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COMMUNICATION FROM THE COMMISSION
on the European Citizens' Initiative (ECI) "End the Cage Age"

1. INTRODUCTION: THE CITIZENS' INITIATIVE

By means of a European citizens' initiative (ECI) under Article 11(4) of the Treaty on European Union, a million or more nationals of a significant number of EU Member States can ask the European Commission, within the scope of its powers, to submit an appropriate proposal on a matter on which they consider that an EU legal act is required for the purpose of implementing the Treaties. Detailed rules on ECIs are set out in Regulation (EU) 2019/788¹ (the ECI Regulation).

'End the Cage Age' is the sixth ECI to have reached the numerical thresholds². It calls on the Commission to take action on the treatment of farm animals, as follows:

'Hundreds of millions of EU farm animals are kept in cages for most of their lives, causing great suffering. We call on the European Commission to end this inhumane treatment of farm animals.'

Cages inflict suffering on enormous numbers of farm animals every year. They are cruel and unnecessary, as higher-welfare cage-free systems are viable.

The Commission is therefore invited to propose legislation to prohibit the use of:

- cages for laying hens, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese;*
- farrowing crates for sows;*
- sow stalls, where not already prohibited;*
- individual calf pens, where not already prohibited.³*

The organisers explained the objectives of the initiative in detail in a meeting with the Commission on 30 October 2020 and a public hearing organised by the European Parliament on 15 April 2021. On 10 June 2021, the European Parliament held a plenary debate on this citizens' initiative and adopted a resolution⁴ setting out the Parliament's position.

This Communication sets out the Commission's legal and political assessment of the initiative, the action it intends to take, its reasons for doing so and the envisaged timeline, in accordance with Article 15(2) of the ECI Regulation.

2. CONTEXT

¹ Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative (OJ L 130, 17.5.2019, p. 55).

² The annex provides further procedural details about the initiative, including the required thresholds, and the number of statements of support.

³ https://europa.eu/citizens-initiative/initiatives/details/2018/000004_en

⁴ https://www.europarl.europa.eu/doceo/document/B-9-2021-0296_EN.html

This citizens' initiative reflects a demand for a transition to more ethical and sustainable farming systems, to be achieved *inter alia* on the basis of new animal welfare legislation. Responding to this demand is a high priority for the Commission, as it has made clear in the European Green Deal⁵ and the Farm to Fork Strategy⁶. The initiative claims that 300 million animals are currently kept in cages in the EU.

The Treaty on the Functioning of the European Union defines animals as sentient beings. As a major importer of food, the EU has a moral responsibility to ensure that on-farm conditions for animals reflect its principles, including in respect of the food that it imports.

The phasing-out of cages started 22 years ago, when new legislation for the rearing of laying hens entered into force. Scientific analysis supported the benefits of this approach for other species such as calves and pigs, for which partial prohibitions were introduced in 1997 and 2001 respectively.

2.1 Existing legal framework for on-farm animal welfare

EU legislation on animal welfare has evolved and expanded its coverage since the first EU legislation on the welfare of animals was adopted in 1974. The current legal framework for the keeping of farmed animals consists of a general Directive⁷ on the protection of animals bred and kept for farming purposes. It sets out general principles and leaves room for Member States to adopt stricter provisions, provided they are compatible with EU rules. To complement the general Directive, four sector-specific Directives govern the welfare of laying hens, broilers, calves and pigs.

The general Directive provides that the freedom of movement of animals must not be restricted in such a way as to cause them unnecessary suffering or injury. In addition, it requires that, where an animal is continuously or regularly tethered or confined, it must be given appropriate space in line with its physiological and ethological needs. Keeping animals in cages is thus allowed, but subject to certain conditions.

The sector-specific Directives lay down certain rules on confinement:

- for **laying hens**, the legislation for the rearing of laying hens adopted in 1999 prohibited the use of barren ('battery') cages in the EU, with a 2 stage transitional period of 12 years in total: as from 2003 cages taken into use for the first time had to be enriched cages, and as from 2012 the prohibition on barren cages for laying hens applied to all farms in the EU. Today, laying hens may be kept in 'enriched' cages that allow them to perch and scratch, for example⁸;

⁵ https://ec.europa.eu/info/publications/communication-european-green-deal_en

⁶ https://ec.europa.eu/food/farm2fork_en

⁷ Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23).

⁸ Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53).

