on animal welfare is visible through the growing number of animal welfare claims among existing labels (like Label Rouge in France) but also with the emergence of new schemes where animal welfare is the sole or an important component. In absence of a common methodology, the proliferation of claims increases the difficulty for consumers to really assess their reliability.

Available evidence suggests that there is an increasing demand for an EU animal welfare labelling scheme. This demand has been recently expressed by the Agriculture and Fisheries Council of Ministers who adopted in December 2020 specific conclusions on animal welfare labelling⁶⁵.

As announced in the Farm to Fork strategy, the Commission will consider options for animal welfare labelling to better transmit value through the food chain.

Changes and influencing factors:

Changes and influencing factors are similar to the one described in the previous objective (e.g. increased consumer and citizens awareness since 2012). Some initiatives by NGOs have also influenced this objective through awareness raising activities during the strategy period. The 2016 United National Committee on World Food Security

⁶³ COMMISSION STAFF WORKING DOCUMENT EVALUATION of marketing standards (contained in the CMO Regulation, the ‘Breakfast Directives’ and CMO secondary legislation) {SWD(2020) 231 final}

⁶⁴ https://ec.europa.eu/info/news/eu-marketing-standards-contribute-high-quality-standards-eu-agri-food-products-2020-oct-27_en

⁶⁵ <https://data.consilium.europa.eu/doc/document/ST-13691-2020-INIT/en/pdf>

recommendations to improve animal welfare were initially driven by NGO initiatives and, as such, were praised by animal welfare NGOs (Buller et al., 2018).

Delivery model

The feedback from the consultation activities confirms that the strategy was largely perceived by stakeholders as a positive step forward. In the meantime, it was also criticized for not being ambitious enough in its design. One of the reasons for this was that the strategy brought together some earlier planned work (i.e. international activities) and some actions that have been already foreseen under the legislation (e.g. enforcement activities under the laying hen and pig welfare directives and Commission reports to the Parliament and the Council).

In addition, stakeholders also pointed to the lack of outcome indicators and follow-up actions as factors limiting the potential positive impact of the strategy.

5.2 COHERENCE

Under the coherence criterion, it has been assessed whether/to what extent the different components of the strategy operate together in a coherent way to achieve the given objectives (internal coherence). Also, it has been explored whether the strategy is coherent with other relevant EU/national legislation and policies, initiatives taken in third countries and international organisations (external coherence). The following evaluation questions were used to guide such assessment:

- How well have the various components of the strategy operated together and led to synergies to improve overall performance, over time and up until 2019? Or, conversely, whether gaps, areas of tension or inconsistencies existed? Where there have been inconsistencies or gaps, what has caused these? What have been the impacts?
- To what extent has the strategy been coordinated with animal health policy and initiatives, as well as with the CAP (as per one of its objectives) over time and up until 2019? Where there have been inconsistencies or gaps, what has caused these? What have been the impacts?
- To what extent has the strategy been coordinated and complementary with other EU-level policies and interventions related to animal welfare over time and up until 2019 (e.g. environment, trade, single market, fisheries, and research)? Where there have been inconsistencies or gaps, what has caused these? What have been the impacts?
- To what extent has the strategy been aligned with national and non-EU interventions with common objectives? Where there have been inconsistencies or gaps, what has caused these? What have been the impacts?

Main findings:

The objectives and actions of the strategy were internally coherent. They operated well together and led to synergies.

The strategy has been coherent and coordinated with the animal health policy and the CAP. However, the strategy made only a limited contribution to the improvement of synergies with CAP and the strengthening of the existing level of coherence.

There is no evidence of contradiction between the EU policies developed during the period of implementation of the strategy.

The strategy was coherent with interventions in Member States. However, the extent to which the strategy was aligned with relevant national interventions varied by Member State due to different, mainly national, reasons.

There was limited evidence to assess the coherence between the strategy and the non-EU actions and policies.

However, at global and regional level, there are some positive examples of coherence between the strategy and various OIE initiatives on animal welfare and as well as the FAO Gateway to Farm Animal Welfare.

5.2.1 Internal coherence

Overall, the objectives of the strategy were internally coherent. For example, the objective to simplify the legal framework was coherent with that of supporting Member States in achieving and improving compliance, as a simpler framework with common indicators and requirements would make enforcement easier for Member States. Further, this objective was also aligned with the objective of optimising synergies with the CAP, as it aimed to improve the support given to businesses to raise awareness on compliance. Additionally, the general objective of addressing key gaps in knowledge on animal welfare issues supported all the other objectives, as improved knowledge helped promote animal welfare internationally and nationally.

The 20 actions elaborated under the different strategy objectives worked well together, complemented each other and established synergies. This is the case, for example, of the enforcement actions and the training activities, or the set-up of the EU Reference Centre for Animal Welfare and the objective to support Member States. These findings are largely supported by the outcomes of stakeholders' interviews.

While overall the strategy document is coherent internally, there were also some inconsistencies to be noted, particularly when exploring the links between the objectives, the actions, their expected outputs and the impacts. For example, certain actions were standalone or not directly associated with other parts of the strategy such for example the action requiring a report with recommendations in the area of restraining systems used for bovine animals. Also, the strategy did not include references to expanding research or plans to improve the welfare of equines, shellfish, rabbits, fur animals other than cats and dogs, and turkeys, contradicting the general objective of achieving welfare for all animals.

5.2.2 External coherence with EU legislation/policies

Animal Health and Official Controls policies

The strategy is coherent and coordinated with animal health policies and legislation. For the purposes of the evaluation, it was assessed whether the strategy is coherent with two major legislative acts which are relevant to animal welfare, i.e. the Official Controls Regulation⁶⁶ (OCR) and the Animal Health Law⁶⁷, as well as with the previous EU animal welfare strategy (2007-2013).

The OCR includes welfare requirements for animals in its scope and encompasses key animal welfare aspects, such as the establishment of reference centres or the potential use of science-based indicators. Both aspects were indicated in the strategy document as possible components of the simplified EU legislative framework for animal welfare. Article 13 TFEU recognising that animals are sentient beings is part of the recitals of the OCR.

The animal welfare strategy was coherent with the [EU animal health strategy \(2007-2013\)](#). Both strategies demonstrated synergies through their objectives, whereby the animal health strategy goal 4 was to promote farming practices and animal welfare by making a reference to coherence with the Community Action Plan on the Protection and Welfare of Animals 2006-2010.

Contrary to the OCR, the Animal Health Law does not include animal welfare within its scope. Nevertheless, the strategy and the AHL share similar objectives, by promoting animal health and welfare. In its recitals, the AHL makes references to the link between animal health and animal welfare and to Article 13 of the TFEU.

The majority of consulted stakeholders perceive both the Animal Health Law and the Official Controls Regulation as an important and positive animal welfare policy development. While both legislative acts (OCR and AHL) are relatively recent, the coherence with the animal welfare strategy demonstrates that coordination efforts have been successful.

Common Agricultural Policy and other EU policies

The CAP provides support for farmers to pursue higher standards through animal welfare payments, funded under the EAFRD as part of the CAP (Pillar II)⁶⁸. These payments cover the income foregone and the costs incurred for carrying out animal welfare commitments that go beyond legal requirements. The EAFRD includes also other possibilities to support animal welfare objectives, such as investments in more animal

⁶⁶ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, OJ L 95, 7.4.2017, p. 1–142

⁶⁷ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'), OJ L 84, 31.3.2016, p. 1–208

⁶⁸ <https://www.europarl.europa.eu/factsheets/en/sheet/110/second-pillar-of-the-cap-rural-development-policy>

welfare friendly stables, training and advice, quality schemes, organic farming and support for innovation through the European Innovation Partnership for Agricultural Productivity and Sustainability. Farmers can receive such support only if the Member State or the region where they operate has incorporated the payments in their Rural Development Programmes (RDPs).

On the other hand, improving farmers' awareness is largely done through cross-compliance under Pillar I of the CAP, which is financed by the European Agricultural Guarantee Fund (EAGF). These requirements encompass several areas concerning the environment, climate change, good agricultural and environmental condition of land, public health, animal health, plant health and animal welfare.

Commission Services maintained regular exchanges of information aiming at ensuring coordination in the area of animal welfare during the strategy period. However, there is limited evidence that these led to new or increased synergies with the CAP. This cooperation will further improve and it would potentially lead to some new synergies as a result of the new CAP proposal of 2018, which explicitly recognises and includes animal welfare together with animal and human health as part of its Specific Objective 9 *“to improve the response of EU agriculture to societal demands on food and health, including safe, nutritious and sustainable food, reducing food waste, as well as animal welfare”*.

There are other EU policies that impact on the welfare of farmed animals. For that reason, there were well-established processes and procedures in place to ensure coherence with other EU-level policies, such as the joint organisation of events, regular communication on animal welfare, and collaboration on projects during the strategy period. For example, DG SANTE collaborated with other DGs on animal welfare activities in third countries through technical assistance instruments with DG NEAR⁶⁹, cooperation and stakeholders' forums with DG AGRI⁷⁰, and development cooperation projects with DG DEVCO⁷¹.

The strategy was coherent with EU policies for research and food and feed safety. Coordination with research policy was achieved by research projects funded in the EU Framework Programmes for Research and Technological Development that focused on animal welfare activities. For example, under FP7, the Animal Welfare Indicators Project (AWIN⁷²) created science-based animal welfare indicators based on pain assessment and

⁶⁹ Study on animal welfare international activities (see section 4.3. TAIEX): *“Between 2004 and 2015, TAIEX funded over 60 workshops on animal welfare.”*

⁷⁰ https://ec.europa.eu/info/food-farming-fisheries/key-policies/committees-and-advisory-councils/civil-dialogue-groups/animal-products_en

⁷¹ Study on animal welfare international activities (see section 4.5 Development Cooperation Projects): *“Animal welfare was included in over 30 development cooperation projects by DG DEVCO.”*

⁷² <https://cordis.europa.eu/project/id/266213>

pain recognition for individual animals; EconWelfare⁷³ promoted insight on the impact for the animal, the production chain and society of upgrading animal welfare standards; and AWARE⁷⁴ sought to improve the integration of farm animal welfare research in an enlarged Europe.

The European Food Safety Authority (EFSA) was mandated to provide scientific advice on farm animal welfare, which created synergies between the strategy and the EU-level policies on food and feed safety. EFSA's panel on animal health and welfare also examined a diversity of issues that affected the welfare of animals, including nutrition and feeding that impacted on the Commission's science-based approach to animal welfare. For instance, the use of outcome-based animal welfare indicators in the strategy took into account EFSA's Scientific Opinions.

The creation of EU Reference Centres for Animal Welfare (EURCAWs)⁷⁵ under the strategy was also designed with an aim to complement the role of EFSA and the EU Joint Research Centre and not to overlap with their activities. These Centres aim to improve the enforcement of animal welfare legislation, and provide technical support and coordinated assistance to EU countries in carrying out official controls in the area of animal welfare. The first one was created in 2018⁷⁶ and the second one in 2019⁷⁷.

The strategy was moderately coherent with the EU single market⁷⁸, sustainability and environmental policies. Concerning the single market, there is still no harmonised system at EU-level for marketing and labelling of animal welfare standards.

Under the Farm to Fork strategy, the possibility to introduce/use EU-wide labelling schemes for animal welfare will be considered. For this purpose, the Commission will conduct an external study foreseen to start first half 2021. In parallel, the Commission has established a sub-group on animal welfare labelling under the [EU Platform on Animal Welfare](#) which will assist the Commission in its related work.

The coherence between the strategy and the need for more sustainable food production is expected to be strengthened with the Farm to Fork strategy, as the latter makes explicit reference to the integration of animal welfare and sustainability policy. This issue has

⁷³ <https://cordis.europa.eu/project/id/213095>

⁷⁴ <https://cordis.europa.eu/project/id/265686>

⁷⁵ https://ec.europa.eu/food/animals/welfare/eu-ref-centre_en

⁷⁶ Commission Implementing Regulation (EU) 2018/329 of 5 March 2018 designating a European Union Reference Centre for Animal Welfare

⁷⁷ Commission Implementing Regulation (EU) 2019/1685 of 4 October 2019 designating a European Union Reference Centre for Animal Welfare for poultry and other small farmed animals

⁷⁸ Half of the survey respondents (50% of n=87) agreed that the Strategy was moderately or quite coordinated and complementary with the Strategy and EU's single market policies

been mentioned in the roadmap of the ongoing fitness check⁷⁹ of animal welfare legislation, and will be further explored in that context.

Concerning environmental policy, some areas under the strategy demonstrate limited levels of coherence. For example, the laying hen practices enforced under the strategy required alternative caging systems for laying hens⁸⁰, which have higher ammonia emissions and carbon footprints than traditional systems⁸¹.

There were also some shortcomings in terms of coherence between the strategy and international trade, transport, and fisheries policy. The issue of coherence with the trade policy has been addressed by consistently including commitments on animal welfare cooperation in Free Trade Agreements to which the strategy had also contributed.

While some progress was made on animal transport (through, for instance, the animal welfare transport guidelines), evidence shows that there was a lack of coherence between animal welfare policy and transport in terms of implementation and enforcement of rules covering temperatures and journey times⁸².

5.2.3 External coherence with national policies

The strategy achieved coherence with interventions in Member States. More than half of EU Member States directly transposed the Directives on the protection of animals into their national legislation. Member States, such as Denmark, the Netherlands, Germany, and Sweden, had more ambitious animal welfare interventions than the strategy, which are considered to be consistent with the strategy.⁸³

Coherence was also achieved with EU-level interventions for Member States. Evidence gathered from the review of several reports of projects relevant to animal welfare funded under the European Network for Rural Development suggests that coherence has been achieved between animal welfare, technological and farm upgrades, training, environment, economics, and animal health.

The identified lack of coherence between the EU and national policies in some cases were associated with the different sets of national rules and policies, cultural traditions, challenges faced by new Member States in adopting animal welfare legislation, as well as lack of resources to work on animal welfare. The presence of public-private initiatives also seem to have shaped the extent to which synergies were achieved. The level of

⁷⁹ The Fitness Check roadmap specifies: ‘stricter animal welfare policy standards are among the sustainable agricultural practices necessary to achieve the objectives of the Farm to Fork Strategy’.

⁸⁰ Article 4 of Directive 1999/74/EC

⁸¹ Environmental impacts and sustainability of egg production systems, Xin et al. 2011

⁸² See section 4.2.3 of the Study.

⁸³ I.e. Austria will phase out farrowing crates by 2033 (Animal Protection Index 2012a), and Germany has national rules that are stricter and more detailed than the Strategy (Miele et al. 2015).

coherence between the strategy and national interventions therefore varied by Member State.

5.2.4 External coherence with non-EU interventions

The strategy was coherent with non-EU level interventions with common objectives, recognising the importance of science underpinning standards for animal welfare.

The OIE and the strategy had objectives that were coherent and complementary. OIE's Global strategy on animal welfare, like the EU strategy on animal welfare, promote the implementation of OIE international animal welfare standards, capacity-building and education, communication with stakeholders, and the implementation of animal welfare standards and policies. Some regional OIE activities like for example the OIE Platform on animal welfare for Europe⁸⁴ has also shared common objectives with the strategy for improving animal welfare and identified the need for raising awareness. The EU remains the main donor of the OIE Platform on animal welfare for Europe⁸⁵ and other OIE initiatives on animal welfare at regional and global level.

Synergies were also achieved with FAO's work through the EU's contribution to the Gateway to Farm Animal Welfare⁸⁶. The Commission was a key strategic partner to the FAO 'Gateway' and provided links to diverse resources on animal welfare for farm and working animals.

Finally, the strategy contributed to improving coherence in relation to some trade agreements. Provisions to strengthen cooperation on animal welfare were included in trade agreements with third countries, such as the trade agreement signed between the EU and Mercosur states⁸⁷ - Argentina, Brazil Paraguay and Uruguay. This has been explored under the relevant the case studies available in Annex 9 of the study report.

5.3 EFFECTIVENESS

The analysis of effectiveness focusses on how successful the strategy has been in achieving or progressing towards its objectives. For objectives that were only partially met, the assessment reveals the extent to which progress has fall short and why they have not been achieved. The following evaluation questions were used to guide such assessment:

- To what extent has the strategy contributed to a more comprehensive and uniform protection of animals across species in the EU?

⁸⁴ <https://rpawe.oie.int/>

⁸⁵ Evaluation Report of the OIE Platform on Animal Welfare for Europe on June 2019: https://rpawe.oie.int/fileadmin/upload-activities/governance/final_report_-_oie_awp_evaluation.pdf

⁸⁶ <http://www.fao.org/ag/againfo/themes/animal-welfare/aw-abthegat/en/>

⁸⁷ <https://ec.europa.eu/trade/policy/in-focus/eu-mercosur-association-agreement/>

- To what extent has the strategy contributed to improvements in the enforcement of and compliance with EU law at national level (including compliance risk areas)?
- To what extent has the strategy contributed to the functioning of the EU market and a level playing field in the EU and at global level?
- To what extent has the strategy improved awareness about animal welfare amongst animal owners/handlers, consumers and the general public (e.g. the link with the sustainable production methods)?
- To what extent has the EU strategy produced knowledge and evidence which, in turn, contributed to policy and decision-making?
- To what extent has the strategy contributed to the EU's influence on animal welfare standards, policies and practices at global level and in relevant Third countries?
- To what extent has the strategy contributed to Member States' improved use of the CAP to comply with EU rules and go beyond?
- To what extent have the 20 actions been achieved?
- Regarding the objectives partially met or unmet, which factors hindered the achievement of the objectives?

Main findings:

The strategy was overall effective as an initiative that set common goals and helped to improve key issues on animal welfare at EU level.

