



## EUROPEAN COMMISSION

Brussels  
C(2025)...final

Minister David van Weel  
Minister of Foreign Affairs  
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Subject: **Notification No 2025/0504/NL**  
**Legislative proposal by member Ouwehand amending the Animals Act (Wet dieren) and the Economic Offences Act (Wet op de economische delicten) in connection with the abolition of industrial livestock production**  
**Postponement of the adoption of the notified draft pursuant to Article 6(3) of Directive (EU) 2015/1535 of 9 September 2015**

Dear Sir,

### 1. THE NOTIFICATION

Within the framework of the notification procedure laid down by Directive (EU) No 2015/1535 <sup>(1)</sup>, the Dutch authorities notified to the Commission on 5 September 2025 the **‘Legislative proposal by member Ouwehand amending the Animals Act (Wet dieren) and the Economic Offences Act (Wet op de economische delicten) in connection with the abolition of industrial livestock production’** (hereafter referred to as “the notified draft”).

According to the notification message, the notified draft aims to improve animal welfare. The notified draft amends the Animals Act (Wet dieren) and the Economic Offences Act (Wet op de economische delicten) in order to phase out industrial livestock farming and establishes in this respect animal welfare requirements in relation to animals that are commercially kept for the production of animal products. It introduces, among others, (i) a prohibition to perform physical interventions to animals in order to keep the animal within a certain system or accommodation if there is no veterinary need to do so, and (ii) a prohibition to keep animals in such a way as to permanently or systematically deny them the possibility of satisfying their behavioural needs.

The examination of the notified draft has prompted the Commission to issue the following decision on the postponement of the adoption.

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<sup>1</sup> () Directive (EU) No 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, OJ L 241, 17.9.2015, p. 1.

## 2. POSTPONEMENT OF THE ADOPTION OF THE NOTIFIED DRAFT

The Commission notes that the notified draft, as outlined in the appended Explanatory Memorandum, primarily aims to phase out the industrial livestock industry and introduces in this regard new and stricter measures to improve the welfare for animals kept for the production of animal products, thereby ensuring a so-called “ethical livestock farming”. It is alleged that current legislation is insufficient to ensure the envisaged welfare of these animals, while public opinion favours a substantial improvement thereof and seeks to end systemic suffering of animals in the livestock industry.

In this context, the notified draft introduces, among others, a prohibition to perform physical interventions to these animals if there is no veterinary need and moreover defines the specific behavioural needs per animal species (pigs, calves, chickens, goats, sheep, rabbits and ducks) that need to be respected. It is stated that these needs reflect the scientific consensus that permanently depriving animals of these needs would constitute an infringement on their welfare.

The Commission further notes that the notified draft falls within the material scope of existing EU animal welfare legislation, such as Directive 98/58/EC concerning the protection of animals kept for farming purposes <sup>(2)</sup>, Directive 2008/120/EC laying down minimum standards for the protection of pigs <sup>(3)</sup>, Directive 1999/74/EC laying down minimum standards for the protection of laying hens <sup>(4)</sup>, Directive 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production <sup>(5)</sup> and Directive 2008/119/EC laying down minimum standards for the protection of calves <sup>(6)</sup>.

The Commission would like to point out that it has announced its intention to modernise existing EU animal welfare legislation in its current legislative mandate 2024-2029 which implies proposing new legislative acts in this field. In particular, the mission letter of the President of the European Commission to the Commissioner for Health and Animal Welfare reads as follows: “*Building upon the existing animal welfare legislation, you will modernise the rules on animal welfare, including on the import of exotic animals, standards while addressing sustainability, ethical, scientific and economic considerations, and citizens expectations.*” <sup>(7)</sup>. The Commissioner has also announced the Commission’s intention to phase out cage farming <sup>(8)</sup>.

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<sup>2</sup> ( ) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.1998, pp. 23–27.

<sup>3</sup> ( ) Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs, OJ L 47, 18.2.2009, pp. 5–13.

<sup>4</sup> ( ) 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, pp. 53–57.

<sup>5</sup> ( ) Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production, OJ L 182, 12.7.2007, pp. 19–28.

<sup>6</sup> ( ) Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves, OJ L 10, 15.1.2009, pp. 7–13.

<sup>7</sup> ( ) This letter can be consulted on the following website: [https://commission.europa.eu/document/download/b628b5a2-ac1e-4b9c-bbdd-35b82da0ac6b\\_en?filename=mission-letter-varhelyi.pdf](https://commission.europa.eu/document/download/b628b5a2-ac1e-4b9c-bbdd-35b82da0ac6b_en?filename=mission-letter-varhelyi.pdf)

<sup>8</sup> ( ) <https://www.animalwelfareintergroup.eu/news/commissioner-varhelyi-outlines-eu-animal-welfare-priorities#:~:text=Furthermore%2C%20he%20confirmed%20the%20Commission's,civil%20society%20was%20also%20underscored.>

See also: [https://ec.europa.eu/commission/presscorner/detail/en/speech\\_25\\_776](https://ec.europa.eu/commission/presscorner/detail/en/speech_25_776)