- since 2013, it has been obligatory to keep female **pigs** (sows) in groups for a period starting from 4 weeks after service (mating with a boar or insemination) to 1 week before the expected time of farrowing. For the rest of the time (i.e. from 1 week before the expected time of farrowing to 4 weeks after service), in line with applicable EU legislation, a large proportion of gilts and sows in the EU are regularly confined in ‘farrowing crates’ and ‘sow stalls’⁹; and
- since 2007, it has not been allowed to confine a **calf** in an individual pen after the age of 8 weeks. However, up to that age, the individual keeping of calves is possible, subject to the conditions of the applicable EU legislation¹⁰.

No specific EU animal welfare legislation exists for the other animals referred to in the European citizens’ initiative.

The request to phase out cages is in line with current developments, as several Member States have already implemented total or partial bans on cages:

<p><i>Enriched cages for laying hens:</i></p> <ul style="list-style-type: none"> • <i>banned in Austria and Luxembourg;</i> • <i>banned in France for new or refurbished farms;</i> • <i>banned in Germany from 2025, in Czechia from 2027, in Wallonia (Belgium) from 2028 and in Slovakia from 2030.</i> <p><i>Sow stalls and farrowing crates:</i></p> <ul style="list-style-type: none"> • <i>banned in Sweden;</i> • <i>farrowing crates allowed for max. 5 days per farrowing period in Germany by 2036;</i> • <i>ban of sow stalls by 2029 in Germany;</i> • <i>ban of sow stalls from the time of weaning in Denmark with full effect from 2035;</i> • <i>ban of sow stalls 4 days after insemination in the Netherlands and 10 days after insemination in Austria.</i> <p><i>Cages for rabbits:</i></p> <ul style="list-style-type: none"> • <i>banned for meat rabbits in Austria, Germany and the Netherlands;</i> • <i>ban on barren cages for meat rabbits since 2016 and enriched cages for meat rabbits and breeding females in Flanders (Belgium) from 2025;</i> • <i>specific requirements for rabbits in Germany, the Netherlands and Sweden, e.g. housing at least in pairs (fattening rabbits), suitable gnawing material, access to roughage, access to a platform.</i>
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2.2 Current EU policy context

On 11 December 2019, the Commission adopted a Communication on ***A European Green Deal***¹¹, a comprehensive strategy to transform the EU into a modern, resource-efficient and

⁹ Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5).

¹⁰ Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).

¹¹ https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

competitive economy that caters for all dimensions of sustainability, including animal welfare.

On 20 May 2020 (as part of the Green Deal), the Commission adopted the **Farm to Fork Strategy**¹², which sets out a blueprint for a fair, healthy and environment-friendly food system. Through the strategy, the Commission seeks to ensure not only that food in the EU is safe, nutritious and of high quality, but also that it becomes the global standard for sustainability. Animal welfare plays a prominent role in the sustainability agenda and the strategy includes a **commitment of the Commission to submit legislative proposals to revise EU animal welfare legislation by the end of 2023, following an evaluation** (fitness check) of the existing legislation and an impact assessment. The aim is to improve animal welfare, broaden the scope of the legislation, align it with the latest scientific evidence and make it easier to enforce.

The Commission also announced in the strategy that it would:

- look at options for animal welfare labelling, in order better to reap and transfer along the food chain the added value that products gain through welfare-friendly practices; and
- propose a sustainable food-labelling framework.

The Farm to Fork Strategy recognises the role of the **common agricultural policy** (CAP) in supporting the transition to sustainable food systems. In the context of and subject to the ongoing legislative procedure regarding the CAP, a new system, is envisaged from 2023 whereby Member States will be able to use ‘**eco-schemes**’¹³ to support a transition to better animal welfare¹⁴. Eco-schemes will provide farmers with support in the form of management commitments compensating them for additional costs or income losses associated with upgraded standards that go beyond mandatory requirements. Eco-schemes are fully financed by the general budget of the Union.

Under the **European Agricultural Fund for Rural Development** (EAFRD), the same possibilities will continue to be available for supporting animal welfare after 2022 as were available under the CAP from 2014 to 2022. EAFRD-funded projects (‘interventions’) require co-financing by Member States. EAFRD support is available in the form of management commitments compensating farmers for additional costs or income losses associated with commitments for upgraded standards that go beyond mandatory requirements, and investments for more animal welfare friendly housing. The extent to which EAFRD and eco-scheme support goes to animal welfare depends on Member States’ needs and prioritising.