All strategy actions were implemented except one (i.e. a simplified EU legislative framework). Although progress has been made on all objectives, there were different levels of success. **However**, none of them has been fully achieved. **There is a complex set of internal factors (e.g. delivery model, resources, political agenda etc.) and external factors (e.g. differences across MS, stakeholders support, differences in interpreting the legislation etc.) that contributed to this.**

Overall, **the strategy actions on enforcement and guidelines were the most effective ones. The strategy's main contribution is associated with the enforcement** of the prohibition of non-enriched cage systems for hens and the group housing of sows. **The strategy has contributed to a medium extent to the protection of chickens kept for meat production, protection of animals during transport and slaughter, and indirectly to protection of animals kept for farming purposes.** Commission audits revealed the use of risk-based systems for selecting sites for inspection and continuous efforts to address non-compliance.

Despite some improvements the analysis identified some remaining compliance risks related to animal transport and the welfare of pigs. **More concretely, compliance challenges on transport are associated with long journeys, especially those to third countries in combination with issues related to high summer temperatures.** In the

area of pig welfare, the **main challenge remains the largely practiced routine pig's tail docking.**

Stakeholders see the strategy as playing a key role influencing the creation of the EU Animal Welfare Platform. The EU Platform further contributed to some of the actions and objectives of the strategy in terms of improving dialogue with stakeholders, sharing knowledge, exchanges of best practices and development of guidance.

The strategy did not contribute to extending protection of animals to species which were not previously protected, nor did it contribute to the development of common requirements for competence of personnel handling animals which were components of the simplified framework.

At a global level, the strategy contributed to some extent towards a global level playing field through its international activities. The strategy further contributed to promoting animal welfare in international fora and establishing synergies with the other international organisations active on animal welfare like OIE, FAO and other.

Overall, the awareness of animal welfare among industry stakeholders has improved since 2012.

Actions to improve awareness of consumers and the public through communication and education were not so effective mainly because they were not pursued further on and there were no follow-up actions and dissemination activities.

The strategy played a limited role for improving synergies with the CAP and in particular for encouraging Member States to make better use of the possibilities offered by the EAFRD to support animal welfare measures through their RDPs.

Certain actions and objectives such as those targeting international cooperation, increased synergies with CAP, and the feasibility of an EU legislative framework - were not specific enough. This was a key factor to limit their impact.

The strategy lacked a monitoring mechanism to effectively measure the progress or the impact of its activities.

Some internal factors such as changes in political agenda and insufficient resourcing led to delays in the implementation of the strategy.

In the absence of quantitative data to assess the extent to which the strategy has been successful in achieving the set objectives, the effectiveness analysis is mainly based on a qualitative analysis.

5.3.1 Comprehensive and uniform protection of animals (simplified legislative framework)

The strategy contributed to a limited extent to a uniform level of protection of species already included in the legislation.

While a simplified legislative framework has not been developed under the strategy, some of the key components relating to such objective have been implemented by means of different actions, as described below.

More uniform level of protection of different species

As mentioned, the strategy partially delivered on the outputs that were planned in relation to this objective. These outputs are mainly associated with the establishment of EU Reference Centres for animal welfare (EURCAWs), the EU Animal Welfare Platform and the production of guidelines.

While there is evidence of knowledge shared among stakeholders in the Platform across a range of issues, there is no evidence yet, that these have led to a simplification of requirements or a more uniform level of protection across species. The contribution of the outputs described above to achieving a more uniform protection of species has been small.

Overall, there is little evidence that these outputs contributed to a more uniform level of protection of different species, due to a low level of progress and the delays incurred.

Common requirements for competence of personnel handling animals

This output was linked to the notion of including common requirements for the new potential new legislative framework. As the action to consider the feasibility of a simplified legislative framework was not implemented, common requirements were not introduced.

Reference centres

The concept for developing a network of reference centres existed before the strategy⁸⁸⁹ and it was included in the strategy document as an element which would contribute to a possible simplification of the existing legal framework. The obligation to establish reference centres on animal welfare derives from the Official Controls Regulation⁹⁰.

The first EU reference centre on animal welfare of pigs⁹¹ was set up in March 2018 and started its activities in October 2018. A year later in 2019, the Commission designated a

⁸⁸ Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals. COM (2009) 584 final

⁸⁹ http://www.euwelnet.eu/media/1138/executive_summary_final_english.pdf

⁹⁰ Article 95 of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products

⁹¹ Commission Implementing Regulation (EU) 2018/329

second reference centre dedicated to the welfare of poultry and other small-farmed animals⁹². In June 2020, the Commissioner announced a plan for designation of a third EU reference centre dedicated to the welfare of ruminants and equids in 2021.

EU Reference Centres on animal welfare aim at improving the enforcement of the legislation, providing technical support and coordinated assistance to EU countries in carrying out official controls in the field of animal welfare. They also contribute to the dissemination of good practices on animal welfare in the EU. In particular, by providing scientific and technical expertise, carrying out studies and developing methods for improving and assessing the welfare level of animals. Today, the role of these centres is largely perceived as very positive by all by Member State representatives, experts and EU bodies and institutions. However, it is still too early to measure their impact, considering that they have been designated recently.

Scientific Indicators

Overall, the strategy contributed to a small extent to the use and delivery of indicators. Collected evidence suggest that indicators are being used in an ad hoc manner by some stakeholders. The reason is often associated with the fact that only the broilers Directive has indicators embedded as of today.

Another indication of progress is the 2017 Official Controls Regulation (OCR). It provided the Commission with the power to design and/or use indicators ‘based on measurable performance criteria’ to verify compliance with legislation. Such indicators had not been adopted yet under Regulation (EC) No 882/2004. Many respondents agree that the scientific indicators are useful, but they should be used better by integrating them into existing legislation. Others think that a systematic, centralised database of indicators is required to be truly useful in measuring animal welfare in the EU.

The OCR provides an excellent opportunity to expand future work on the development and use of indicators. At present, the Commission is working on a 2-years project to assess whether Member States have a strategic approach to use animal welfare indicators to measure the severity, extent and permanence of animal welfare problems and to target its controls accordingly. The main output of this project will be an overview report, planned to be released in the first quarter of 2021. This report is expected to support the future work of the Commission in this direction.

5.3.2 Enforcement and compliance

Enforcement actions contributed to a medium extent to improving enforcement and compliance at a Member State level.

The strategy identified the uneven enforcement of EU legislation on animal welfare and insufficient incentives for the industry to comply with regulations as key issues. To

⁹² Commission Implementing Regulation (EU) 2019/1685

address them, the strategy included actions to support Member States in improving enforcement and compliance.

A majority of surveyed Member State representatives agreed (18 of 26), or strongly agreed (4 of 26), that the strategy helped to improve enforcement at a national level and contributed to improving animal welfare in the EU.

A questionnaire developed by the Finnish Presidency in 2019⁹³ highlighted that enforcement methods used by the strategy, such as national controls (88%), national (76%) and EU audits (80%), national training (84%), BTSF training (76%) and National Contact Points (76%), were considered by CVOs to be very effective/effective tools. However, none of the NGOs believed that there had been great or significant improvements since 2012 in compliance with the EU legislation.

With regards to the **protection of pigs**⁹⁴ back in 2012 the main issue in terms of compliance was with the pregnant sows. With an effect from 1 January 2013, they had to be kept in groups instead of individual stalls during part of their pregnancy⁹⁵. One of the main contributions of the strategy are associated with improvements in the group housing of sows. More concretely, as part of the enforcement actions, infringement proceedings were launched against 13 Member States for non-compliance with the requirement on group housing of sows. Furthermore, 18 EU pilot dialogue schemes on laying hens and pigs have been launched during the strategy. These actions were effective in increasing compliance as proved by Commission audit reports of 2016. This evidence is further supported by the survey findings where, 13 of 23 Member State representatives reported a significant improvement in compliance with this Council Directive. Similarly, 53% of respondents in the public consultation indicated that there were improvements in compliance with this Directive.

Against this background, the largely practiced routine tail docking of pigs remains a major challenge in terms of compliance, as showed below (5.3.2.1. Compliance risk areas). Council Directive 2008/120/EC requires Member States to ensure that tail-docking is not carried out routinely but only where there is evidence that injuries to sows' teats or to other pigs' ears or tails have occurred⁹⁶. The practice of tail-docking of pigs is carried out in the early days of life to prevent tail-biting which has a multifactorial origin. That practice is done without anaesthesia by causing pain to pigs and is therefore detrimental to their welfare. Furthermore, a routine practice of tail-docking is triggered

⁹³ <https://data.consilium.europa.eu/doc/document/ST-6007-2020-INIT/en/pdf>

⁹⁴ Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs

⁹⁵ Article 3(9) of Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs

⁹⁶ Point 8, Annex I to Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs

by frequent tail biting which itself reflect suboptimal animal welfare conditions in the holding.

On the issue of pigs' tail docking, the strategy produced a set of guidelines in 2016⁹⁷.

The Commission audit reports carried out in addition to the strategy showed some evidence of improvement, but the largely practiced routine pigs' tail docking and the use of enrichment materials remain challenging.

The strategy action to enforce the ban on the use of unenriched cages from 1 January 2012 made a significant positive contribution described as a “*success story*” to improving compliance with the **protection of laying hens**⁹⁸. Fourteen audits were carried out in relation to the laying hens' Directive. Based on the findings from these audits, The Commission launched infringement proceedings against 13 Member States for non-compliance. There were also 'EU pilot dialogue schemes'. As a result, 27 national actions from Member States and Norway were undertaken to improve compliance.

During the targeted survey 16 from 23 Member State representatives reported a significant improvement in compliance with this Directive. The same opinion was shared by 50% of respondents to the public consultation who reported that there had been improvements in compliance with the laying hens legislation.

The strategy contributed to a medium extent to improve the enforcement of the legislation **protecting chickens kept for meat production**⁹⁹ as shown below. Since 2012, a small number of Member States have started to use broiler welfare indicators to adapt their strategy for enforcement of legislation. Specifically, Denmark, the Netherlands, Sweden and the UK implemented effective monitoring systems for assessing on-farm welfare at slaughter through indicators (such as footpad dermatitis¹⁰⁰).

Although evidence is limited, the strategy had indirect contributions to the enforcement of and compliance with the **legislation protecting animals kept for farming purposes**¹⁰¹. Under the strategy, a report¹⁰² was produced on the implementation of such

⁹⁷ https://ec.europa.eu/food/animals/welfare/practice/farm/pigs/tail-docking_en

⁹⁸ Article 5(2) of Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens

⁹⁹ Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production

¹⁰⁰ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the application of Directive 2007/43/EC and its influence on the welfare of chickens kept for meat production, as well as the development of welfare indicators, COM/2018/0181 final: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0181>

¹⁰¹ Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes

legislation, which highlighted improvements in compliance in some areas. Namely, Commission audits found that Member States such as Czech Republic, Denmark, Hungary, Netherlands, Spain, Sweden and the UK put in place a risk-based system for inspection and have been continuously concentrating efforts to address non-compliance. Although there is little evidence to suggest the report influenced enforcement or compliance directly, it did highlight the need for stakeholder dialogue.

The strategy contributed to a medium extent to improving enforcement and compliance with the legislation **protecting animals during transport**¹⁰³ through actions such as the production of guidelines, fact sheets and videos to improve the welfare of cattle, horses, pigs, poultry and sheep during transport¹⁰⁴. The study survey indicated that 13 of 23 Member State representatives reported a significant improvement in compliance with this Regulation. Additionally, the outcome of the public consultation indicated that 48% of respondents believed that there had been improvements in compliance with this Regulation.

A series of actions were developed to improve the enforcement of the regulation on the **protection of animals at the time of killing**¹⁰⁵. One such action was the implementing plan for the slaughter regulation, which consisted in the development of national action plans detailing how the regulation would be implemented. On the other hand, actions such as production of guidelines had an indirect impact. In addition, compliance improvements with the Regulation were reported by 40% of respondents to the public consultation. The Commission's audit overview report on the animal welfare at slaughter¹⁰⁶ showed that the development of Standard Operating Procedures (SOPs) based on guides to good practice, the tailoring of official controls to operators' procedures and the implementation of good reporting systems were key factors in improving compliance of operators with animal welfare standards.

5.3.2.1 Compliance risk areas

¹⁰² REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the implementation of Council Directive 98/58/EC concerning the protection of animals kept for farming purposes, COM/2016/0558 final (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016DC0558>)

¹⁰³ Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

¹⁰⁴ <http://www.animaltransportguides.eu/>

¹⁰⁵ Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing

¹⁰⁶ http://ec.europa.eu/food/fvo/overview_reports/act_getPDF.cfm?PDF_ID=430

Following a recommendation from the ECA¹⁰⁷, the analysis focused on identifying the remaining compliance risk areas. Based on the evidence collected, the areas where most Member States are struggling to comply with the requirements set in the legislation are animal transport, welfare of pigs (e.g. routine pig's tail docking) and protection at slaughter.

Animal transport

Compliance with the transport regulation has improved, but this remains an area at risk. In the context of a specific project, the Commission audited several Member States on the welfare of animals during transport by road and published an overview report¹⁰⁸ concluding that “the official data indicate a very high level of compliance with transport rules when vehicles are in EU territory.”

However, there are still challenging issues associated with long journeys and in particular transport in extreme temperatures¹⁰⁹ and exports to third countries. The same Commission report also points out that “the main concerns for the welfare of animals relate to the non-EU leg of the journey. The available information indicates that most transporters do not meet applicable EU rules after leaving the Union.”

Other issues of risk in terms of compliance include low and/or infrequent penalties for non-compliance¹¹⁰, transport of unfit animals¹¹¹, breaches in stocking densities¹¹², and the insufficient provision of rest, feed, water and bedding¹¹³. Transport was also the main area reported as lacking compliance by 54% of respondents to a public consultation, with a few stakeholders highlighting long journeys and transport to third countries, high temperatures, non-observance of space requirements and transport of calves and adult bovines as key issues.

¹⁰⁷ Recommendation 1(b) from ECA Special report No 31/2018: Animal welfare in the EU: closing the gap between ambitious goals and practical implementation

¹⁰⁸ Commission Overview report on the Welfare of Animals Exported by Road (2019): https://ec.europa.eu/food/audits-analysis/overview_reports/act_getPDF.cfm?PDF_ID=1520

¹⁰⁹ Chapter VI, Annex I to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

¹¹⁰ Article 25 of Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

¹¹¹ Chapter I, Annex I to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

¹¹² Chapter VII, Annex I to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

¹¹³ Chapter V, Annex I to Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport

As regards the transport by sea, another Commission audit overview report¹¹⁴ highlights insufficient Member States systems in place to approve livestock vessels with the exception of Ireland and Portugal. As main reasons are mentioned the staff qualifications, technical experience and lack of resources to carry out all the necessary specific tasks.

Welfare of pigs

Compliance with the Directive on the **protection of pigs** is another important risk area, particularly regarding pig's tail docking. According to the data collected by DG SANTE, tail-docking of pigs is a routine practice in 26 out of 28 Member States and approximately 150 million pigs annually are subject to this practice. Commission audit reports into several of the big pig's producing Member States highlight that although actions have been taken they have not yet resulted in better compliance with the provisions of the Pig Directive which prohibit routine tail docking in pigs. With the exception of a few Member States, such as Finland and Sweden, most EU Member States did not comply with the ban or with providing adequate enrichment materials (such as rope, fresh wood, branches and straw);¹¹⁵.

Protection at slaughter

Audits across Member States have also found compliance risk areas for the **Slaughter Regulation**. In particular, 43% of respondents to the public consultation and 11 out of 15 NGOs surveyed indicated lack of compliance with this regulation. One of the particular areas identified during Commission audits of 13 Member States¹¹⁶ was non-compliance with the adequate procedures and with the non-applying the required parameters for electrical waterbath stunning of poultry (widely used method to render poultry unconscious). Such issues were also emphasised in interviews with NGOs regarding use of electrical waterbaths and stunning of pigs using CO₂. Additional risk areas included shortcomings in official controls given the prevalence of 'traditional' inspection procedures, use of generic SOPs and general risk factors rather than targeted controls on specific slaughter processes, issues in small to medium size establishments in terms of lack of registers of animal welfare officers' activities and non-compliance regarding new equipment due to costs. In addition, the same Commission overview report also highlights wide variations between Member States on applying the derogation for slaughter without stunning.

Welfare of broilers

¹¹⁴ [Commission Overview report on the welfare of animals transported by sea \(2020\):
https://ec.europa.eu/food/audits-analysis/overview_reports/act_getPDF.cfm?PDF_ID=1543](https://ec.europa.eu/food/audits-analysis/overview_reports/act_getPDF.cfm?PDF_ID=1543)

¹¹⁵ "Efforts to Ban the Routine Tail Docking of Pigs and to Give Pigs Enrichment Materials via EU Law: Where do We Stand a Quarter of a Century on?" Elena Nalon and Nancy De Briyne

¹¹⁶ Commission Overview report on Animal welfare at slaughter in Member States (2015): http://ec.europa.eu/food/fvo/overview_reports/act_getPDF.cfm?PDF_ID=430

Regarding **broiler welfare**, there is considerable variation across Member States on the effectiveness of systems used to detect poor broiler welfare at slaughterhouse level. Sweden, Denmark, the Netherlands and the UK have used this indicator in practice and used in addition a scoring system introduced for a first time in Sweden¹¹⁷. Eleven other Member States who do not have such a scoring system carried out *post mortem* inspections, but do not systematically make use of this data to prioritise and better target their farm inspections.

As mentioned earlier in 2019, the Commission launched a two years project dedicated to animal welfare indicators. The scope of the project targets farming of pigs and broilers, and other livestock sectors where Member State authorities can provide information on effective use of animal welfare indicators.

Official controls at farm level

Member States carry out **official controls procedures of farms** to ensure those are compliant with existing animal welfare legislation. The ECA report of 2018 identified some examples of good coordination between national authorities and the Commission at a national level in France, and at a regional level in Germany (North-Rhine Westphalia) and Italy (Sardinia). However, a few issues were reported in some Member States, including a lack of appropriate enforcement actions and a reduction in on-site official controls at farms due to limited resources (e.g. reduced number of veterinary staff available to perform inspections) (Broom, 2017; ECA, 2018; Commission audits of 2018).

External factors

Compliance risk areas and enforcement efforts vary across Member States. There are multiple factors contributing, such as different production systems used, types of animals farmed, levels of access to technology and funds, and different policy landscapes, as well as control resources and the way in which national authorities organise the enforcement and monitoring of legislation. This variation can be problematic, particularly in terms of comparing results of national inspections and establishing a harmonised approach to animal welfare (Bock et al., 2014).

An additional factor hindering the enforcement was the absence of details on certain aspects of the EU animal welfare legislation. For example, the Pig Directive lacks specificity in its guidelines by using open norms such as ‘sufficient’ food, water, nesting material and space. Similar examples could also be taken from the Transport Regulation where there are plenty of references to sufficient and appropriate staff, sufficient bedding etc.

¹¹⁷ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the application of Directive 2007/43/EC and its influence on the welfare of chickens kept for meat production, as well as the development of welfare indicators [COM/2018/0181 final](#)

5.3.3 Functioning of the EU market and a level playing field in the EU

According to the evidence collected under the study, the strategy contributed to a medium extent towards an EU level playing field. The uneven EU level playing field was identified as a problem due to the uneven levels of enforcement and compliance with animal welfare legislation across Member States. In this context, the strategy's contribution was associated with the facilitation of compliance and enforcement of animal welfare legislation across Member States through audits, enforcement actions, infringement proceedings and capacity building initiatives such as training programmes and the production of guidelines.

Case study 03 (see Annex 9 to the study report) investigated this further and explored the extent to which the strategy contributed to a level playing field at an EU and global level for broiler welfare standards. The case study found that, at an EU level, the strategy influenced compliance with the broiler directive. While challenges remain, improved uniform enforcement of standards across Member States contributed to open and fair competition.

The strategy identified the lack of an EU level playing field as a problem due to the uneven levels of enforcement and compliance with animal welfare legislation across Member States. While it was not one of the six primary objectives, it was included in the strategy as an indirect impact of the actions and activities designed to improve enforcement and compliance.

One of the strategy's main contributions is associated with the improved enforcement and compliance of Member States across several areas of legislation, as presented in 5.3.2 Enforcement and compliance. The enforcement actions regarding laying hens and grouping of sows were highly effective and led to greater enforcement of the two Directives across Member States.

5.3.4 Level playing field at global level

At a global level, the strategy contributed to a global level playing field through bilateral and multilateral cooperation activities, trade agreements, trainings, technical assistance and informal agreements between the EU and third countries.

Over the years, the Commission invested significant resources to animal welfare international activities (see 5.4 Effectiveness and Annex 5: Overview of costs – benefits). These activities are a long-term investment, based on three subsequent steps: awareness raising, capacity building and funding. The Commission, with the EU Member States, has played a prominent and decisive role in raising global awareness on animal welfare and tangible results have been achieved¹¹⁸. Since the strategy was launched, the Commission included provisions on animal welfare in the following trade agreements:

¹¹⁸ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_international_publication-report_en.pdf

EU-Canada CETA (2017); EU-Japan JEEPA (2019); EU-Mercosur (2019; agreement in principle); and EU-Mexico (2020).

An area where the EU had a strong influence relevant to animal welfare was on slaughter, as EU legislation contributed to changing the methods used in third country slaughterhouses (Broom 2017).

In support to this evidence, the majority of public consultation respondents agreed with the statement that the strategy contributed to a more level playing field for EU businesses at an EU and global level (61% of respondents agreed that it had contributed to some extent, and 13% agreed to a significant or great extent). Similarly, the majority (68%) of survey respondents from EU businesses and trade associations stated that the strategy had contributed to addressing the lack of a global level playing field.

The study analysis points at the willingness of third countries to proceed further on animal welfare and the limited influence of the Commission on them. International activities require much longer time, vision and investment than the duration of the strategy. These activities had overall positive impact to improving the awareness on animal welfare at global level.

5.3.5 Improving awareness about animal welfare

Under the strategy, guidelines and studies have been developed, targeting animal owners, handlers, consumers and the public. Due to the different approaches/tools used (e.g. guides, reports, factsheets, videos etc.) to improve awareness among the target audiences, the evidence collected varied. The guidelines produced for animal owners and handlers were generally well-received and most stakeholders demonstrated tangible familiarity with them. However, it was not possible to assess in detail their impact due to a lack of data on the uptake of the guidelines.

The studies relating to animal welfare information for consumers did not include specific communication or educational activities to increase consumer awareness, which limited the strategy's impact in this area.

Animal owners/handlers

Overall, stakeholders consider guidelines as a useful output for improving awareness among animal owners and handlers. The guidelines included helpful information such as handbooks, factsheets, best practice documents and educational videos that was easy to follow and was appropriate for their target audiences. There were separate outputs targeting three areas of legislation:

- Council Directive 2008/120/EC on the protection of pigs¹¹⁹;

¹¹⁹ https://ec.europa.eu/food/animals/welfare/practice/farm/pigs/tail-docking_en

- Council Regulation (EC) No 1099/2009 on the protection of animals at slaughter¹²⁰¹²¹;
- Council Regulation EC 1/2005 on the protection of animals during transport¹²².

Compliance with this legislation and awareness of the animal welfare requirements among animal owners is perceived to have improved since 2012, but views on the extent to which the strategy has contributed to this are mixed. This is demonstrated by the lack of consensus in the public consultation where 40% of respondents¹²³ considered the strategy to have had little to no contribution to improving awareness, but 30% thought it had a great or fairly significant contribution and almost a quarter (24%) expressed no strong opinion either way. Contrasting opinions are also seen in the survey, where 62% of Member State representatives agreed that the strategy had helped to improve compliance among animal handlers and owners in their country compared to only three of 15 NGOs. Businesses and business/trade associations did not express especially strong opinions on the subject.

Familiarity with the guidelines produced as part of the strategy among stakeholders was good, evidenced by the survey and public consultation. In the survey, the majority of businesses and business/trade associations who were familiar with the strategy said they were quite or very familiar with the guidelines (83%) and all eight professional associations said their profession had engaged with one or more of the guidelines produced to at least a moderate extent. The public consultation indicates that familiarity with the guidelines is especially high in Belgium (76% of stakeholders extremely or very familiar) and lowest in Spain (38% of stakeholders extremely or very familiar).

In particular, the animal transport guide received praise for being well-written, simple and for containing practical information that supported compliant behaviour among the target audience, particularly as industry had been directly involved in producing them. These guides have also been translated into languages not foreseen within the original project, including Bulgarian, Czech and Croatian. The OIE sponsored the translation of the factsheets on transport into Russian and have popularised them in the context of different activities under the OIE Platform on animal welfare for Europe, further illustrating the perceived high quality of these guides.

Consumers and the public

The contribution of the strategy to awareness of animal welfare among consumers and the public was limited. While the two studies carried out under the strategy (see 5.1.2.

¹²⁰<https://op.europa.eu/en/publication-detail/-/publication/ea4ef3e9-cda5-11e7-a5d5-01aa75ed71a1/language-en>

¹²¹ https://ec.europa.eu/food/animals/welfare/practice/slaughter/2018-factsheets_en

¹²² <http://www.animaltransportguides.eu/>

¹²³ Out of 3,375 respondents who contributed to the public consultation

Relevance) indicate a lack of information for most consumers on animal welfare and an increasing interest to receive information on this matter, the Commission did not take any follow up action that could make the studies useful for addressing the objective. This limited impact is broadly reflected in stakeholders' opinions. In the public consultation, more than half (57%) considered the strategy has made either no contribution or only some contribution to improving consumer information.

5.3.6 Knowledge and evidence that contributed to policy and decision-making

Twelve strategy actions out of twenty were dedicated to producing reports and studies contributing to four of the objectives.

The aim of these studies and reports in the strategy was to produce new knowledge and evidence, which in turn could contribute to policy and decision making. Evidence collected shows that all the outputs were produced, with different levels of quality. Some reports and studies contributed to EU-level knowledge on certain animal welfare issues. However, the lack of follow-up activities to disseminate and take into account this knowledge limited the strategy's contribution to policy and decision-making.

A positive contribution under the strategy was in the area of the welfare of farmed fish: the study and the Commission report have increased knowledge regarding fish welfare and provided recommendations for EU policymaking. However, there were no follow-up actions taken on the welfare of farmed fish.

Whilst Member State representatives felt that studies and relevant recommendations influenced policy and decision-making to a small extent in Member States¹²⁴, there is an overall lack of evidence with regards to the contribution of the reports and studies to the strategy's objectives. This lack of evidence can be attributed to the absence of tools to accurately measure any potential contribution. Furthermore, the strategy did not include any follow-up to the studies and reports.

The creation of the [EU Platform on animal welfare](#) was not foreseen as an activity of the strategy. Launched in 2017, the Platform is now recognised as a pivotal forum for Member States and stakeholders to share information and good practices. To support the work of the Platform in specific areas, the Commission created thematic subgroups.

5.3.7 EU's influence on animal welfare at global level

The strategy had influence and contributed on animal welfare standards, policies and practices at global level, as it provided a source of inspiration¹²⁵ for many third countries.

More concretely the main contributions are associated with:

¹²⁴ Overall, 92% of Member State representatives who responded to the targeted survey viewed the studies and relevant recommendations to EU institutions through reports encompassed by the strategy as influencing policy and decision-making in Member States.

¹²⁵ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_international_publication-report_en.pdf

- Involvement in the OIE standard setting process (e.g. by providing EU coordinated positions);
- Provision of financial support and co-organisation of OIE training events to raise awareness and facilitate the implementation of international standards;
- Supporting the development and implementation of OIE regional strategies on animal welfare.

The Commission's coordination with international bodies related to animal welfare was strengthened between 2012 and 2019. The strategy contributed to multilateral and bilateral cooperation activities and events, and the inclusion of concrete provisions for strengthening the cooperation in the area of animal welfare in bilateral or multilateral trade agreements. Case study 06 explores this question further.

The diverse international activities of the strategy contributed to an increased awareness and understanding of animal welfare issues by third countries. The challenges to the inclusion of more specific requirements on animal welfare in trade agreements are linked to the fact that animal welfare is not explicitly recognised under the World Trade Organization General Agreement on Tariffs and Trade (GATT) .

The strategy also supported activities that contributed to the development of third country and international standards. The Commission has been very active in particular along the whole process of consultation and adoption of OIE international standards on animal welfare. The Commission also played a key role in the implementation of the OIE standards on animal welfare, as it was involved in the Steering Group of the OIE Platform on animal welfare for Europe since its creation in 2013. In 2017, a milestone was achieved when the OIE adopted, with the support of the EU, its first global strategy on animal welfare.

During the strategy, the Commission has also cooperated with FAO in organising capacity building events¹²⁶, promoting animal welfare as a public good and a component of sustainable production. In addition, the Commission contributed to the development of the FAO Gateway to Farm Animal Welfare¹²⁷, an online platform allowing multi-stakeholder knowledge and exchange.

In parallel, the strategy supported activities that contributed to creating the scientific basis for international animal welfare standards and guidelines through tools such as the Seventh Framework Programme¹²⁸, the Better Training for Safer Food programme¹²⁹, and the Technical Assistance and Information Exchange Instrument.

¹²⁶ FAO Headquarters, Rome, Sep-Oct 2008, <http://www.fao.org/ag/againfo/themes/animal-welfare/>

¹²⁷ <http://www.fao.org/ag/againfo/themes/animal-welfare/en/>

¹²⁸ The Seventh Framework Programme was the main instrument for funding research in Europe between 2007 and 2013.

Nowadays, very few stakeholders are fully aware of the whole set of EU animal welfare international activities carried out under the strategy. Following the study report, this might be one of the reasons why the respondents to the public consultation were more likely to state that the strategy only had some or no contribution to promoting EU animal welfare standards at a global level (48%) than a great or fairly significant contribution (25%).

5.3.8 Member States' improved use of the CAP to raise awareness on EU rules and go beyond

The CAP includes the possibility for Member States to co-finance animal welfare measures within their RDPs (i.e. funded under the EAFRD), thereby encouraging farmers to voluntarily improve animal welfare beyond the legal EU baseline through animal welfare payments (see 5.1. Relevance).

The strategy therefore intended to support uptake of this measure in its objective to optimise synergies with the CAP.

EAFRD and animal welfare

The EAFRD offered Member States the possibility of co-financing support for animal welfare, via specific animal welfare payments or other measures that could lead to improvements in animal welfare. These specific animal welfare payments include voluntary management commitments going beyond the legally binding requirements or commonly used agricultural practices, which compensated farmers for additional costs incurred and/or income foregone. The other measures include investments, training and advice, organic farming, support for innovation actions (European Innovation Partnership for Agricultural Productivity and Sustainability (EIP-AGRI)), quality schemes, etc.. In order to be used by farmers, the measures must be included in the national or regional rural development programme (RDP) for the area in which they are located. As of 2018, animal welfare payments were included in 34 of 115 RDPs in 18 Member States. There has been an improvement in the uptake of “animal welfare payments” insofar as more Member States included the measure in their 2014-2020 RDPs compared to the previous funding period, which ended in 2013 (only 10 Member States at the time).

Based on the collected evidence, it is difficult to assess whether/to what extent the strategy contributed to these changes.

Despite the improved uptake in the 2014-2020 RDPs, synergies between animal welfare and the CAP remain limited overall during the period considered. It was highlighted that the 2014-2020 CAP funding period was a missed opportunity to improve on animal

¹²⁹ Better Training for Safer Food World has been delivered to non-EU countries through regional workshops in Canada, China, Chile, South Korea, Thailand, Brazil, Costa Rica, and Sri Lanka, and sustained training missions in Thailand, Malawi, Lesotho, Chile and Brazil

welfare¹³⁰. This conclusion is also supported by the survey where 38% of Member State representatives perceived that the strategy had not contributed to a better use of the CAP to improve animal welfare, and a further 35% ‘did not know’. The 2019 survey targeting CVOs provided similar results, where 39% considered the measures implemented under the EAFRD as being only somewhat effective¹³¹.

Case Studies 07 and 08 (Annex 8) suggest that there is an increased likelihood for Member States to include animal welfare measures as part of their RDPs when animal welfare is a more significant national priority.

Cross-compliance

Through cross-compliance, farmers are encouraged to raise CAP beneficiaries’ awareness on high European Union standards for public, plant, and animal health and welfare. The strategy had a limited impact on the cross-compliance systems as set out under the CAP. Nevertheless, cross-compliance can provide for synergies and consistency of the CAP with animal welfare standards, and make farmers aware of the need to respect these.

The strategy envisioned establishing “*a specific inter-services arrangement to assess how to optimise synergistic effects of the current mechanisms of the CAP in particular through cross-compliance [among others].*” However, the strategy did not lead to the establishment of such a new mechanism.

In 2018, the Commission published the legislative proposal¹³² on the CAP beyond 2020. The aim of these proposals was to make the CAP more responsive to current and future challenges such as climate change, while continuing to support European farmers for a sustainable agricultural sector. One of the future CAP objectives relates to improving the response of EU agriculture to societal demands on food and health and animal welfare. The ongoing reform of the CAP maintains in the proposal that access to funds is conditional upon compliance with legislation on animal welfare.

5.3.9 Extent to which the objectives of the strategy were achieved

¹³⁰ Animal welfare in the reformed Common Agricultural Policy: Wherefore art thou? - Diane Ryland University of Lincoln, UK, 2015 : <https://core.ac.uk/download/pdf/29176712.pdf>

¹³¹ Outcome of the Finish Presidency Questionnaire Animal Welfare - an integral part of sustainable animal production <https://data.consilium.europa.eu/doc/document/ST-6007-2020-INIT/en/pdf>

¹³² Proposal for a Regulation establishing rules on support for strategic plans to be drawn up by Member States under the Common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1307/2013 of the European Parliament and of the Council, COM/2018/392 final - 2018/0216 (COD)

The 20 actions included in the strategy contributed, to a varied extent, to the achievement of the six strategy objectives.

The “traffic light assessment” was used to assess the extent to which each of the 20 actions have contributed to the six objectives of the strategy.

Based on the information provided above, Table 2 illustrates the effectiveness of each type of action carried out under each objective.

OBJECTIVES OF THE STRATEGY

EFFECTIVENESS of ACTIONS

High/Medium/Low

1.DEVELOP TOOLS TO STRENGTHEN MEMBER STATES' COMPLIANCE	<ul style="list-style-type: none"> •Enforcement actions on laying hens •Enforcement actions on grouping of sows •Implementing plan for slaughter •Guidelines on pigs •Best practices on animal transport •Guidelines on the protection of animals at the time of killing •Report on genetic selection - broilers' directive •Report on banning cat and dog fur •Report on stunning methods for poultry •Report on the farming directive •Report on restraining systems for bovine •Study on dogs and cats •Report on the welfare broilers
2.PROVIDE CONSUMERS AND THE PUBLIC WITH APPROPRIATE INFORMATION	<ul style="list-style-type: none"> •Study information on stunning •Study on education and on information to public and consumers
3.SUPPORT INTERNATIONAL COOPERATION	<ul style="list-style-type: none"> •Report on international activities
4.OPTIMISE SYNERGISTIC EFFECTS FROM CURRENT COMMON AGRICULTURE POLICY (CAP)	<ul style="list-style-type: none"> •No specific action
5.INVESTIGATE ON THE WELFARE OF FARMED FISH	<ul style="list-style-type: none"> •Study on farmed fish during transport •Study on farmed fish at the time of killing
6.CONSIDER THE FEASIBILITY OF INTRODUCING A SIMPLIFIED EU LEGISLATIVE FRAMEWORK FOR ANIMAL WELFARE	<ul style="list-style-type: none"> •Possible legislative proposal for a simplified EU legislative framework

5.3.10 Factors influencing the achievement of objectives

The strategy helped to set common priorities on animal welfare in the EU. It also supported the sharing of best practices and knowledge on animal welfare.