Further intervention possibilities under EAFRD and eco-schemes include support for:

¹² https://ec.europa.eu/food/farm2fork_en

¹³ Eco-schemes are payment schemes in agriculture aimed at protecting the environment and climate, and animal welfare; <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Eco-schemes>

¹⁴ The list of potential agricultural practices that eco-schemes could support is available at https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/key_policies/documents/factsheet-agri-practices-under-ecoscheme_en.pdf

- training and advice;
- converting to and maintaining organic farming methods;
- quality schemes; and
- cooperation and innovation between food chain operators under the European Innovation Partnership for Agricultural Productivity and Sustainability (EIP-AGRI)¹⁵.

It is envisaged that animal welfare will be one of the CAP's specific objectives for the 2023-2027 period¹⁶. Each Member State will assess its situation on the basis of a SWOT analysis (strengths, weaknesses, opportunities and threats) and its specific needs, in particular as regards improving animal welfare and reducing the use of antimicrobials. On this basis, each Member State will design interventions to be included in a **CAP national strategic plan** (which will be operative as of the beginning of 2023 after their approval by the Commission), which will also set out a strategy for combining various CAP tools. Dedicated indicators will be used to measure and monitor progress in implementing the plans.

Compliance with mandatory existing animal welfare legal requirements¹⁷ will continue to be one of the conditions for farmers to receive full CAP direct support and certain (annual) payments under the EAFRD, including animal welfare payments.

The Commission adopted recommendations in respect of the CAP national strategic plans in December 2020. These recommendations, specifically addressed to each Member State, include a number of measures enhancing the welfare of farm animals¹⁸.

To help Member States formulate interventions in line with the recommendations, the Commission recently launched a study on CAP measures and instruments that promote animal welfare and the reduction of antimicrobial use¹⁹. It is expected to be concluded in October 2021.

2.3 Scientific context and ongoing projects

Better animal welfare is not only an ethical issue, it improves animal health and reduces the need for medication, thus slowing the possible triggering of antimicrobial-resistant

¹⁵ <https://ec.europa.eu/eip/agriculture/en/about>

¹⁶ The legislative procedure on the CAP reform is still ongoing. The description of its main elements regarding welfare is therefore subject to final agreement by the co-legislators.

¹⁷ So called 'cross-compliance' under the CAP since 2003. This is not checked systematically prior to payment, but *a posteriori* cross-compliance on-the-spot checks are obligatory for a minimum of 1% of beneficiaries. It is an effective tool for raising beneficiaries' awareness of animal welfare requirements;

https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/income-support/cross-compliance_en

¹⁸ The recommendations are tailor-made and addressed to individual Member States. They aim to help each Member State in the drafting of its CAP national strategic plan, by identifying the key areas on which it should focus; https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cap-strategic-plans_en#cap-strategic-plans-recommendations

¹⁹ *Evaluation study of the CAP measures and instruments promoting animal welfare and reduction of antimicrobials use* (AGRI-2020-0319; due in October 2021).

micro-organisms and improving food quality. In addition, reducing stress in laying hens, for example, reduces the prevalence of Salmonella in flocks. The welfare of humans and the welfare of animals are closely linked.

Over the past 20 years, the European Food Safety Authority (EFSA), the Commission's main scientific advisor in this area, has adopted opinions addressing (among others) the welfare of laying hens and pigs. Currently, EFSA is developing further scientific assessments on cages for the species and categories of animals covered by the citizens' initiative. These will be available in 2022 and 2023. A recent EFSA opinion can be considered as reflecting the current state of knowledge as regards rabbits²⁰.

Recently published scientific studies attest the existence of alternative high-performing farming systems that do not entail the use of cages. In addition, a recent study produced for the European Parliament's Committee on Petitions (PETI)²¹ concludes that non-caged systems for laying hens are economically, environmentally and socially similar to furnished cage systems. Another study²² provides an overview of scientific research on the caged farming of laying hens, sows, rabbits, ducks, geese, calves and quail. It describes the welfare impacts of caged confinement and of housing in alternative farming systems. Other reports outline the environmental and welfare challenges, opportunities and potential consequences of further animal welfare improvements and ending the use of cages in the production of certain farmed animals in the EU²³.