However, while there is progress, most of the strategy objectives have not been fully achieved. This is due to multiple factors, both internal and external to the strategy.

Internal factors

There were some internal factors that contributed to the achievement of the objectives in a positive or negative way.

On the one side, the evidence collected and analysed under the study concludes that the strategy was successful in bringing together the work on animal welfare in the EU. This enabled stakeholders to prioritise their efforts on the topic and to engage with the Commission in a targeted manner.

Further, in the case of the guidelines, although engagement with stakeholders took time and may have contributed to delays in their delivery, this engagement was seen as crucial to producing well-written and informative outputs.

On the other side, consulted stakeholders pointed out that the strategy was not very ambitious, and that insufficient resources were allocated, leading to delays in the delivery for some of the actions up until 2018.

The delivery model of the strategy has been criticised by stakeholders for not being specific enough and for not including monitoring mechanisms for measuring the progress.

Another factor identified as challenging by some stakeholders relates to some legislative requirements (e.g. in the transport and slaughter regulations) pointed as being not easy to understand or easy to enforce.

External factors

There were external factors that had a positive influence on the strategy. Animal welfare was seen to be continually improving as a result of a societal demand towards better standards which was perceived to be the result of a combination of increased awareness among consumers, NGO campaigns, media presence and sharing on online social platforms. This in turn placed pressure on producers and retailers to better comply with welfare standards, therefore supporting the strategy's objectives. These social factors were seen to have facilitated the strategy's implementation (at least to some extent) by survey respondents (69%). Support for the strategy itself among key stakeholders, such as the European Parliament, was also observed as having a positive influence too. The European Parliament both supported actions and often criticized the Commission for its work in certain areas (e.g. compliance with pig's tail docking¹³³, the animal transport

¹³³https://www.europarl.europa.eu/RegData/etudes/STUD/2014/509997/IPOL_STU%282014%29509997_EN.pdf

Regulation¹³⁴, deficiencies in the current EU animal welfare legislation and the need to revise it¹³⁵).

A key external factor hindering the strategy's success was the difference between individual Member States. Political priorities can vary, impacting the degree to which work around improving animal welfare is resourced and therefore how much work they will undertake to achieve compliance. Likewise, interpretations and implementation of EU animal welfare legislation can be widely different. This in turn means a lack of consistency around enforcement which was difficult to address through strategy actions. The study reports, for example, that some Member States fined business operators for certain infringements of EU animal welfare legislation while others did not. A lack of common and systematic criteria to measure enforcement activities in Member States has also been highlighted. To address this issue, the Official Controls Regulation provides an opportunity and various tools for the Commission and Member States to further improve some of the remaining challenges in terms of equal enforcement (e.g. Member States' annual reporting, corrective measures and fines) and adoption of acts for the use of indicators and inspections methods¹³⁶.

The Commission is often exposed to similar challenges in the area of international cooperation on animal welfare with third countries. Political priorities of third countries are often very different with animal welfare not being high into national political agenda. Sometimes animal welfare is not a competence at federal or central national level, but at regional or lower level which poses additional difficulties. This also directly relates to the challenges around including more ambitious targets on animal welfare into international trade agreements. As such, there was seen to be a limit in what the strategy could have achieved in this regard. The issue is reflected in the survey results, in that half of the respondents considered political factors to have hindered the strategy's implementation to at least some extent (51%).

5.4. EFFICIENCY

Under efficiency the relationship between the resources used by the strategy and the generated changes was assessed (i.e. an assessment of costs and benefits). The following evaluation questions guided the assessment:

- To what extent could the same results have been achieved with fewer resources?
- To what extent has the need to simplify and develop clear principles for animal welfare been achieved by the strategy?

¹³⁴ MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION on the implementation of Council Regulation No 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI))

¹³⁵ [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/583114/IPOL_STU\(2017\)583114_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/583114/IPOL_STU(2017)583114_EN.pdf)

¹³⁶ Article 21(8).

- Regarding the objectives partially met or unmet, what have been the opportunity costs? (e.g. issues with working with the current legal framework, considering technological and scientific developments, and problems unaddressed at EU-level?)
- To what extent has the implementation of the strategy had an impact on the competitiveness and the economic sustainability of the different economic sectors concerned e.g. within and outside the EU?

Main findings:

A qualitative assessment of the scale of costs found that the largest costs related to enforcement, monitoring, international cooperation, production of studies and reports, development and dissemination of guidelines. However, a quantitative assessment of the incurred costs by the different stakeholders was not possible due to the lack of data.

There is a clear perception of an uneven distribution of costs and benefits among stakeholders, particularly business associations and businesses.

The resources available to implement the strategy were initially sufficient but reduced significantly in 2015. Overall, the majority of stakeholders perceive the allocated resources as insufficient. Additional resources for the strategy's actions would have improved their effectiveness and may have also improved their cost-effectiveness.

It is unlikely that the benefits produced under the strategy could have been achieved with fewer resources and, spending more on the strategy's actions may have improved its cost-effectiveness.

Due to the lack of quantitative data, it was not possible to give a definitive assessment of whether the benefits achieved by the strategy were commensurate with the costs incurred. **A qualitative assessment shows that for those actions with no follow-up actions, while costs were relatively low, there were no perceived benefits linked to them.** On the other hand, enforcement actions, while higher in costs, contributed to improvements in enforcement and therefore these costs may be justified.

The notion of 'simplification' foreseen under the objective envisaging an EU simplified legal framework evoked inconsistent interpretations by stakeholders. The strategy contributed to the need of simplification mainly via the production of guidelines, which helped to understand and apply the requirements of the existing legislation.

Due to the high degree of uncertainty, it has not been possible to assess the opportunity costs and in particular, whether the likely benefits of the non-implementation of the action related to a simplified legal framework would have outweighed the costs.

There is mixed evidence on the impact of the strategy on the economic sustainability of affected economic sectors.

5.4.1 Could the same results have been achieved with fewer resources?

Overall, stakeholders demonstrated low levels of familiarity with the funding and human resources associated with the strategy. However, interview and survey data provided insights into some of the costs that stakeholders incurred.

5.4.1.1 Cost categories

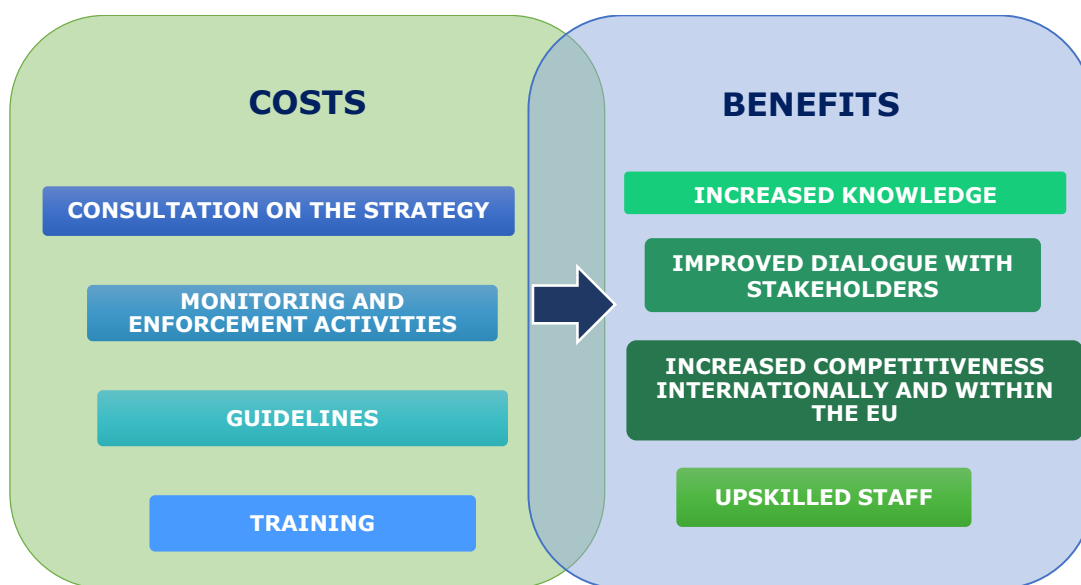
The analysis carried out under the study identified few stakeholder groups, such as EU bodies and institutions, Member States, NGOs and professional organisations and businesses and business associations, and 11 types of costs incurred by these stakeholders in relation to the strategy. There were no quantitative data relating to other stakeholder costs, including the costs incurred by Member States, businesses, professional organisations and NGOs. It was possible to identify some of the planned implementation costs of the strategy and its actions for DG SANTE¹³⁷ using Commission documents. The strategy did not have a dedicated budget and for this reason it was not possible to identify the exact costs incurred by the Commission and stakeholders involved in its implementation. Quantitative data relating to other stakeholder costs, including the costs of Member States, businesses, professional organisations and NGOs, are not available.

Even when the information on costs related to the strategy was available, it was challenging to identify the share of it that directly belonged to the strategy and whether the same could have been occurred in the absence of a strategy. A summary of the costs and benefits is available in Annex 5.

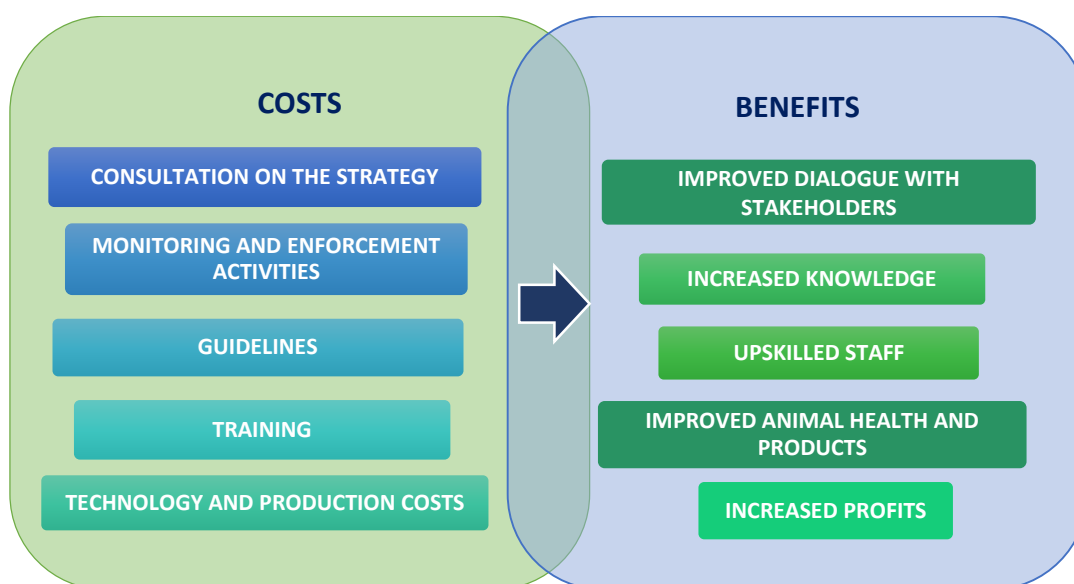
¹³⁷ See Annex 6 to the study

Summary of the main costs and benefits by stakeholder group

Graph.1: COSTS AND BENEFITS FOR MEMBER STATES



Graph.2: COSTS AND BENEFITS FOR BUSINESSES



Due to the lack of quantitative data, interviews and surveys data provided valuable insights into some of the costs that stakeholders incurred. According to evidence collected during the study, the following costs were associated with the strategy:

- **Consultation on the strategy** - wide spectrum of stakeholders, including the European Parliament, Member States and NGOs, were consulted during the development of the strategy. These costs occurred before the implementation of the strategy (2012). Some stakeholders like business associations and NGOs also incurred costs related to engaging and meeting with the Commission during the period of the strategy.
- **Production or funding of studies and reports**- These costs were largely incurred by the Commission and are related to funding of studies or reports produced by external contractors. For example 15 of the planned 20 actions under the strategy included a study and/or a report. The costs for these is estimated at approximately €1.3 million.
- **Monitoring and enforcement actions** - These activities were identified as another significant area of cost. The majority of Member States pointed at increased monitoring and enforcement costs at national level, including an increase in audits and inspections, increased government resources for measuring equipment relating to laying hens, participation in contact point meetings for transport and an increase in human resources to conduct welfare checks. However, the extent to which these costs are due to the strategy compared to legislation or another factor is unclear. Stakeholders such as business/trade associations and a minority of NGOs and professional organisations identified costs related to monitoring compliance (3 out of 15 NGOs and 2 out of 8 professional organisations).
- **Production, dissemination and uptake of guidelines** - Guidelines targeting animal owners and handlers, including handbooks, factsheets, best practice documents and educational videos, were produced under the strategy. They covered the following three main legislative areas: welfare of pigs, animal transport, and slaughter. Costs were identified to the production, dissemination, translation and use of guidelines. These were mainly incurred by the Commission, but also by professional organisations, NGOs, Member States and businesses or business associations who were involved in different steps of these activities and provided input.
- **Designing, delivering and participating in training** - Some of the strategy's actions involved the provision of training, relating to the protection of laying hens and pigs, grouping of sows, slaughter,¹³⁸ and transport. Many of the consulted stakeholders described the use of the Commission's existing BTSF. Approximately €3.5 million was budgeted for animal welfare training through BTSF, to deliver 35 sessions between 2012 and 2016. In addition, most Member States incurred some form of cost related to training. For example from 26 EU Member State representatives responding to the survey, most (62%) reported costs related to compliance, such as participating in training activities. Businesses may have also incurred costs related to training and adapting their practices to

¹³⁸ Actions 1, 2, 3 and 4

comply with legislation. However, the latter should not be seen as costs of the strategy as these are legal requirements that apply anyway.

- **International cooperation activities** - These activities included the provision of training through BTSF with an approximate budget of €847,000 spent between 2012 and 2015. In addition, the TAIEX programme aimed to build capacity in third countries. The Commission organised events, meetings, and conferences to support this goal. The Commission provided co-funding of the OIE activities such as global conferences, regional seminars, regional meetings and activities on both animal health and welfare. This funding was estimated to around €3 million between 2012 and 2018.

Production or funding of scientific advice - Scientific advice was produced by EFSA to address knowledge gap (e.g. stunning systems¹³⁹, the use of animal-based measures in risk assessment¹⁴⁰, tail biting etc.). While it is clear that some of the work that EFSA produced during the strategy period was directly influenced by the strategy, it is not clear whether a larger number of outputs were produced by EFSA than would have occurred in the strategy's absence. In addition to the work completed by EFSA, scientific studies were funded by the Commission and carried out by experts, relating to pig welfare and management of pigs that have not had their tails docked. The funding for these, and other, studies came from DG SANTE, from projects financed through the 7th Framework Programme (FP7¹⁴¹) and Horizon 2020¹⁴², and the budget of some of these studies were substantial. However, while some of this work is clearly relevant to the strategy, it is not possible to determine to what extent this funding was influenced by the strategy.

Member State representatives, business, trade associations and individual businesses incurred costs relating to consultation, monitoring compliance, attending and providing training sessions, contributing to, disseminating and using guidelines, and consultation activities. Some stakeholders also noted that businesses may also have incurred costs relating to training and other related activities such as peer-to-peer exchanges. The data from interviews suggests that Member State and business/trade associations and individual businesses may have incurred small to moderate costs related to guidelines and consultation activities.

¹³⁹ Four scientific opinions were produced on stunning methods at slaughter for poultry, three for rabbits, one for lambs and kid goats, and one for small ruminants between 2012 and 2020.

¹⁴⁰ Scientific opinions were produced on the use of animal-based measures for pigs, dairy cows, broilers, beef cattle and calves, sheep and rabbits between 2012 and 2020, and guidance was produced on risk assessments for animal welfare. It should be noted that several of the scientific opinions on the use of animal-based measures for certain species not covered by existing regulation, such as dairy cows and beef cattle, were produced in responses to Commission mandates.

¹⁴¹ https://wayback.archive-it.org/12090/20191127213419/https://ec.europa.eu/research/fp7/index_en.cfm

¹⁴² <https://ec.europa.eu/programmes/horizon2020/en>

NGOs and professional organisations reported costs related to consultation activities, monitoring and enforcement, guidelines and scientific advice. A very small number also reported costs related to contributing to studies, reports and training.

Businesses may have also incurred costs related to technology and production costs, such as acquiring new infrastructure or hiring additional personnel, but it is unclear to what extent these can be considered additional costs.

A summary of the types of costs incurred by stakeholder group and, where possible based on data availability, a qualitative assessment of the scale of this cost, is presented in Annex 6. According to such assessment, the largest costs related to monitoring and enforcement, guidelines, trainings, international activities, studies, reports.

5.4.1.2 Types of benefits

A detailed discussion of the benefits can also be found under effectiveness section, 5.3 focusing on the implementation of the strategy objectives and actions. Some elements are also available under coherence and EU added value sections.

The positive effects of the strategy are associated with:

1. The common set of objectives and priorities.
2. Improved enforcement and compliance with animal welfare requirements such as:
 - a) Reduced use of sow stalls for pigs and compliance with requirements on the grouping of sows.
 - b) Reduced use of unenriched cages for laying hens and better compliance with the laying hens Directive.
 - c) Improved compliance with the farm animals Directive.
 - d) Some improvements towards reducing tail-docking in pigs.
 - e) Improved enforcement and harmonisation of animal welfare standards contributing to some extent to a more level playing field at EU level.

Some mentioned that improved animal welfare standards leading to higher quality animal products could contribute to increased profits for the operators.

3. Increased awareness of animal welfare standards and good practices among animal owners and handlers because of the guidelines.
4. Production of new knowledge, with studies on farmed fish influencing decision-making by industry and policymaking, as well as contributing to the establishment of a sub-group for the welfare of farmed fish under the EU Platform on Animal Welfare.
5. Contributions, to different extents, to international animal welfare standards through promotion of animal welfare in third countries, leading to greater awareness of animal welfare issues, greater harmonisation and higher standards internationally, which in turn supported a more even playing field at a global level.

6. Influencing the creation of the EU Animal Welfare Platform, which appeared as unexpected outcome of the strategy.

5.4.1.3 Distribution of costs and benefits

There is a clear perception of an uneven distribution of costs and benefits, particularly among businesses. However, given the lack of information available on costs, it was not possible to assess how costs and benefits were distributed among stakeholders, both in terms of differences by Member State and over time because of the lack of data. The interviews and surveys carried out during the one year study helped to fill this gap to some extent. Among respondents to the survey, just over half of respondents disagreed or strongly disagreed that costs and benefits had been similarly distributed between sectors (54%) and countries (55%) compared to less than (10%) who agreed or strongly agreed. Among businesses and business associations, more than 70% disagreed or strongly disagreed with the statements compared to less than 10% who agreed.

5.4.1.4 Comparison of costs and benefits

Due to lack of indicators and data on the total costs of the strategy, it was not possible to give a complete and definitive assessment of whether the benefits achieved by the strategy were commensurate with the costs incurred. While survey data indicate relatively low levels of familiarity with the Strategy's costs, respondents were more likely to disagree that the benefits outweighed the costs incurred.

Despite the data limitations, it was possible to assess cost-effectiveness in a qualitative sense based on the study's findings on the strategy's results and the likely scale of cost involved for each type of action. For those actions with no follow-up (e.g. knowledge products), while costs were relatively low, there were no perceived benefits linked to them. On the other hand, enforcement actions, while higher in costs, contributed to improvements in enforcement and therefore these may be justified. Annex 5 provides an overview of the cost-benefits identified by the study.

The use of resources evolved during the strategy's implementation period that started in 2012 and ended with a delay in 2018 for some of the actions, such as the international activities study and report, farmed fish welfare study and report, best practices on slaughter, broiler welfare study and report and other. Interview findings suggest that the strategy may have had sufficient resources at its early stages. For example, there was the creation of an animal welfare unit ahead of the strategy's launch, and an initial resource to implement the actions.

However, there were already constraints on resources due to the impacts of the financial crisis, which continued to have an impact over the period of the strategy.

The ECA report of 2018 also supports these findings pointing at the insufficient resources as a reason for delays and stated that more could have been achieved with more resources.

In favour of this position, only 5% of organisations who responded to the public consultation stated that the funding and human resources associated with the strategy were very or extremely appropriate, compared to nearly half (47%) of respondents who stated this was somewhat or not at all appropriate.

In the light of the above, available data suggests that the resources were insufficient to achieve the set objectives. Further, the strategy's actions may have been more effective – and more efficient – if additional resources were allocated to their implementation. It is unlikely that it would have been possible to achieve the benefits produced under the strategy with fewer resources.

5.4.2 Simplification and development of clear principles

Considering the fact that the actions to implement the objective to consider the feasibility of a simplified legislative framework were dropped, the strategy had a small contribution in terms of simplifying principles for animal welfare. However, some stakeholders approached during the consultation activities consider that the strategy contributed to the need of simplification mainly via the production of guidelines, which helped to understand and apply the requirements of the existing legislation.

Overall, consulted stakeholders expressed mixed views on the extent to which the strategy simplified and developed clear principles on animal welfare.

5.4.3 Opportunity costs

Assessing the opportunity costs required an assessment of what might have been achieved if a simplified EU legislative framework for animal welfare had been developed, and synergies with CAP Pillar II (EAFRD) improved.

An assessment of opportunity costs was performed in three case studies carried out and available in Annex 9 to the study. Case study 1 assessed the opportunity costs of not producing a simplified EU legislative framework for animal welfare. Case studies 7 and 8 focussed their assessment on the subject of synergies between the CAP and the strategy. Findings in this section are primarily based on the outcomes from these case studies.

Exploring the feasibility of setting up a simplified EU legislative framework

The benefits and costs of setting up a simplified EU legislative framework were assessed under the study by drawing on desk research and data collected through the stakeholders' consultation. This exercise was qualitative only because of the lack of concrete monetary data. Extensive details on the approach and methodology used are available in case study 1 (Annex 9) of the study report.

The need and potential benefits of having a simplified legal framework remain an issue of debates also today. Some of the stakeholders perceive a potential new legislative framework as a compromise between the different interests and aspirations. Such a compromise may have taken various forms. For instance, not all steps anticipated in the

strategy (such as the introduction of animal welfare indicators) might have been eventually included in the new legislative framework. In this context, it was necessary to consider different levels of implementation and enforcement the new legislative framework might have achieved.

Summary of possible scenarios for producing a simplified EU legislative framework for animal welfare

- **Scenario 1:** Framework simplifies but does not add further protection. There is limited variation in terms of compliance between Members States.
- **Scenario 2:** Framework simplifies and adds further protection (including protection extended to other species, indicators, common competence standards and/or guidelines). There is limited variation in terms of compliance between Members States.
- **Scenario 3:** Framework simplifies but does not add further protection. There is significant variation in terms of compliance between Member States.
- **Scenario 4:** Framework simplifies and adds further protection (including protection extended to other species, indicators, common competence standards and/or guidelines). There is significant variation in terms of compliance between Member States.

In conclusion, it was not possible to estimate the net opportunity costs given the absence of robust quantitative data at hand. Following the analysis, it can be assumed that scenarios 1 and 3 have lower costs and more limited benefits, while scenarios 2 and 4 have higher costs while offering possible greater benefits. The simplified legal framework would have provided limited benefits besides a reduction in administrative burden and some efficiencies for competent authorities and the Commission. By contrast, options 4, and, in particular, option 2, are more likely to have had benefits across a wider range of stakeholders, while translating into more costs.

Exploring the take-up of EAFRD support for animal welfare and beyond

The assessment of opportunity costs also aimed to estimate the costs and benefits of the activities anticipated in the strategy, had the improved synergies between the CAP and animal welfare materialised. Evidence for this assessment is based on the data collected for Finland and Ireland. Both Member States were selected based on their different levels of budget programmed for animal welfare payments in their RDPs¹⁴³. While it was not

¹⁴³ Finland has programmed 4.21% of its EAFRD budget for M14. There are only three Member States with a higher budget in their national 2014-2020 RDPs: Estonia (4.3%), Slovakia (5.71%) and Romania (8.41%). Ireland has programmed 2.41% of the EAFRD budget for M14, which is the smallest share other than for Bulgaria (1.98%).

possible to provide an economic assessment due to the lack of monetary data, a qualitative assessment was possible.

The strategy intended to “*establish a specific inter-services arrangement to assess how to optimise synergistic effects of the current mechanisms of the CAP*”. This would have likely involved increased coordination and formalised engagement between the involved Commission Services, beyond existing collaboration and communication arrangements.

The focus of this assessment was the animal welfare payments (‘measure 14’ or ‘M14’) under the EAFRD¹⁴⁴. The assessment of opportunity costs carried out by the study (i.e. case studies 7 and 8) suggests that there would have been both costs and benefits for the Commission, Member States, industry and consumers if the inter-services arrangement had been established. These costs would have included resourcing and staff time for the Commission and Member States, familiarisation and adaption costs for industry. Potential benefits include improved animal welfare, efficiency gains for the Commission as a result of greater coordination between DG SANTE and DG AGRI, a potentially more level playing field, more support for farmers, and more high-welfare products available for consumers.

5.4.4 Competitiveness and the economic sustainability

There is mixed evidence on the impact of the strategy on the economic sustainability of affected economic sectors. Survey respondents were more likely to agree than disagree that the strategy had contributed to the sustainability of EU industry (40% compared to 18%). Despite this, respondents who provided further detail on their views appeared to believe the strategy didn’t have an impact on sustainability.

Survey respondents were more likely to disagree than agree that the strategy contributed to improving competitiveness of the EU industry. Representatives from Member States pointed out that there was still a lack of a level playing field.

These findings come in contrast with the findings of the study on the impact of international activities¹⁴⁵ and the relevant Commission report¹⁴⁶ which concludes that: “*overall costs of compliance with animal welfare standards remain very low when compared to other production costs*”. This issue has been presented more in detail under 5.3 Effectiveness (see sections 5.3.3 and 5.3.4).

¹⁴⁴ For further details on the scenario considered, refer to section 4.4.3 of the study.

¹⁴⁵ <https://op.europa.eu/en/publication-detail/-/publication/dc039353-ca9c-11e7-8e69-01aa75ed71a1>

¹⁴⁶ https://ec.europa.eu/food/sites/food/files/animals/docs/aw_international_publication-report_en.pdf

5.5. EU ADDED VALUE

Under this criterion it was assessed the extent to which the strategy has added value in a way that could have not been achieved by any actions at national level. The following evaluation questions were used to guide this assessment:

- Why has action at EU-level been the most appropriate? To what extent have the results produced under the strategy gone beyond what Member States would have achieved in its absence?
- To what extent have the results produced under the strategy gone beyond what the EU would have achieved in its absence?

Main findings:

The strategy produced results that would not have been possible at national level and helped to harmonise and coordinate animal welfare policy and activities in the EU. Overall, the strategy was an appropriate response to address animal welfare issues.

At national level, the added value of the strategy differed between Member States depending on national priorities and their existing animal welfare policies.

At an EU-level, the strategy contributed through coordination and harmonisation of animal welfare practices, knowledge generation and compliance improvements, thereby enabling a level playing field.

Internationally, the strategy helped the EU to speak in one voice to promote and raise awareness about animal welfare.

The strategy had a small added value in relation to the achievement of a more comprehensive and uniform protection of animals in the EU and a very limited one regarding consumer awareness.

Nevertheless, **the strategy encouraged coordination and exchange of information and best practices among Member States** and thus created synergies and efficiencies instead of each country spending resources on their own in a potentially non-coordinated manner.

This section is based on purely qualitative evidence collected via the public consultation, interviews and surveys and it reflects the findings under effectiveness and efficiency.

5.5.1 Action at EU level

According to the evidence collected, the development and implementation of a strategy at EU-level was an appropriate response to address animal welfare issues. The majority of stakeholders surveyed agreeing (65%) that the objectives, actions, studies and reports in the strategy were an appropriate response to animal welfare issues in 2012. Further, a majority (60%) also agreed that they were still relevant in addressing animal welfare

issues today. The strategy was praised for setting out common priorities for animal welfare, and for supporting the sharing of best practice and expertise across the EU through specific actions. For example, the production and dissemination of the guidelines were considered as an important step towards increased awareness and harmonisation of animal welfare standards at EU-level (see relevant Effectiveness sections 5.3.2; 5.3.5 and 5.3.6).

Findings also showed that the strategy actions had improved national enforcement and compliance with specific areas of EU animal welfare legislation, in turn supporting a level playing field across Member States. Additionally, the strategy promoted animal welfare at an international level by facilitating international cooperation activities such as training, as well as contributing to the development of third country and international standards (e.g. OIE standards). These outcomes suggest that the strategy added value by coordinating actions to support animal welfare at both an EU-level and an international-level.

The survey results further supported this. The majority of respondents (62%) agreed that the strategy produced results that would not have been otherwise achievable at a national level. EU National Competent Authorities were particularly positive about the added value of the strategy (77%). Similar results were found in the public consultation, where over half of respondents (61%) agreed that the strategy brought benefits in the field of animal welfare or related fields that could not have been achieved through national interventions alone.

Whilst the strategy was largely coherent with national level interventions, its added value varied between Member States (see Coherence section 5.2.3 and Case study 03 in Annex 9 to the study report). For example, the different political priorities of Member States influenced the allocation of resources for improving compliance with animal welfare at national-level, so the strategy likely had more added value where there was political support for making improvements to animal welfare.

5.5.2 Potential for going beyond in the absence of strategy

The analysis strategy helped to achieve results that would not have been possible at a national level. There are mixed views on the extent to which the results produced under the Strategy went beyond what would have otherwise been achieved in its absence.

Overall, the strategy led to improvements in enforcement and compliance across different areas of legislation at a Member State level (with varying levels of success). These findings were reflected in the survey, where more than half (56%) agreed that the strategy produced results in terms of enforcement and compliance would not have been otherwise achievable at the national level. Outcomes from the survey also demonstrates that the EU business associations, trade associations and businesses were more likely to agree with this (68%) compared to NGOs (33% agreed), although NGOs were typically more critical of the strategy in general. **Error! Bookmark not defined.** In addition, interviewees including business associations, professional organisations, and EU

institutions as well as NGOs, stated that the strategy results could not have been achieved without it.

Some interviewees stated that the strategy played an important role in coordinating and harmonising animal welfare practices and legislation across the EU.

Surveyed stakeholders who considered the strategy to have produced results that would not have otherwise been achieved at national level were asked about how important different factors were in contributing to said results. Promotion of EU standards at an international level was most frequently mentioned as being very or quite important (71%), followed by coordination and synergy gains (64%) and greater influence when negotiating standards with non-EU countries (56%).

On the other hand, some strategy actions were less successful according to data obtained from the stakeholders' consultation activities. For example, actions targeting the protection of animals at the time of killing and in particular the implementing plans set out in the slaughter Regulation would have happened regardless of the strategy's existence.

At the international level, the strategy contributed to promoting animal welfare standards with one voice in international fora and raising awareness on animal welfare.

6. CONCLUSIONS

Scope and limitations of the evaluation

The evaluation covers all activities implemented under the strategy in line with the principles of Better Regulation. The evaluation was supported by an external study assessing the strategy's overall relevance, coherence, effectiveness, efficiency and EU added value.

Although the evaluation of the strategy did not specifically target the legislative gaps in the EU animal welfare acquis, it has included an assessment of the key compliance risk areas.

The analysis was constrained by some limitations such as, at first place, the lack of data to develop a baseline in order to assess potential impacts based on the strategy Impact Assessment of 2012. Second, a breakdown of the results by animal production system and respondents geography was not possible due to a small base of data. Third, there was a low response rate to some questions requiring greater familiarity with the strategy (e.g. on its efficiency), and it was difficult for many stakeholders to answer. The short duration of the study and the Covid-19 crisis added challenges to the already complex evaluation process, but, none of them hampered the quality of the collected evidence.

The analysis was based on an extensive literature review, data collection through desk research, wide consultation activities, which allowed incorporating the opinions of a broad range of stakeholders. The results have been tested and validated during a stakeholder's workshop. To ensure reliability of the data collected, different sources of

data were compared and opinions from stakeholders were examined against other evidence (i.e. triangulation) to the extent possible. This approach mitigates the effect of the limitations described above.

Relevance

The problems and drivers identified in the strategy were relevant in 2012 and most of them are still relevant today. The knowledge on the welfare of farmed fish species was limited in 2012 and, thanks to the awareness developed through the strategy, increased progressively and has further potential to increase with respect to some fish species, such as the European sea bass and Gilthead sea bream.

A key challenge remains the need to improve compliance across Member States in some legislative areas. In this respect, the Official controls Regulation¹⁴⁷ offers tools to the Commission to address some issues related to specific control requirements and verification of compliance with animal welfare rules. In particular, for the design of animal welfare indicators as a tool to assist official control activities, the experience gathered so far in some areas where indicators are already used (i.e. broilers and slaughter) can play a role and serve as an example in the process of development of new indicators.

The increased EU consumers' interest and demand for animal welfare make the need to inform them even more relevant today than it was in 2012. This need is accounted for also in the Farm to Fork strategy in a broader context of the information to consumers on sustainable food. This is a second key challenge, which, in some instances, operators have shown are ready to address individually, in the absence of specific rules.

The same is true also for the need to strengthen international cooperation overcoming the reluctance of some third countries to adopt animal welfare requirements comparable to the ones applicable in the EU. In this context, the Farm to Fork strategy foresees the EU to support the global transition to sustainable agri-food systems including through development of Green Alliances with all its partners in bilateral, regional and multilateral fora.

There is a clear need to further optimise synergies with the CAP for the period 2021-27 and to make better use of the instruments offered by it to strengthen CAP beneficiaries' awareness on animal welfare requirements, to improve animal welfare standards in

¹⁴⁷ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation), *OJ L 95*, 7.4.2017, p. 1–142.

animal husbandry, and to mainstream them into the regulatory framework governing agricultural activities.

As to the regulatory framework, the gaps which existed in 2012 remain, and still rules regarding the protection of some animal species are missing. In addition, the need to simplify existing rules and to improve their enforceability continues to be relevant. In both cases, the strategy did not contribute to address significantly these issues.

The delivery model of the strategy was criticised for not being ambitious enough in its design and follow-up actions. The design of future initiatives should include arrangements and specific indicators for the monitoring of implementation and of progress against the baseline.

Coherence

The strategy was internally coherent and its actions operated well together. While there is no evidence of contradiction between EU policies developed between 2012 and 2019, the extent to which the strategy was coherent with other EU policies depends on the policy area. The strategy was certainly overall coherent with food and feed safety policies as well as with research policies. In contrast, it emerged from the assessment that consistency with other policy areas has been to some extent sub-optimal. This concerns the CAP, and the policies on fisheries, trade environmental protection and transport, with which a more coordinated and consistent approach is being sought more rigorously in recent years. The Green Deal, and especially the Farm to Fork strategy implementation, by facilitating a transition to a fair, healthy and sustainable food system, is expected to strengthen further the coherent approach between animal welfare and the mentioned policies.

The strategy was overall coherent with national legislation in most Member States. Inconsistencies detected are mainly due to differences in the level of public concern and social perception of animal welfare, the different relevance across Member States (i.e. animal sentience not always sufficiently recognised, and implementation gaps), a different degree of political interest in animal welfare aspects and the insufficient resources allocated to the enforcement of animal welfare rules.

At an international level, synergies have been achieved between the strategy and the OIE interventions in the area of animal welfare. Some synergies have also been noted with the FAO activities on animal welfare. The future work at international level needs to build further on these synergies and to enhance the cooperation on animal welfare with an aim to obtain ambitious commitments for the global transition to sustainable agri-food systems as also foreseen under the Farm to Fork strategy.