Various ongoing research and innovation projects, also financed by the EU, are looking at animal welfare, in particular low-input²⁴ and organic farming, precision farming²⁵ and welfare-friendlier practices in intensive farming. While no projects to date have looked specifically at the withdrawal of cages, some CORE²⁶ Organic Cofund²⁷ projects funded from

²⁰ EFSA Panel on Animal Health and Welfare (AHAW), *Health and welfare of rabbits farmed in different production systems*, scientific opinion (EFSA-Q-2019-00593); adopted 21 November 2019; <https://www.efsa.europa.eu/en/efsajournal/pub/5944>

²¹ *End the cage age: looking for alternatives — overview of alternatives to cage housing and the impact on animal welfare and other aspects of sustainability* (30-11-2020); https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU%282020%29658539
[https://www.europarl.europa.eu/RegData/etudes/STUD/2020/658539/IPOL_STU\(2020\)658539_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/658539/IPOL_STU(2020)658539_EN.pdf)

²² *Compassion in World Farming* (21.2.2021), *Scientific briefing on caged farming — overview of scientific research on caged farming of laying hens, sows, rabbits, ducks, geese, calves and quail*; <https://www.ciwf.eu/media/7444223/ciwf-february-2021-scientific-briefing-on-caged-farming.pdf>

²³ e.g. *Assessment of environmental and socio-economic impacts of increased animal welfare standards — transitioning towards cage-free farming in the EU*, policy report; <https://ieep.eu/publications/assessment-of-environmental-and-socio-economic-impacts-of-increased-animal-welfare-standards>; European Economic and Social Committee, *The farming profession and the profitability challenge*, opinion (adopted 18.7.2019).

²⁴ 'Low-input' farming, when referring to animals, includes 'extensive' farming, access to outdoors, use of local breeds, etc. potentially leading to better welfare and lower use of antibiotics.

²⁵ 'Precision' farming, when referring to animals, means any technology that makes it possible to follow the livestock, e.g. putting a camera in a barn may help to detect a specific problem at an early stage.

²⁶ Network of European ministries and research councils funding research in organic food and farming systems funded in 2004.

²⁷ <https://projects.au.dk/coreorganiccofund/core-organic-cofund-projects/>

Horizon 2020, are looking at animal rearing, allowing animals to meet their natural requirements and related issues; these include:

- POWER, which is investigating the combined improvement of the housing and management of pigs, including the effects of farrowing pen design, sow genetics and management strategies on newborn piglet mortality and piglet health before and after weaning; and
- GroupHouseNet²⁸, a COST action that aims to provide the EU livestock industry with the innovations in breeding and management for pigs and poultry that it needs for a successful transition to large group housing systems without the need for painful tail docking and beak trimming.

Horizon Europe, the EU's new framework programme for research and innovation, will provide further support in 2021-2027, in particular in the 'agriculture, forestry and rural areas' intervention area²⁹.

2.4 Social and economic context

Growing numbers of consumers are demanding more welfare-friendly farming methods and information to help them identify products produced in welfare-friendly conditions³⁰.

Farmed animals are kept in caged confinement for various, mainly economic reasons. Such systems (particularly in intensive production units) are economically efficient and provide more practical working conditions. Some degree of indoor confinement may also be necessary for biosecurity reasons, to prevent certain animal diseases.

Discontinuing the use of cages will necessitate changes to current farming systems and often costly investments. It may require farmers to adjust farm premises, purchase new equipment and adapt production and husbandry practices. At the same time, the switch to farming systems with higher animal welfare standards often improves farmers' reputation in society and raises confidence in their work³¹. The EU's high animal welfare standards also contribute to the good reputation of EU agricultural products and partly explain the high demand for them, which ensures a better income for the farmers. Changes to current farming systems would also help to preserve the resources on which the food systems depend, which in turn would decrease the loss of biodiversity.