Effectiveness

The strategy contributed to setting common priorities that led to improvements on animal welfare across the EU. It also contributed to improve knowledge and share of best

practices on animal welfare. However, none of the strategy's objectives has been fully achieved. This despite the fact that most planned actions have been implemented.

The most successful actions were those that contributed to improved enforcement of the EU legislation, in particular in specific areas (i.e. group housing of sows, protection of laying hens), and, to a lesser extent, those on the welfare of broilers and on the transport of animals. The strategy also indirectly contributed to the protection of animals kept for farming purposes where the Commission audits revealed the use of risk-based systems for selecting sites for inspection and continuous efforts to address non-compliance.

The Commission audits in combination with infringement cases proved to be effective tools in accelerating and strengthening enforcement efforts in some areas (again, in particular group housing of sows and the protection of laying hens).

However, there are still important areas in which compliance remains a challenge, such as animal transport, routine tail docking of pigs, the protection of animals at the time of slaughter and the welfare of broilers.

The possibility given by the Official controls Regulation to carry out specific controls offers the tools to further improve enforcement.

International level activities delivered by the strategy contributed to a certain extent to increased multilateral and bilateral cooperation activities. The strategy contributed to promoting animal welfare standards with one voice in international fora and strengthening synergies with the OIE and FAO and, indirectly, to some extent, also towards a global level playing field. The international activities on animal welfare are a long-term investment with a view to consolidate the EU's leading role in the global transition to sustainable, and thus animal welfare friendly food systems.

The creation of the EU Platform on Animal Welfare, although not foreseen in the strategy, contributed to its positive outcomes by enabling the discussion amongst different groups of actors, facilitating the production of guidelines and exchanges of best practices. Many stakeholders perceive the Platform as an indirect and natural follow-up of the strategy.

The strategy failed to deliver on the stated objective of introducing a simplified EU legislative framework on animal welfare. Due to lack of quantitative data it was not possible to assess the opportunity costs of not having revised the legislation.

Also the strategy had very limited contribution as regard the information to consumers and the optimisation of synergies with the CAP.

Data gathering activities (studies and reports) conducted under the strategy had no follow up actions and were perceived not having contributed to any of the anticipated changes.

The non-specific formulation of some actions and objectives in the strategy (i.e. those on international cooperation, synergies with CAP and the feasibility of an EU legislative

framework) are the factors which influenced the extent to which the strategy was less successful in meeting its objectives.

The Farm to Fork strategy clearly commits to explore possible options for animal welfare labelling. The new CAP, presently under discussion at the time of writing, provides opportunities to improve integration of animal welfare legislation and promote best practices with respect to farm animals.

Efficiency

A qualitative assessment of the scale of costs found that costs related to the strategy were split among EU bodies and institutions (including the European Commission), Member States, NGOs, professional organisations, businesses and business associations. These costs were primarily related to enforcement, monitoring, international cooperation, studies, reports, development and dissemination of guidelines.

Due to the lack of data, it was not possible to quantify the amount of costs incurred by the different stakeholders groups. There was a wide perception among stakeholders that those costs were unevenly distributed. A qualitative assessment showed that the benefits of the strategy may have been higher than the costs incurred, at least regarding actions which were followed-up, for instance on enforcement.

The resources available in the Commission to implement the strategy have been reduced significantly in 2015, reflecting a change in political priorities. This is considered one of the reasons for the delay with the delivery of some actions under the strategy up until 2018.

EU added value

The strategy was an appropriate response to address animal welfare issues. Internationally, it helped the EU speak in one voice to promote animal welfare in different context (i.e. conferences, negotiations, cooperation initiatives, trainings, technical assistance activities etc.)

At EU level, it created synergies and efficiencies, helping to harmonise and coordinate animal welfare policy and activities and contributing to a level playing field across Member States. However, there is evidence that the added value of the strategy differed between Member States depending on national priorities and animal welfare policies. The newest animal welfare was as a priority in the national political agenda, the greatest the added value of the Strategy was. In Member States where animal welfare standards established in national legislation were higher than EU ones, the added value was the lowest.

In specific areas, such as in relation to a more comprehensive and uniform protection of animals in the EU, consumer awareness and optimising synergies with the CAP, the strategy had limited added value as it was less effective.

Animal welfare is a multidimensional issue and has social, environmental, and economic implications. Further action at EU level in the framework of the Farm to Fork strategy would ensure policy coherence. It would also provide the necessary means to reach a high level of protection of animals in the EU. EU policies have in this respect a powerful role to play in accelerating and supporting the needed changes.

Outlook

In June 2018, the Commission published legislative proposals on the Common Agricultural Policy beyond 2020 which aim to support European farmers for a sustainable and competitive agricultural sector. One of its objectives relates to improving the response of EU agriculture to societal demands on food, animal health and animal welfare.

On the other hand, the European Green Deal (2019) recognises higher animal welfare standards as part of sustainable practices, and the Farm to Fork strategy (2020) sets out an ambitious agenda, which will allow to deliver concrete actions on animal welfare in the years to come, including a review of the whole legislative framework and the strengthening of international cooperation.

In fact, the Farm to Fork strategy announced the commitment to revise the EU animal welfare legislation by 2023. One of the objectives of the revision is to broaden its scope and align its ambition with societal expectations regarding the sustainability of food systems. The review will also allow to take into account the latest scientific evidence in this area.

The forthcoming review will look at the legislative gaps identified in 2012 and at any new that could emerge from the ex-post evaluation of the rules in force. This will be the basis for further reflections on the options available to make the animal welfare acquis fit for purpose. Another objective is to make the legislation easier to enforce. There, special attention will be given to the compliance risk areas identified by this evaluation and to the potential of exploiting the power given by existing instruments.

In particular, the opportunities provided by the Official Controls Regulation to further improve controls will be explored. This included the use of science-based animal welfare indicators as considered at the time of adoption of the animal welfare strategy in 2012, and the possible establishment of specific controls requirements to strengthen compliance.

In addition to the above, in the Farm to Fork strategy, the Commission commits to explore options for animal welfare labelling in order to empower consumers to make more sustainable food choices. Further actions in this area will elaborate on the findings of this evaluation in terms of consumers' awareness and demand for information.

The evaluation's findings will assist the Commission in designing relevant animal welfare actions under the Farm to Fork strategy. These actions will aim to ensure more

sustainable food production and higher welfare of animals, in synergy with CAP instruments and objectives.

ANNEX 1: PROCEDURAL INFORMATION

1. Lead DG, Decide Planning/CWP references

Lead DG: Directorate General Health and Food Safety (DG SANTE)

Decide planning: PLAN/2019/5270

2. Organisation and timing

This evaluation was included in the DG SANTE evaluation plan. It followed the Better Regulation guidelines with regard to evaluations. The evaluation work was carried out through an external evaluation study, conducted in conformity with the DG SANTE procedure for the organisation and management of policy evaluations carried out by external contractors. The work was supervised under the technical as well as the contractual management of SANTE unit G2 now G5 with the support of unit A1 and F2.

An Inter-service Steering Group (ISG) was set up by the Commission in May 2019, with the mandate to provide information, prepare the terms of reference, monitor the work of the external study team, discuss and give advice on the approval of the final report, comment on the draft evaluation SWD.

The ISG was composed of the Secretariat-General of the Commission and DGs SANTE, AGRI, MARE, TRADE, GROW, ENV, DEVCO, NEAR, MOVE and JRC. The Steering Group started its meetings on 27.05.2019.

The evaluation roadmap was published on the 17.05.2019. It set out the context, scope and aim of the exercise. The roadmap presented the questions to be addressed under the five criteria of effectiveness, efficiency, relevance, coherence and EU added value. During the feedback period on the roadmap (17.05.2019 – 14.06.2019), 37 contributions were received¹⁴⁸. These did not require changing the approach towards the evaluation, but helped to further enrich the Terms of reference.

The evaluation support study carried out by the external contractor started on 10/10/2019 and finalised on 09/10/2020. This external support study, together with the outcome of the public consultation provided the basis for this SWD.

3. Exceptions to the better regulation guidelines

The open public consultation¹⁴⁹ of reference for this evaluation is the open public consultation launched on 23 March and closed on the 22 June 2020. Its aim was to gather

¹⁴⁸ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/2140-Evaluation-of-the-EU-Animal-Welfare-Strategy-2012-2015->

¹⁴⁹ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/2140-Evaluation-of-the-EU-Animal-Welfare-Strategy-2012-2015-/public-consultation>

the views of public authorities, stakeholders and EU citizens. Due to the COVID-19 crisis this consultation has been extended with one more week to the initially foreseen 12 weeks period.

4. Consultation of the RSB (if applicable)

The RSB will not scrutinize this evaluation SWD.

5. Evidence, sources and quality

The evaluation required gathering of relevant data and information from European Union, as well as national and local levels, international organisations and some third countries. The overall approach therefore combined three main sources and types of evidence: EU level data and information gathering, review and analysis. In addition, 8 case studies have been developed in order to supply additional evidence on subjects agreed by the ISG. The study preliminary findings have been presented and validated during a stakeholders validation workshop carried out on 9 July 2020.

ANNEX 2: STAKEHOLDER CONSULTATIONS

Synopsis report

1. Introduction

This report presents the synopsis of all stakeholder consultation activities undertaken as part of the ‘Study to support the evaluation of the European Union strategy for the Protection and Welfare of Animals 2012-2015’ (SANTE/2019/G2/034). The study was commissioned by the European Commission’s Directorate General for Health and Food Safety - (DG SANTE) and it was carried out by ICF in collaboration with RAND Europe and Cerebrus, supported by a team of thematic experts.

The aim of the consultation activities is support the consultation process required in order to evaluate the European Union strategy for the Protection and Welfare of Animals 2012-2015 (COM/2012/6 final; hereinafter ‘the strategy’). The consultative process helps the study team to address questions concerning the relevance, coherence, effectiveness, efficiency and EU added value of the strategy.

Following main forms of consultation have been conducted during this study:

- A public consultation (PC), which includes tailored sets of questions for different stakeholder groups.
- Targeted consultations, addressing specific groups of stakeholders, including in-depth interviews and surveys
- A stakeholder validation workshop

The sections below provide an overview of the stakeholders and the activities covered as well as the main results of the consultation activities.

2. Stakeholder groups covered by the consultation activities

The consultation activities aimed to elicit the views of the general public, and of particular stakeholder groups, on specific questions concerning the strategy. Input from a wide range of stakeholders was collected as described in the methodology section (section 3) of the main report. These include national competent authorities in Member States; business organisations; trade/professional organisations; non-governmental organisation (NGOs); consumer organisations; national competent authorities in non-EU countries; and international organisations.

The Table 1 below provides an overview on the types of stakeholders mapped out for the consultations and the data collection method on how information was gathered from specific stakeholders.

Overview of conducted stakeholder consultations

Stakeholder type	Data collection method
Academic Expert	Public consultation Interviews

	Stakeholders validation workshop
Competent authority in an EU Member State	Public consultation Targeted survey Interviews Stakeholders validation workshop
Business or trade association and individual business based in the EU	Public consultation Targeted survey Interviews Stakeholders validation workshop
Professional association based in the EU	Public consultation Targeted survey Interviews Stakeholders validation workshop
EU Institution and EU body	Public consultation Interviews
Non-governmental organisation (NGO)	Public consultation Targeted survey Interviews Stakeholders validation workshop
Competent authority outside of the EU	Public consultation Targeted survey Interviews
Multilateral organisation	Public consultation Targeted survey Interviews
Other (including consumer organisations, EU and non EU citizens)	Public consultation

3. Overview of consultation activities

3.1 Public consultation (PC)

The goal of the public consultation was to gather information and perspectives from all stakeholders, including the general public. The questionnaire was designed around the five objectives of the strategy, and included questions relating to each of the five

evaluation criteria as well as future challenges. The public consultation was accessible from 23 March until 22 June in all official EU languages.

A total of 3,375 respondents contributed to the public consultation, of which 2,704 were identified to come from a coordinated response. The campaign was noticed due to an increase in answers from EU citizens during the month of June 2020, all with the same reply. Further, the Non-Governmental Organisation (NGO) Eurogroup for Animals published the campaign on their website¹⁵⁰. Following Better Regulation Guidelines, the responses were segregated and analysed separately from the non-campaign responses (with the 2,704 campaign responses treated as one response for the purposes of this report).

Of the remaining 671 responses, 410 came from EU citizens, and 55 from non-EU citizens. The other 207 respondents were 30 academics/researchers, 34 were business associations, 31 companies, 49 NGOs, 8 organisations (2 consumer organisations and 6 environmental organisations), 19 public authorities, 4 trade unions and 31 self-identified as ‘other’.

3.2 Targeted surveys

The online survey complemented the information collected through the public consultation and interviews, and focused on questions about effectiveness, coherence, relevance and EU added value. The survey was conducted in English and targeted the following stakeholders:

- national competent authorities in Member States;
- business organisations;
- trade/professional organisations;
- non-governmental organisation (NGOs);
- consumer organisations;
- national competent authorities in non-EU countries; and
- international organisations.

The survey was launched on 1 April 2020 and ran for five weeks. The survey was disseminated through several channels, including 348 targeted emails and via the EU Animal Welfare Platform, with 75 targeted members representing the different stakeholder groups. It received 103 responses in total (approximately a 30% response rate).

3.3 Interviews

The purpose of the interviews was to explore in detail specific aspects of the strategy, such as the contribution of the strategy’s actions to its objectives, examples of coherence among policies and the strategy’s costs and benefits. The study team completed 102 telephone interviews with a sample of key stakeholders at national, EU and international level. On that basis, the following interviews were completed:

- Business organisations (14 interviews)
- EU Institutions and EU bodies (18 interviews)
- Academic Experts (10 interviews)

¹⁵⁰ <https://www.eurogroupforanimals.org/public-consultation>

- International organisations (3 interviews)
- EU Member States competent authorities (30 interviews, representing 23 Member States)
- Non-governmental organisations (NGO) (13 interviews)
- Professional organisations (8 interviews)
- Non-EU competent authorities (7 interviews)

Despite significant efforts to reach the foreseen number of interviewees, 102 out of the planned 130 were conducted. The remaining interviews were not pursued further, as the stakeholders contacted either (i) refused to participate or (ii) have not reacted to repeated attempts at contacting them including several emails and follow-up calls. Despite not reaching 100% of the target for some stakeholder groups, the data collected is of high quality and it reached a saturation point, so there was no need to pursue more interviews. Qualitative research sample sizes are not set in fixed rules for determining rigour. Rather, the sample size is determined more by what is wanting to be understood, or what data are being sought in the research (Varkevisser et al., 2003:207).

3.4 Stakeholder workshop

The study organised one online validation workshop on 9 July 2020. The event enabled EU and national-level stakeholders and experts to share their perspective and insights on the findings of the study. It served as a source of information for this study, with the aim of complementing and verifying the information obtained from the desk research, stakeholder interviews, surveys, and the public consultation.

The stakeholders invited to this event were the 75 members of the EU Animal Welfare Platform. Various types of stakeholders were invited and attended the online event. A total of 29 stakeholders attended.

4. Results of the stakeholder consultation

The sections below include a description of the results of the consultation activities per evaluation criteria, including findings from targeted surveys, an online public consultation, in-depth interviews and a stakeholder validation workshop.

Relevance

Under this criterion, the aim is to assess whether the strategy's objectives were objective to address the main animal welfare problems in 2012, whether they continue to be relevant today and the factors influencing the relevance of these problems.

Relevance in 2012

There was general agreement among stakeholders consulted that the strategy was an appropriate response to the challenges in 2012, although stakeholders had a range of views. Member State representatives and businesses/business associations were more likely to agree with this, while NGOs were less likely to agree.

In terms of the relevance of issues that the strategy aimed to address in 2012:

Most stakeholders identified non-compliance with existing legislation due a lack of enforcement by Member State representatives and, to a lesser extent, a lack of awareness among animal handlers and owners as one of the most relevant animal welfare issues in 2012. In particular, compliance issues were mentioned in relation to pig welfare, laying hens, slaughter and transport. Relatedly, many stakeholders

also noted that implementing new legislation was a key challenge in 2012, following the directives on laying hens and group housing of sows.

An uneven level of protection, lack of consumer information and an uneven playing field were also identified as quite or very relevant issues in 2012. Approximately three quarters of survey respondents viewed uneven levels of protection for different species of animals (74%, n=103), a lack of consumer information (71%, n=103) and an unequal playing field for the EU (71%, n=103) as quite or very relevant in 2012, and these issues were also mentioned by several interview participants.

Stakeholders were less likely to state that non-compliance due to a lack of business incentives, complexities of EU legislation, lack of synergies with the CAP and lack of knowledge on the welfare of farmed fish were relevant issues in 2012.

Relevance today

Overall, most stakeholders indicated that the issues targeted by the strategy continue to be relevant today.

- Most stakeholders agreed that non-compliance due to a lack of enforcement (particularly in relation to the transport regulation), an uneven level of protection across different animal species (especially horses, pets and wild animals, but also dairy and beef cattle, sheep, goats, turkey, rabbits, male chicks), lack of consumer information, and an uneven playing field for EU businesses are key issues that continue to be relevant issues today. Related to both a need to simplify and develop clear principles and an uneven playing field, several participants also noted challenges with implementation of legislation and a lack of harmonisation in how legislation had been implemented across Member States.
- There is some disagreement over the extent to which a lack of awareness among animal owners and handlers is a relevant issue today, although a significant proportion of the stakeholders consulted felt this continued to be a relevant issue that merited further action.
- While stakeholders were less likely to agree that simplifying the legal framework is a relevant issue, the related issue of simplifying and developing clear principles may still be a key challenge. Some stakeholders noted that the relevance of this issue is less clear because “simplification” can be interpreted in different ways.
- Stakeholders were least likely to agree that lack of knowledge on welfare of farmed fish and insufficient synergies with the CAP are relevant issues that require further action, although a relatively high proportion of those consulted through the survey or public consultation stated they “did not know” whether the welfare of farmed fish was relevant or required further action.
- Almost all individual respondents stated all of these issues were important to tackle, with the exception of simplifying animal welfare law, which a much smaller majority stated was very or extremely important.

Stakeholders disagreed over whether there were any other notable animal welfare issues in the period of 2012-2020. This varied significantly by stakeholder group. Most NGOs stated there were other relevant issues not covered by the strategy, while only a minority of business/trade associations and professional organisations stated this.

In addition to issues related to species or groups of animals not focused upon within the strategy, including companion animals and wildlife, key challenges identified by stakeholders included: a lack of reflection of scientific opinion and challenges putting research into practice; the assessment of animal welfare, including a lack of systematic data collection/indicators to measure animal welfare; labelling of animal products; a need for further revision and/or implementation of existing laws; issues related to climate change and the environment; a need to promote the reduction of animal products; lack of consideration for the emotional needs and intelligence of animals; a need to improve welfare for caged animals; an increase in intensive farming; and industry challenges, including the challenge of ensuring traceability in the supply chain and the challenge (and cost) of meeting societal demands.

Factors influencing relevance

Stakeholders tended to agree that scientific and technological progress, changes in consumer expectations and changes due to national-level action were key factors that had influenced animal welfare since 2012. Additionally, several stakeholders highlighted (a lack of) political support and resources as factors leading to (a lack of) change, and also noted the impact of EU-level action including stakeholder engagement, working groups, training and improved use of cross-compliance measures under the CAP. A few also mentioned climate change, variation between Member States and changes in volumes of animal products traded as relevant factors.

Coherence

The assessment of coherence aims at grasping both internal coherence (possible inconsistencies, gaps and overlaps between the actions envisioned under the strategy) and external coherence in relation to policies and actions at EU, national and international level.

Internal coherence

Stakeholders overall agreed the actions of the strategy were coherent with each other, but there were mixed perceptions on this area. Survey respondents were most likely to say that the different actions envisioned under the strategy were quite or very coherent (50%, n=87), non-individual respondents to the public consultation were most likely to say that the actions were moderately coherent (37%, n=206). Interview findings suggest that stakeholders tended to think at least some of the strategy's actions were coherent, but while some interview participants identified aspects of the strategy that supported coherence (e.g. reference centres and the guidance and educational materials produced), several stakeholders mentioned a lack of coherence on consumer awareness, the CAP, or the lack of legislation for certain species.

External coherence – with EU policies

Overall, stakeholders had mixed views on the extent to which EU actions had been coordinated and complementary with the strategy.

Animal health was perceived as very coordinated and complementary with the strategy by around half of stakeholders consulted through the public consultation and targeted surveys. It was also identified as an area of coherence among interview participants.

Some stakeholders also agreed that EU policies on transport were coordinated, although this varied by stakeholder group. Notably, among respondents to the targeted survey, while half of EU business/trade associations and individual businesses (n= 38) and Member State representatives (n=26) felt these were quite or very coordinated, none of

the 15 NGOs who responded to the survey agreed with this (although six stated that they did not know).

Stakeholders had mixed views on the coherence between the strategy and the CAP but were more likely to disagree than agree that there was coherence. Some stakeholders explained this was because they view the CAP as incentivising large-scale farming, which they see as at odds with animal welfare.

Stakeholders also tended to disagree that there was coherence between the strategy and other EU policies, particularly in relation to sustainability and the environment. Survey respondents also emphasised low levels of coherence between the strategy and trade and fisheries. Among the small number of interview participants from EU institutions who commented on coherence between DGs, there were mixed views on whether DGs work well together to support animal welfare.

External coherence – with national policies

Reflecting stakeholders' views on the coherence with EU policies, most stakeholders perceived national policies as consistent with the strategy, particularly policies on animal health. Comments from survey respondents indicated that animal health has been a key focus for national governments, and competent authorities work closely together to ensure coherence between animal welfare and health, which may explain this consistency.

Coherence with international policies

There was limited stakeholder feedback on the coherence between the strategy and non-EU actions and policies, and views were mixed. While some stakeholders emphasised the alignment with OIE initiatives, others emphasised a lack of compliance with EU standards among third countries and a lack of inclusion of animal welfare standards in trade negotiations.

Effectiveness

When looking at effectiveness, the consultation process focused on assessing whether the objectives of the strategy were achieved, and the factors that may have supported or hindered the strategy's implementation.

Opinions on the effectiveness of the strategy were mixed, with stakeholder groups holding different opinions. Stakeholders tend to feel that the strategy has helped to improve animal welfare to at least a small extent, but implementation could have been better.

Regarding the extent to which the strategy achieved its objectives:

- The majority of stakeholders did not feel the strategy had contributed to a more comprehensive and uniform protection of animals across species in the EU. Some felt the strategy had supported better protection for animals, but the corresponding actions were generally not seen to have made a significant contribution towards the objective. Stakeholders also highlighted that there was a need to expand species-specific EU legislation to cover those species which were seen to be inadequately protected, such as farmed fish and domestic animals.
- Compliance and enforcement were seen to have improved in some areas, specifically in relation to the use of cages for hens (Directive 1999/74/EC) and the group housing of sows (Directive 2008/120/EC). While stakeholders tended to view enforcement actions and guidelines as effective, this varied by

stakeholder group. Member State representatives were largely positive about the strategy's support for enforcement and compliance, while NGOs and business/trade associations were more negative.

- Stakeholders highlighted several risk areas where compliance continues to be perceived as problematic. Despite noted improvements in relation to group housing of sows, the tail-docking of pigs was frequently mentioned as an area where compliance was low (Directive 2008/120/EC). Issues relating to welfare during transport (Regulation (EC) No. 1/2005) were also frequently mentioned. For transport, the issues of long-distance travel, especially to third countries, and high temperatures were of particular concern.
- Stakeholders did not feel that the strategy had had a notable effect on the functioning of the EU market or to have contributed to a more level playing field, although their recognition of better compliance with specific areas of legislation does indicate that some progress had been made towards a more level playing field at EU-level. Business/trade associations were more critical of the strategy's contribution towards more level playing field, both within the EU and outside the EU, and were also critical of the strategy in respect of its incentivisation of compliance. Despite this, some third country Member State representatives highlighted that the strategy had positively influenced the efforts of third countries to improve animal welfare.
- Awareness of animal welfare among industry stakeholders was felt to have improved since 2012, which may help to explain why the actions to address this in order to support compliance, such as the guidelines and training, were viewed particularly positively.
- Actions to improve awareness of consumers and the general public through communication and education were highlighted as being particularly ineffective. Some stakeholders stated that the consumer studies could have had more success if they had led to corresponding actions and noted that EU communications to consumers on the subject were lacking, with several expressing support for an EU labelling scheme. However, some Member State representatives felt that the strategy had contributed to improving awareness of industry practices among consumers.
- With regards to international activities, stakeholders perceived the strategy had made a moderate contribution towards promotion of animal welfare standards at international level, but a small contribution only towards levelling the playing field at global level. 40% of respondents to the public consultation perceived international cooperation on animal welfare to be the least effective strategy activity in achieving its objectives (n=206). On the other hand, interviews and the workshop highlighted the contribution of the strategy towards international cooperation, and the fact that the strategy had positively influenced the efforts of third countries to improve animal welfare.
- Other knowledge products (studies and reports) received mixed feedback. A minority of stakeholders reported that studies (35% of responses) and reports (30%) were the most effective of the Strategy's actions, while others (24% and 20% respectively) considered them the least effective. This reflects the high number of studies and reports produced (12 out of 20 actions) and the varies quality of them, as explored in the main report. This did not vary much by stakeholder type. While no NGOs surveyed stated that they had made a significant or great contribution to policy and decision-making in their Member State, most stated that they did not know. The main criticism of the

knowledge products was that they did not always lead to action to improve animal welfare, which some stakeholders identified as a missed opportunity.

- Stakeholders were either unsure or did not consider the strategy to have made a significant contribution to its objective to improve synergies with the CAP. This higher proportion of ‘don’t know’ responses may be influenced by the lack of tangible strategy actions in relation to the CAP. Among those who considered it had made a contribution, stakeholders tended to mention the animal welfare payments under the EAFRD rather than explicit work resulting from the strategy. However, there was evidence that support for animal welfare under RDPs had improved since 2012. Member State representatives reported increased use of animal welfare payments, investment support and the farm advisory service between 2012 and 2020.

In terms of the factors that influenced the strategy’s implementation:

- **Political and economic factors were seen as hindrances to the implementation of the strategy.** A key reason for this was the perception that animal welfare was not necessarily a political priority for either the Commission or Member States, influenced by unwillingness in the farming industry to make changes. Nevertheless, there was some understanding that the Commission was aiming to strengthen future action on animal welfare with the 2018 CAP reform. Financial challenges were also thought to negatively affect animal welfare due to the primary focus being on supporting the economy.
- **On the other hand, social, scientific and technological factors were seen as positively influencing the strategy’ implementation.** The main social factor was the perceived increase in public interest in animal welfare, which was seen to result in greater pressure on industry to adopt higher welfare practices. The introduction and use of science-based welfare indicators was also mentioned as supporting improvements to animal welfare. In relation to producing guidelines, collaboration with stakeholders was also identified as a factor that supported success.

Some stakeholders reflected on the choice of using “soft tools” rather than legislative changes. They generally agreed that it was appropriate that the strategy focused on enforcing existing legislation but noted “soft tools” often take longer to effect change, therefore making it challenging for the strategy to contribute to its objectives.

Efficiency

Stakeholders provided only limited information as regards the efficiency of the strategy (i.e. the cost and benefits associated with the implementation of the strategy) making it difficult to draw detailed conclusions on the matter based on the consultation process.

Costs

Stakeholders tended to have low levels of familiarity with the funding and human resources associated with the strategy. However, interview and survey data provided insights into some of the costs that stakeholders incurred:

- The Commission incurred costs related to consultation, studies and reports, monitoring and enforcement activities, guidelines, training, international cooperation activities, and scientific advice.
- Member State representatives and business/trade associations and individual businesses incurred costs relating to consultation, monitoring compliance,

attending and providing training sessions, contributing to, disseminating and using guidelines, and consultation activities, although it is not always clear whether such costs would have also been incurred in the absence of the strategy. Some stakeholders also noted that businesses may also have incurred costs relating to training and other related activities such as peer-to-peer exchanges, and interview data suggests that Member State representatives and business/trade associations and individual businesses may have incurred small to moderate costs related to guidelines and consultation activities.

- NGOs and professional organisations reported costs related to consultation activities, monitoring and enforcement, guidelines and scientific advice. A very small number also reported costs related to contributing to studies and reports and training.
- Businesses may have also incurred costs related to technology and production costs, such as acquiring new infrastructure or hiring additional personnel, but it is unclear to what extent these can be considered additional costs.

Comparison of costs and benefits

Stakeholders had mixed views on the cost-effectiveness of the strategy. Among respondents to the targeted survey, most likely to say they did not know whether the benefits of the strategy outweighed the costs, reflecting low levels of familiarity with the strategy's costs, but were more likely to disagree than agree that the benefits outweighed the cost. NGOs were more likely to state that the strategy was not cost-effective, while Member State representatives were more likely to state that it was.

Stakeholders tended to disagree that the strategy received sufficient funding and human resources, although interview data suggests there may have been sufficient resources at early stages.

Most stakeholders also disagreed that the costs and benefits of the strategy were equally distributed across sectors and countries, although data is limited. Among survey respondents, a clear majority of individual businesses and business associations disagreed that costs and benefits had been equally distributed, and individual business and business associations tended to emphasise the costs they had incurred, in some cases without any perceived benefits.

Stakeholders had mixed perceptions on whether the benefits achieved justified the costs incurred. Some participants from EU institutions or EU bodies generally felt that it would not have been possible to achieve the benefits produced under the strategy with fewer resources, as resources were already limited. A few NGOs stated that the entire strategy or particular aspects of the strategy did not represent value for money, while several Member State representatives, who focused on the monitoring and enforcement activities and training, thought that resources had been used effectively. Some stakeholders felt that it was not possible to assess whether the resources were used efficiently, and therefore whether the benefits were proportionate to the costs incurred, due to a lack of indicators.

Simplification and clear principles

Overall, stakeholders had mixed views on the extent to which the strategy simplified and developed clear principles on animal welfare. Among those who felt the strategy had simplified requirements for animal welfare, most explained that this was due to the guidelines produced under the strategy. The consultation suggests that, while guidelines were generally seen to be helpful, they are also seen as limited, because they are not

legally binding. Some participants expressed that better, more specific legislations would be more effective. Additionally, a few stakeholders mentioned training and mentioned advice from EFSA as contributing to the simplification of animal welfare requirements.

Competitiveness and sustainability

There is limited data from stakeholders on the impact of the strategy on competitiveness. Survey data shows that stakeholders tended to disagree that the strategy has had a positive impact on competitiveness, but this varied by stakeholder group, with individual businesses and business associations and professional organisation being more likely to disagree than Member State representatives and NGOs. A few respondents who provided qualitative comments noted that consumers globally are less concerned about the welfare of animals, which makes EU farmers less competitive due to increased cost and lower returns.

There is also limited data from stakeholders on the impact of the strategy on sustainability. Survey data shows that respondents were more likely to agree than disagree that the strategy had contributed to the sustainability of EU industry. However, individual businesses and business associations and Member State representatives emphasised the costs that improving animal welfare can impose on industry, which they perceived may not be sustainable for farmers from an economic point of view. It was also noted that there was tension between animal welfare interests and environmental interests.

EU Added Value

The EU added value refers to the positive effects and results resulting from the strategy compared to action at Member State level or individual EU actions.

Most stakeholders, including organisations and individuals, agreed that the strategy achieved results that could not have been achieved through national interventions alone. They also tended to agree that the strategy achieved results that would not otherwise have been achieved at EU-level.

Regarding the factors that led to EU-added value:

- Stakeholders tended to emphasise coordination and synergy gains. Interview participants similarly emphasised the importance of the strategy in setting a clear vision for action, establishing a roadmap, ensuring accountability and motivating action.
- There were mixed perceptions on the extent to which the strategy enabled greater leverage when negotiating standards with non-EU countries or promoting EU standards at an international level and enhanced competitiveness. While some stakeholders thought these were important factors contributing to EU-added value, some emphasised ongoing (or increasing) differences between standards and costs in EU and non-EU countries, negatively impacting competitiveness.
- Some stakeholders also mentioned increased efficiency or effectiveness compared to national level action or other EU-level action and, to a lesser extent, reduced administrative burden.

Among those who did not agree that the strategy achieved results that could not have been achieved through national interventions alone, it was felt that (some) actions would have happened anyway, particularly where these related to existing legislation or within Member States with a strong interest in animal welfare.

ANNEX 3: METHODS AND ANALYTICAL MODELS

1. CONSULTATION ACTIVITIES

Consultation activities can be divided between targeted consultation activities and the online public consultation:

- **Open public consultation in 23 EU languages.** This activity provided any interested party, not consulted under the other activities, the possibility to contribute to the evaluation. A dedicated webpage page was available on the Commission's Better Regulation Portal;
- Foreseen targeted consultation activities included:
- **Interview(s)** to collect detailed information on different aspects of the evaluation and also cross check findings drawn from other activities groups. They were conducted throughout the entire evaluation process, both at Member State level (also in the context of case studies/in-depth pieces of analysis), EU and international levels;
- **Targeted survey(s)** designed for specific preselected stakeholders groups (instead of, or in addition to an interview).
- **Stakeholders' validation workshop** aimed to inform and validate preliminary findings of the study.

2. MAIN MEETINGS, EVENTS AND TOOLS USED TO INFORM STAKEHOLDERS:

- **EU Platform on animal welfare** – a forum gathering 75 Members representing public entities (EU/EEA countries, EU bodies and international organisations) and private stakeholders of the animal welfare sector (business and professional organisations, organisations from civil society, independent experts from academic and research institutes);
- Meetings of the Standing Committee on Plants, Animals, Food and Feed (**PAFF Committee**);
- **Regular consultative committees** such as the Animal Health Advisory Committee;
- Others (e.g. **Steering Group of the OIE Platform on Animal Welfare, Council of the EU and other**).
- **The EU Platform digital tool, DG SANTE's website and the Commission Better Regulation** portal have been regularly updated with the most recent developments all along the evaluation process.

3. EXTENSIVE DESK RESEARCH

It included a detailed review of all existing quantitative and qualitative data and evidence focusing primarily on: EU policy documents, EU legislative documents, EU reports and communications on animal welfare; national reports and other relevant documents, audit reports, national action plans, international reports on animal welfare standards and policies, various web-based sources from relevant stakeholders, academic publications, scientific opinions, consumer opinions on animal welfare, and competitiveness in the farmed animal sector, among others.

4. CASE STUDIES

The data collected through desk research and the set of consultations activities have been additionally supported by eight cases studies (see annex 9 of the study) aimed to assess the extent to which the actions of the strategy contributed to its planned objectives. Each case study explored the impact for each delivery model of the strategy in order to understand the processes and what contributed to the outcomes. The eight case studies used contribution analysis, comparative analysis and assessment of opportunity costs to provide further evidence for all the questions under effectiveness. These findings were validated during the stakeholders' workshop.

5. INTERVENTION LOGIC

The initially developed intervention logic served as valuable tool for the contractor to establish a clear link between the evaluation questions to be addressed and the corresponding methodology. The intervention logic helped the contractor to understand the initial intention of the Commission at the time of the adoption of the strategy and how the strategy evolved with the time. Detailed analysis based on the intervention logic is available in Annex 1 of the study.

6. EVALUATION MATRIX

The study team developed an extensive evaluation matrix (see annex 7 of the study) that articulates evaluation questions to sub-questions, success or judgment criteria, targets or indicators, data sources, stakeholders involved, and data analysis methods.