²⁸ <https://www.grouphousenet.eu/about-2>

²⁹ https://ec.europa.eu/info/research-and-innovation/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/cluster-6-food-bioeconomy-natural-resources-agriculture-and-environment_en

³⁰ *Attitudes of Europeans towards animal welfare*, Special Eurobarometer 442 (March 2016); [file:///C:/Users/sandekn/AppData/Local/Packages/Microsoft.MicrosofEdge_8wekyb3d8bbwe/TempState/Downloads/ebs_442_en%20\(1\).pdf](file:///C:/Users/sandekn/AppData/Local/Packages/Microsoft.MicrosofEdge_8wekyb3d8bbwe/TempState/Downloads/ebs_442_en%20(1).pdf)

³¹ ['One Welfare': a framework to support the implementation of OIE animal welfare standards](#)

2.5 Ongoing initiatives and actions relevant in the context of the citizens' initiative

In view of the revision of the animal welfare legislation, including Directive 98/58/EC on the protection of animals kept for farming purposes³², as announced under the Farm to Fork Strategy, the Commission is already taking or has already taken the following action:

- In June 2020, it mandated **EFSA** to provide updated scientific opinions on the advantages and disadvantages of different production systems and how they could be improved for species currently covered by sector-specific animal welfare legislation, i.e. laying hens (the mandate also includes pullets and layer breeders), chickens kept for meat production (also including broiler breeders), calves and pigs. In June 2021, it requested further opinions on animal welfare aspects of cage and cage-free farming of quail, ducks and geese³³. EFSA is expected to issue these opinions in 2022 and 2023;
- On 7 April 2021, the Commission published the results of an evaluation of the EU's **2012-2015 animal welfare strategy**³⁴;
- It is currently carrying out an evaluation (**fitness check**) of the EU animal welfare *acquis*³⁵, which seeks to identify:
 - possible shortcomings in the design, scope and implementation of the existing rules;
 - potential for simplification and reducing regulatory costs and burdens; and
 - possible gaps and areas for improvement.

It expects to finalise the fitness check by 2022;

- It is exploring options for an EU-wide **animal welfare label** to improve the transmission of value through the food chain. To this end, it has established a dedicated subgroup of the EU Animal Welfare Platform and launched a study on animal welfare labelling³⁶;

In addition, the following ongoing and planned actions are relevant in the context of the citizens' initiative:

- **Studies to gather data** on the environmental and socio-economic consequences of phasing out cages and to get a clearer picture on the current situation in the EU³⁷;
- A **code of conduct** for responsible business and marketing practices is currently under preparation. The goal is to encourage actors along the food chain to make sustainability commitments that also cover animal welfare; these could include commitments concerning the transition to non-caged systems;

³² Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, (OJ L 221, 8.8.1998, p. 23).

³³ <https://www.efsa.europa.eu/en/topics/topic/animal-welfare>

³⁴ https://ec.europa.eu/food/animals/welfare/strategy/evaluation_strategy_en

³⁵ The fitness check will cover Directive 98/58/EC, Directive 1999/74/EC, Regulation (EC) No 1/2005, Directive 2007/43/EC, Directive 2008/119/EC, Directive 2008/120/EC and Regulation (EC) No 1099/2009, and the relevant implementing rules.

³⁶ The results of the study are expected for the end of 2021.

³⁷ e.g. *Pilot project hens* (SANTE-2020-G5 051) on laying hens, pullets and layer breeders (due in 2022); *Evaluation study of the CAP measures and instruments promoting animal welfare and reduction of antimicrobials use* (AGRI-2020-0319; due in October 2021).

- The Commission will prepare a legislative proposal for a **framework for a sustainable food system** before the end of 2023. Animal welfare will feature in discussions on the definition of food system sustainability and the criteria for assessing the sustainability of foods and operations;
- By 2024, it will propose a **sustainable food labelling framework** that should cover the nutritional, climate, environmental and social aspects of food products, including animal welfare;
- While several **bilateral trade agreements** with non-EU countries already include cooperation provisions on animal welfare, the EU will propose the inclusion of a chapter on sustainable food production systems in ongoing negotiations for free trade agreements with partner countries and future trade agreements. This also covers cooperation on animal welfare; and
- The EU also promotes its animal welfare standards by contributing to the development, adoption and implementation of World Organisation for Animal Health (OIE) **international standards on animal welfare**³⁸ and cooperating with the Food and Agriculture Organization (FAO).

3. EVALUATION OF THE PROPOSALS IN THE INITIATIVE

3.1 Response to initiative: actions

The citizens' initiative calls on the Commission to propose legislation prohibiting the use of:

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

In response to the initiative and to the demand for a transition to more ethical and sustainable farming systems, the Commission intends to **propose to phase out and finally prohibit the use of such cage systems, for all these species and categories, under conditions (including the length of the transition period) to be determined based on EFSA opinions and an impact assessment**. This will be included as one of the key objectives of the revision of animal welfare legislation that the Commission has committed to propose by the last quarter of 2023.

The Commission will consider the following aspects in the context of the revision process:

A. animals currently covered by species-specific animal welfare legislation

³⁸ Terrestrial Animal Health Code, Section 7; <https://www.oie.int/en/standard-setting/terrestrial-code/access-online/>

Aquatic Animal Health Code, Section 7 <https://www.oie.int/en/standard-setting/aquatic-code/access-online/>

The existing species-specific animal welfare legislation on laying hens, sows and calves will be revised under the Farm to Fork Strategy, with a Commission proposal to be presented by the last quarter of 2023. This legislation currently provides for prohibitions of certain types of cage, but not all.

B. *animals currently not covered by species-specific animal welfare legislation*

Currently, there is no specific EU animal welfare legislation for several of the species/categories covered by the ECI (rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese).

In order to respond to the initiative, the Commission has, in June 2020 and in June 2021, mandated EFSA to complement existing scientific evidence on the animal welfare impacts of cage farming systems for laying hens, pigs, calves, pullets, broiler breeders, layer breeders, quail, ducks and geese in the course of 2022 and early 2023 with the aim to introduce the legislation by the last quarter of 2023.

The **conditions for the prohibition of cage systems** will be determined on the basis of an impact assessment; they will take account of:

- animal welfare benefits;
- the social and economic needs of the farming sector in the EU, including of small farms;
- the international trade dimension; and
- environmental aspects.

3.2 Response to the initiative: envisaged timeline

The Commission's response to the initiative as outlined in Chapter 3.1 will be included as one of the key objectives in the revision of animal welfare legislation that it has committed to propose by the **last quarter of 2023**.

To develop this legislative proposal, the Commission will prepare an impact assessment as described above. This assessment will also support decision-making – amongst others – on accompanying measures. It will include a public consultation that will be carried out by **early 2022**. The impact assessment is scheduled to be completed by the **end of 2022**.

While the citizens' initiative does not include a specific request on timing, in the meeting with the Commission and the hearing in the European Parliament the organisers expressed their ambition for a ban on cages to come into effect in 2027.

The date of entry into force of the prohibition, and thus the length of the phasing out period, will be considered in the context of the impact assessment for the legislative proposal. In particular, this will assess the feasibility of working towards the proposed legislation entering into force from 2027 taking into account the need to support farmers in this transition – financially and otherwise.

3.3 Transitional and accompanying actions in the EU

While the initiative itself does not include requests for transitional and accompanying measures, the organisers indicated at the meeting with the Commission and at the public hearing of the European Parliament that such measures would be needed to facilitate the transition to cage-free farming.

The Commission considers that a balanced transition to cage-free systems requires appropriate consideration of relevant societal concerns, the economic impacts on the various parties involved and environmental aspects. It should be organised and supported in such a way that farmers can seize society's demand for enhanced animal welfare as an opportunity to contribute directly to better animal health and welfare, food quality and environmental objectives without however endangering the survival of their farms. The entire food chain, in particular the food processing industry and the retail sector, will have an important role to play.

Therefore, in parallel to the legislation it will propose, the Commission will continue to develop **supporting measures**, such as best practices, guidelines, recommendations and studies, for the promotion of and the transition to non-cage farming. It will promote communication and information on the measures, in the preparation of the phasing out of cages. This aims at providing incentives for farmers to start the transition process.

With the **CAP**, the EU will provide financial support to farmers to shift to cage-free systems through means available under the rural development policy and the new eco-schemes (to the extent that Member States use these opportunities). The Commission encourages Member States to use the **eco-schemes** (once the legislation establishing the new CAP has been adopted) and to present their intervention strategies in their national strategic plans to support the phasing out of cages. This could also imply a shift to innovative solutions as well as extensive production systems.

When evaluating the Member States' **national strategic plans** the Commission will pay particular attention to the financial support that Member States intend to devote to improve animal welfare. Finally, the Commission encourages Member State to increase the aid intensity³⁹ for **EAFRD support** for cage-free systems, as compared with investments in housing with less focus on animal welfare.

In its annual work programmes for the **farm products promotion policy**⁴⁰, the Commission will also include a dedicated budget for raising awareness of sustainability in agriculture, including specific animal welfare features such as cage-free farming systems.