7. TRAFFIC LIGHT ASSESSMENT

The study team has also produced a traffic light assessment (see Annex 3 of the study), to assess the extent to which each of the 20 actions have contributed to the six objectives. The traffic light assessment is a rating system for evaluating the performance in relation to a goal. The assessment aimed to establish the degree of implementation of the twenty actions defined under the strategy. It was used to answer the effectiveness question *“extent to which the 20 actions have contributed to achieving the objectives of the strategy”* and triangulate evidence for the rest of the effectiveness questions.

8. TRIANGULATION

To ensure robustness of findings triangulation of methods/data/sources was used by the study team in both quantitative and qualitative evidence. Triangulation was done with at least two statistically representative sources. Non-representative sources from a statistical point of view, including surveys, interviews and validation workshop were used in addition to the above two.

ANNEX 4: LIST OF ACTIONS UNDER THE STRATEGY AND OVERVIEW TABLE







Table 1: List of actions under the Strategy

	Actions	Completion details
1	Series of enforcement actions on the protection of laying hens (Directive 1999/74/EC) *	2012
2	Implementing plan and enforcement actions on the grouping of sows (Directive 2008/120/EC) *	2012
3	Implementing plan for the slaughter regulation (Council Regulation (EC) N° 1099/2009)	2012
4	EU guidelines on the protection of pigs	Commission Recommendation (EU) 2016/336 of 8/3/ 2016 SWD (2016) 49 final - Staff Working Document
5	Report to the European Parliament and the Council on the impact of genetic selection on the welfare of chickens bred and kept for meat production*	COM(2016) 182 adopted on 7/04/2016
6	Report to the European Parliament and the Council on the application of the Regulation (EC) No 1523/2007 banning the placing on the market of cat and dog fur* 2012	2013
7	Report to the European Parliament and the Council on the various stunning methods for poultry *	2013
8	Study on the opportunity to provide consumers with the relevant information on the stunning of animals*	2015
9	Report to the Council on the implementation of Directive 98/58/EC	COM/2016/0558 final Adopted on 8/9/2016
10	Report to the European Parliament and the Council on system restraining bovine animals by inversion or any unnatural position*	COM/2016/048 Adopted 8/02/2016
11	Study on the welfare of dogs and cats involved in commercial practices	Published on web 15/3/2016 Click here to access
12	Study on animal welfare education and on information activities directed to the general public and consumers	Published on 15/3/2016 Click here to access

	Actions	Completion details
13	EU implementing rules or guidelines on the protection of animals during transport: a pilot project on best practices for animal transport	Published in September 2017 Click here to access
14	Report to the European Parliament and the Council on the application of Directive 2007/43/EC and its influence on the welfare of chickens bred and kept for meat production	COM(2018)181 adopted on 13/04/2018
15	Report on the impact of animal welfare international activities on the competitiveness of European livestock producers in a globalised world	COM(2018)42 final adopted on 26/01/2018
16	EU guidelines or implementing rules on the protection of animals at the time of killing	Published on web 07/2018 Click here to access
17	Study on the welfare of farmed fish during transport	Published on web 10/2017 Click here to access
18	Study on the welfare of farmed fish at the time of killing	Published on web 10/2017 Click here to access
19	Report to the European Parliament and the Council on the possibility of introducing certain requirements regarding the protection of fish at the time of killing*	COM(2018)087 final adopted on 6/3/2018
20	Possible legislative proposal for a simplified EU legislative framework for animal welfare	dropped

* *Obligations deriving from EU legislation*


Table 2: overview of the strategy objectives, the changes that have influenced them and their degree of relevance.


1. CONSIDER THE FEASIBILITY OF INTRODUCING A SIMPLIFIED EU LEGISLATIVE FRAMEWORK FOR ANIMAL WELFARE	<ul style="list-style-type: none"> • Science and technological progress • Consumer awareness • Member State, private sector and NGO initiatives 	
2. DEVELOP TOOLS TO STRENGTHEN MEMBER STATES' COMPLIANCE	<ul style="list-style-type: none"> • Science and technological progress • NGO Initiatives • Consumer awareness 	
3. INVESTIGATE ON THE WELFARE OF FARMED FISH	<ul style="list-style-type: none"> • Science and technological progress • Consumer awareness • NGO initiatives 	
4. SUPPORT INTERNATIONAL COOPERATION	<ul style="list-style-type: none"> • Consumer awareness • Member State and private sector initiatives • Increased animal trade data 	
5. OPTIMISE SYNERGISTIC EFFECTS FROM CURRENT COMMON AGRICULTURE POLICY (CAP)	<ul style="list-style-type: none"> • Consumer awareness 	
6. PROVIDE CONSUMERS AND THE PUBLIC WITH APPROPRIATE INFORMATION	<ul style="list-style-type: none"> • Increased consumer awareness • Member State, private sector and NGO initiatives (e.g. labelling schemes) 	


OBJECTIVES

CHANGES

DEGREE OF RELEVANCE

Maintained with limited progress made during the strategy 

Maintained with progress made during the strategy 

Increased degree of relevance 

ANNEX 5: OVERVIEW OF COSTS – BENEFITS IDENTIFIED IN THE EVALUATION

		Citizens/Consumers		Businesses and business associations		Member States Authorities		NGOs and Professional organisations		European Commission	
		Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary
Cost / Benefit¹⁵¹	[name] [Description: e.g. = economic, social, environmental = one off/recurring = Type of cost/benefit: e.g. compliance costs, regulatory charges, hassle costs, administrative costs, enforcement costs, indirect costs Changes in pollution, safety, health, employment = Expected? prediction from IA Unexpected?]	[high / medium / low / negligible / unknown Sources [KPIs stakeholders? ?] 	[e.g. increase or decrease in: time taken, person days, full-time equivalents, numbers of certificates/tonnes of CO2 equivalent / employment rate / GDP / life expectancy etc or €]								

¹⁵¹ Report under benefits any actual savings, including REFIT savings predicted in the IA. Potential savings identified as a result of the evaluation findings should be reported in a separate table.

Cost: strategy consultation	Administrative costs			Some increase in time taken and person days		Moderate increase in time taken and person days		Some increase in time taken and person days		High increase in time taken and person days	
		Citizens/Consumers		Businesses and business associations		Member States Authorities		NGOs and Professional organisations		European Commission	
		Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary	Qualitative	Quantitative / monetary
Costs: Studies and reports produced under the strategy	Administrative costs										Estimated at €1.3 million ¹⁵²
Costs: Monitoring and enforcement	Administrative, compliance and enforcement costs			Increased Equipment, technology and production costs. Setting up voluntary welfare monitoring systems for farmers		Increased audits and inspections at national level, increased government resources, participation in meetings (e.g. NCPs on transport and other) and an increase in human resources to conduct various welfare checks.		Participation in the pilot dialogue schemes, meetings and producing action plans		Increase in time taken and person days due to EU pilot dialogue schemes, audits, action plans, meetings, best practices, actions against non-compliant Member States and other.	
Benefit: Improved	Reduced use of sow stalls for pigs			Increased profit and high							

¹⁵² Actual costs should be larger because not all costs can be precisely estimated.

enforcement and compliance	(2008/120/EC). Reduced use of unenriched cages for laying hens (1999/74/EC). Improved enforcement of the transport (Reg.1/2005), slaughter (Reg. 1099/2009) and to some extent of farming legislation (1998/58/EC).			quality products ¹⁵³ .							
Costs: Guidelines	Production, consultation, translation and dissemination costs			Some consultation and dissemination costs.		Moderate consultation, translation and dissemination costs.		Some consultation, translation and dissemination costs.		Increased production, consultation, translation and dissemination costs	
Benefit: Increased knowledge				Medium		High/medium		Medium/low		High/medium	
Costs: Training	Commission BTSF and others			Costs related to participation in training activities.		Costs related to participation in training activities.		Costs related to participation in training activities.			Approximately €3.5 for BTSF between 2012 and 2016.
Costs: International cooperation				Participation in international meetings.		Participation in international meetings organised by the Commission, OIE, FAO,		Participation in international meetings.			International actions spent approx. €847,000 for activities between 2012 and 2015. Commission grants ¹⁵⁴ to the OIE

¹⁵³ Estimates based on no robust evidence.

						third countries etc.					show around €3 million budget used between 2012 and 2018.
Benefit: Increased international competitiveness ¹⁵⁵				Low		Medium/low				Medium/low	
Costs: Scientific advice				Some costs for research		Some costs at national level					Funding documents show that €1 million was budgeted for EUWeNet, while FareWellDock received funding as part of the ANIHOWA project, which had planned funding of approximately €2 million in total.
Costs: EURCAWs						Costs related to participation in some of the EURCAWs activities and meetings.					Budget for the first few months of operation in 2018 of the EURCAW on pigs was 87.000 EUR ¹⁵⁶ .
Costs: Increased synergies with											Low costs associated with meetings and

¹⁵⁴ Commission Grants to the OIE to support actions such as OIE global conferences, regional seminars, meetings and activities on both animal health and welfare.

¹⁵⁵ Insufficient evidence to measure it.

¹⁵⁶ These figures increased with the number of activities and the number of new EURCAWs in the forthcoming years which are out of the time scope of this analysis.

CAP											operation of existing mechanisms for cooperation.
Costs: Technology and production costs				Costs of infrastructure, technology, time, human resources and research ¹⁵⁷ .							
Cost/Benefit EU Platform on Animal Welfare ¹⁵⁸	Commission expert group established in 2017 contributing to improved dialogue with stakeholders, sharing best practices and improving knowledge.			Costs related to participation		Costs related to participation, dissemination and translation of guidance.		Costs related to participation, dissemination and translation of guidance.		Commission staff engaged in the organisation, management and participation of the EU Platform meetings and its sub-groups (e.g. on animal transport and welfare of pigs)	Approximate operational budget of the EU Platform and its two sub-groups ¹⁵⁹ since their creation until the end of 2018 - 89.000 EUR

¹⁵⁷ These costs are not considered a cost of the strategy, as these would have been incurred anyway as largely appear to relate to pre-existing legislative requirements.

¹⁵⁸ The EU Platform on Animal Welfare is largely perceived by stakeholders as a follow-up and natural continuation of the strategy.

¹⁵⁹ The first sub-group, focused on Animal Transport, was established in early 2018; a second one, on Pigs, was created in September 2018.

ANNEX 6: SUMMARY OF COSTS¹⁶⁰

A summary of the types of costs incurred by stakeholder group and, where possible based on data availability, a qualitative assessment of the scale of this cost, is presented in Table below. The possible scorings used by the study team are as follows:

one asterisk (*): indicates a relatively small cost;

two asterisks (**): indicates a relatively large cost;

a dash (-): indicates where a cost is not applicable;

a zero (0): indicates where a cost is applicable but was not incurred; and

a tick (□): indicates where the study team identified that stakeholders within a certain group incurred a cost, but was unable to judge its scale.

Heterogeneity in the scale of costs incurred by a stakeholder group is indicated by multiple values, divided by a forward slash. The reasons for the scores provided are given in the “explanation” column, and the data sources used to make the judgement are provided in the “data sources” column.

¹⁶⁰ As identified by the study report (Table 16)

Summary of costs incurred due to the strategy by cost type and stakeholder group

	DG SANTE	EU bodies and institutions	Member States	NGOs and Professional Organisations	Businesses and business associations	Explanation	Data sources
Strategy consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	While the level of engagement with the Commission appears to vary by stakeholder, as some mentioned ongoing engagement with the Commission while some do not mention any, the scale of these costs and how they compare to business as usual costs is unclear. EU bodies/institutions, NGOs, business associations and Member State representatives described involvement in consultations, meeting and discussions with the Commission related to the strategy during the implementation period. Additionally, stakeholders described involvement in consultations on the design of the strategy, but this is not included here as it falls outside of the period covered in this study.	The only available source of data on consultation activities is limited interview data.
Studies and reports	**	-	-	¹⁶¹	-	Stakeholders within EU institutions stated that funding for studies and reports produced by external contractors was the largest direct cost of the strategy for DG SANTE. Estimates based on available budget documents suggest that more than €1.3 million was set aside for studies and reports, supporting the finding from interview data that this was a substantial area of cost.	Assessment of the scale of this cost type is based on interview data and a review of budget

¹⁶¹ With the exception of one NGO, who described substantial costs, NGOs and professional organisations did not describe costs related to studies or reports.

						An NGO also described investing “significant resources” into the deliverables of the strategy in an interview, but others did not mention incurring any such costs.	documentation.
Monitoring and enforcement	**	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The data suggest that some, but not all, Member State representatives also incurred costs related to monitoring compliance. Of those who reported costs, some Member States reported only limited additional costs, while others, particularly those who participated in a pilot programme, may have incurred more substantial costs. Additionally, it can be expected that Member States would have required resources to produce action plans, although this was not mentioned by stakeholders.</p> <p>Business/trade associations and businesses may have also incurred costs related to monitoring compliance, although it is unclear how widespread or significant these costs were. This finding is based primarily on survey data; among interview participants, only one business association mentioned a cost related to monitoring and enforcement.</p> <p>A minority of NGOs and professional organisations may have also incurred costs related to monitoring compliance, although this finding is based on limited survey data. DG SANTE staff undertook a wide range of relevant activities, including audits, infringement proceedings and work with Member States. Some of these activities were extensive, such as a two-year project on tail docking and tail biting which included 12 audits. Due to the number of activities and the scale of some of these activities, the study team has judged this was a large cost to DG SANTE.</p>	Interview data, targeted surveys and documents provided evidence on the types of monitoring and enforcement activities undertaken by stakeholders and the likely scale and cost of these.
Guidelines	**	-/*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All stakeholder groups reported costs relating to developing guidelines, including participation in relevant working groups. The scale of this activity is unclear, although at least one mentioned there was “lots of	Assessment on the scale of the costs of

						<p>stakeholder involvement” (A6), suggesting a moderate cost.</p> <p>There is some evidence that DG SANTE and other stakeholders translated guidelines, although the extent to which this was done varied by output. It is not clear how large this cost was.</p> <p>Some stakeholders, including Member State representatives, NGOs, professional organisations and business/trade associations and businesses, described producing additional guidelines. The nature of this task suggests it was at least moderately burdensome. However, the extent to which this was done, the scale of this cost and the extent to which this work can be considered a cost related to the strategy is not clear.</p> <p>Stakeholders also described dissemination costs, including the costs of dissemination roadshows. While evidence is limited, this was likely a fairly large cost for DG SANTE.</p> <p>There is no clear evidence that EU bodies and institutions incurred any significant costs related to guidelines. One interview participant from an EU institution mentioned reviewing one of the guideline documents, which suggests that if such costs incurred, they were minimal. While all stakeholder groups reported costs, it is unclear what proportion of stakeholders these costs apply to, and some did not report any relevant costs.</p>	<p>guidelines comes primarily from interview data, with some evidence also from documents.</p>
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	¹⁶²	<input type="checkbox"/>	<p>DG SANTE was consulted on training topics and involved in planning training, and budget information shows a significant amount of expenditure on BTSF trainings specifically related to animal welfare during the strategy period. However, it is not clear to what extent the</p>	<p>Assessment based on interview data, targeted survey</p>

¹⁶² One professional organisation did mention providing training, but no other professional organisations and no NGOs mentioned this.

						<p>budget was influenced by the strategy.</p> <p>Many Member State representatives participated in relevant training, although it is also unclear what level of cost they incurred as a result, and how this would have differed from training costs that they would have incurred in the absence of the strategy. Some also described providing additional training as a result of the strategy. There is very limited information on the scale of such costs, although one interview participant suggested the costs had been quite substantial in their Member State.</p> <p>NGOs did not report participating in or providing training, although one professional organisation mentioned providing training for veterinarians.</p> <p>Business/trade associations and businesses may have incurred training costs, but this is based primarily on survey data.</p>	and budget information.
International cooperation	<input type="checkbox"/>	<input type="checkbox"/>	-	-	-	<p>While budget information shows that a significant amount of funding was allocated to international cooperation activities, including training on animal welfare and funding to the OIE, it is unclear to what extent this funding was additional, and therefore it is difficult to judge the scale of these costs.</p>	Assessment based on interview data and document review.
Scientific advice	<input type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>	-	<p>The Commission funded many relevant scientific studies during the strategy's period, however the extent to which the funding for these studies was influenced by the strategy is unclear, especially as a number of these studies began before the strategy period.</p> <p>EFSA produced relevant scientific advice during the strategy period and was influenced to do so by the strategy. However, it is unclear to what extent EFSA incurred any costs compared to business as usual as a result.</p>	Assessment based on interview data and document review.

						There is limited evidence that professional organisations also contributed to scientific advice, including the development of indicators and risk assessments.	
EURCAWs	-	-	-	-	-	The study team has judged that there are no relevant costs attributable to the strategy, as documents state that the EURCAWs were created in response to the Official Controls Regulation rather than the strategy.	Assessment based on document review.
Increased synergies with CAP	0/*	0/*	-	-	-	This data suggests that no stakeholders incurred any formal costs incurred in improving synergies between the strategy and the CAP, although informal discussions between DG SANTE and DG AGRI using existing structures were reported.	Assessment based on interview data only.
Technology and production costs	-	-	-	-	-/**	While stakeholders reported that businesses had incurred such costs, it is not clear that these costs were additional, in the sense that they may be costs of complying with legislation rather than related to the strategy. The extent to which costs were burdensome may vary by business size and business type, but this finding is based only on a very limited amount of qualitative data.	Assessment based on interview and survey data.
EU Platform on Animal Welfare	-	-	-	-	-	As the Platform was not a planned action of the strategy, the study team has judged that there are no relevant costs that are directly attributable to the strategy. However, Platform members, which include EFSA, Member State representatives, independent experts, NGOs/CSOs, business associations and the Commission are expected to have incurred costs related to participating in twice yearly Platform meetings, participating in sub-groups, which entailed attending meetings and contributing to documents such as guidance documents, fact-sheets and recommendations, and participating in voluntary initiatives. There is no data available on the costs of this work and how this may have varied between stakeholders.	Assessment based on the strategy, and relevant information about possible costs are from available documents, interviews and feedback from the Commission.