Other supporting measures will complement CAP funding:

- In line with the adopted action plan on **organic farming**, aiming to ensure that 25% of land in the EU is used for organic production by 2030, farmers will be provided with

³⁹ 'Aid intensity' refers to the proportion of public (EU or national) support in the overall investment. An increase in aid intensity reduces the proportion to be paid by the farmer.

⁴⁰ Under Regulation (EU) No 1144/2014, the promotion policy involves co-funding opportunities run by EU or inter-trade associations for promotion activities.

opportunities to switch from cage-systems directly to organic farming. The use of cages is not allowed in organic production⁴¹;

- The Commission will support farmers and other actors in the transition to cage-free systems through **information campaigns and training** through the Member States' farm advisory services⁴²;
- The Commission will work closely with the **food processing industry and retailers** to encourage them to support the development of the market for cage-free products at rewarding farm gate prices;
- In line with the Farm to Fork Strategy, the Commission will consider options for **animal welfare labelling** to improve the transmission of value through the food chain. A requirement to inform consumers whether products come from animals kept in cages or from cage-free systems could encourage farmers to switch earlier to cage-free systems and consumers to become more aware of their choices. Similarly, the Commission will explore a possible extension of the scope of the **agriculture marketing standards** in the context of the revision of the legislation (as announced in the Farm to Fork Strategy);
- Given the role that **public procurement** can play in transforming the EU's food production and consumption model by boosting more sustainable sourcing of food, the Commission committed in the Farm to Fork Strategy to determine the best way of setting minimum mandatory criteria for sustainable food procurement. In this context, it will explore how it could support the transition to non-caged systems. Some animal welfare aspects are already addressed in the current green public procurement criteria⁴³;
- Where appropriate, **Horizon Europe** will help provide decision-makers and actors with additional scientific evidence. In particular, the creation of a European Partnership on Animal Health and Welfare will be proposed for the 2023-2024 work programme.

Further action will include measures to ensure **better and stricter implementation of existing legislation**, e.g. by training inspectors (through the Commission's 'better training for safer food' (BTSF) programme⁴⁴ and with the support of the EU animal welfare reference centres), and by Commission audits of animal welfare systems and their follow-up with national administrations.

In addition, the Member States may target the transition to cage-free farming in their national **state aid** measures⁴⁵. Agricultural state aid rules allow them to grant financial aid to farmers

⁴¹ https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/com2021_141-organic-action-plan_en.pdf

⁴² https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/income-support/cross-compliance/fas_en

⁴³ <https://ec.europa.eu/jrc/en/publication/eu-gpp-criteria-food-procurement-catering-services-and-vending-machines>

⁴⁴ https://ec.europa.eu/food/safety/btsf_en

⁴⁵ State aid is decided and 100% financed by the Member States:
https://ec.europa.eu/competition/sectors/agriculture/overview_en.html

as long as EU standards are not yet in force. In the case of newly introduced EU standards, farmers can receive aid for related investments for a limited period of time.

3.4 Trade aspects

The Commission seeks to promote the uptake of sustainable standards globally, including on animal welfare, and to promote policy coherence between domestic and imported products. The impact assessment will examine different options on how to achieve this objective with respect to animals and products of animal origin from third countries..

In its *Trade policy review*⁴⁶, the Commission stresses that imports must comply with relevant EU regulation and standards, and that, under certain circumstances determined by World Trade Organization (WTO) rules, it is appropriate for the EU to require that imported products comply with certain production requirements. The legitimacy of applying production requirements to imports is based on the need to protect the environment and to respond to ethical concerns. Where this approach is taken, it must be done in full respect of WTO rules. It is also possible to introduce animal welfare requirements to imported products in the framework of bilateral trade agreements.

Under existing EU legislation, only a few animal species and products are subject to specific animal welfare requirements on import. In the absence of sufficient assurance that the exporting country's marketing standards for eggs are equivalent to the EU's, packs of imported eggs must bear an indication that the farming method is 'non-EC standard'⁴⁷. The health certificate accompanying imported meat must certify that the exporting country's slaughter requirements are at least equivalent to those laid down in EU animal welfare legislation, e.g. with regard to stunning procedures⁴⁸.

The Commission is active in promoting EU animal welfare standards through bilateral cooperation and work with international organisations such as the OIE and the FAO to enhance on-farm conditions for animals worldwide. It has had some success, but this is limited and depends strongly on trade partners' interest in raising their standards. The Commission intends to maintain and step up its efforts at international level.

As the EU is a major importer of food, the Commission will study this issue in the impact assessment for the revision of the animal welfare legislation, by exploring the following non-mutually exclusive options and their possible combinations (see below). Any future measures the EU takes will need to comply with WTO rules.

⁴⁶ *Trade policy review — an open, sustainable and assertive trade policy*, Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (adopted 18 February 2021); https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc_159438.pdf

⁴⁷ Article 30 of Commission Regulation (EC) No 589/2008 of 23 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs (OJ L 163, 24.6.2008, p. 6).

⁴⁸ Article 12 of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).

Option 1 Enhanced cooperation with trading partners

The Commission will set up specific ‘knowledge paths’ to disseminate updated scientific information on alternatives to caged farming systems. It will strive to enhance cooperation with trading partners, particularly those with which the EU has a free trade agreement or with whom trade negotiations are underway or planned. This will be in line with the spirit of the ‘green alliances/partnerships’ referred to in the Farm to Fork Strategy and should boost global uptake of EU standards on animal welfare. The bilateral cooperation will be combined with similar approaches with international organisations and regional bodies.

Option 2 Imposing some EU rules on imports

The Commission will assess the scope for translating the EU rules on cages into specific requirements to be applied to imports, following an appropriate transition period, but ensuring that concerns of citizens are addressed. During the transition period, the EU could provide partner countries from which it imports the animals/products in question with support or incentives, for example through:

- Technical assistance and cooperation opportunities offered under existing and future trade agreements, and
- Neighbourhood and pre-accession programmes to upgrade farming systems so as to meet EU requirements and support the transition to cage-free systems.

This would be accompanied by training for inspectors in non-EU countries (through the BTSF programme) and the organisation of awareness-raising activities.

Option 3 An animal welfare labelling system that also applies to imports

The Commission will assess the feasibility of introducing labelling requirements to inform EU consumers whether or not products are obtained from animals raised in cages. Such requirements would apply to all products placed on the EU market, including imports, in full compliance with the EU’s international obligations.

For option 2 and 3, accession countries could include project proposals under agriculture and animal welfare headings, including projects to phase out cages, e.g. using the Instrument for Pre-accession Assistance (IPA)⁴⁹. The Neighbourhood, Development and International Cooperation Instrument (NDICI) — ‘Global Europe’⁵⁰ is a financial instrument available to other non-EU countries, including those neighbouring the EU.

4. CONCLUSION AND OUTLOOK

In reply to the European citizens' initiative “*End the Cage Age*”, the Commission concludes as follows:

⁴⁹ [Overview — Instrument for Pre-accession Assistance](#)

⁵⁰ [factsheet-mff-multiannual-financial-framework-v09_en.pdf](#)

The ‘*End the Cage Age*’ initiative reflects societal concerns, supported by scientific evidence, about the need to ban cages for specific farmed animal species. The initiative aligns with the Commission’s deliberations for actions in this area. The Commission will incorporate the objectives of the initiative in the implementation of the European Green Deal and the Farm to Fork Strategy.

More specifically, the Commission intends to put forward a legislative proposal **by the end of 2023 to phase out and finally prohibit the use of cages for all the animal species and categories referred to in the initiative** (laying hens, sows, calves, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese) as part of the planned revision of EU animal welfare legislation, under conditions (including the length of the transition period) to be determined based on EFSA opinions, the results of an impact assessment and a public consultation.

To this end, the Commission will consider the available science, an assessment of social, economic and environmental impacts, evolving needs and consumer demand. These elements will be taken into account when it comes to determining the length of a reasonable transition period and the accompanying and supporting measures to facilitate the transition. The Commission in particular will assess the feasibility of working towards the proposed legislation entering into force from 2027.

Since the EU is a major importer of food products, it bears a societal responsibility also with regard to the products it imports. The EU will therefore maintain and step up its bilateral and multilateral efforts to raise animal welfare levels in third countries. In the impact assessment, the Commission will consider options to address the issue, such as introducing rules or standards for imported products that are equivalent to the EU’s and/or a labelling requirement, in compliance with WTO rules. This is to take into account EU citizens’ demands and the need for a harmonised solution at EU level to safeguard the Single Market.

The Commission will adopt and pursue or implement specific supporting measures in key related policy areas, such as the CAP, trade, and research and innovation, to facilitate a sustainable and economically viable transition.