Moreover, the Commission recently adopted the ‘[Vision for Agriculture and Food](#)’ in 2025, building on the recommendations by the [Strategic Dialogue on the Future of EU Agriculture](#). Following the announcement made in the Vision on Agriculture, the Commission launched an impact assessment for a revision of EU’s on-farm welfare legislation. As a first step, between 18 June and 16 July 2025, the Commission ran a [call for evidence regarding on-farm animal welfare](#) to seek input from citizens, businesses, NGOs and other stakeholders to help revise EU animal welfare legislation. More than 700 responses were received <sup>(9)</sup>. This document sets out, inter alia, the following:

*“In the February 2025 Vision for Agriculture and Food, the Commission announced its intention to closely exchange with farmers, those in the food supply chain and civil society. On that basis, it plans to present legislative proposals to revise the existing EU animal welfare legislation, including its commitment to phase out cages. The Vision also sets out that the Commission will make sure that future legislative proposals on animal welfare apply the same standards to products produced in the EU and those imported from non-EU countries. The targeted review of the animal welfare legislation will be an opportunity to apply this in a way that complies with WTO rules and that is based on an impact assessment.*

*The Commission’s fitness check on EU animal welfare legislation in 2022 concluded that it is no longer fit for purpose. The legislation is no longer aligned with societal and ethical expectations, as clearly shown by the ‘End the Cage Age’ European Citizens’ Initiative, which was supported by the European Parliament’s resolution of 10 June 2021. In 2021, in response to the ‘End the Cage Age’ initiative, the Commission announced its intention to propose legislation to phase out and ban the use of cages for certain species and categories of animals (laying hens, pigs, calves, pullets, broiler breeders, layer breeders, rabbits, ducks, geese and quail). There are also ethical concerns about the systematic killing of male day-old chicks, as reflected in the discussion on this issue held at the Agriculture and Fisheries Council debate on 17 October 2022. This practice of killing newly born chicks has placed the egg industry under increasing scrutiny.*

*There is also interest across the livestock industry in modernising animal welfare legislation to better use welfare indicators and offer flexibility in structural requirements. This approach would simplify compliance and enforcement. Farm animal stakeholders have also called for supportive measures, including EU financing and extended transitional periods, as well as applying EU animal welfare rules to imports in line with international rules. Currently, the five EU directives on the welfare of farm animals do not require that imported products of animal origin comply with EU animal welfare standards or equivalent standards. This has raised ethical concerns among citizens and has been challenged by many stakeholders.”*

*“Current EU rules allow the continued use of confined housing systems for laying hens, pigs, calves, pullets, broiler breeders, layer breeders, rabbits, ducks, geese and quail. Such systems severely restrict these animals’ natural behaviour and movements. The rules also allow for the systematic killing of male day-old chicks in the laying hens’ sector, which raises ethical concerns. Additionally, many of the EU animal welfare legislative rules impose vague obligations. This can give rise to*

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<sup>9</sup> ([https://food.ec.europa.eu/animals/animal-welfare/evaluations-and-impact-assessment/revision-eu-animal-welfare-legislation\\_en](https://food.ec.europa.eu/animals/animal-welfare/evaluations-and-impact-assessment/revision-eu-animal-welfare-legislation_en))

*them being interpreted differently, resulting in them being applied differently in Member States. This had led to divergences in enforcement across the EU and an uneven functioning of the single market. Furthermore, there are currently no robust indicators for monitoring and improving animal welfare, and the opportunities that digital tools hold are not fully explored. The overall impact of the EU rules on animal welfare are further weakened by the fact that they do not apply to animals or food of animal origin imported into the EU from non-EU countries.*

*Cages prevent animals from exhibiting natural behaviour such as foraging, socialising and moving freely. These confined housing systems cause chronic stress, poor health and general suffering. The resulting poor welfare raises significant ethical concerns and has negative economic implications by undermining consumer trust. There is growing public demand for more humane treatment of animals, as seen in the development of EU quality schemes that cover higher animal welfare standards, such as organic production or alternative farming methods (e.g. barn and free-range systems). In response to citizens' expectations, several Member States have brought in stricter national rules, exposing the EU's legislative gaps and creating an uneven playing field for farmers and food businesses across the single market. The complexity and overlapping nature of the current rules make them difficult to apply, monitor and enforce.*

*As set out in the 2022 fitness check, the current situation has led to significant distortions in the single market and poor welfare for farmed animals in the EU.”*

It is further stated that: “*The initiative will explore several options to address certain shortcomings identified in the 2022 fitness check of the EU animal welfare legislation. The aim is to revise this legislation insofar as on-farm welfare is concerned, including phasing out the use of cages.*”

Moreover, a 12-week [public consultation regarding on-farm animal welfare for certain animals](#) is currently running (from 19 September to 12 December 2025) to gather the views of all the interested parties on the revision of EU legislation <sup>(10)</sup>. In its Work Programme 2026, the Commission announced a ‘Livestock strategy, including elements on animal welfare’ <sup>(11)</sup>.

In this regard, the notified draft is liable to interfere with the preparation of proposals by the Commission in the field of animal welfare.

Member States are pursuant to their obligation of sincere cooperation under Article 4(3) of the Treaty on European Union obliged to refrain from adopting and implementing envisaged national measures that might compromise the preparation of a proposal for legislative acts by the Commission in the same field. Article 6(3) of Directive (EU) 2015/1535 provides that “*With the exclusion of draft rules relating to services, Member States shall postpone the adoption of a draft technical regulation for 12 months from the date of receipt by the Commission of the communication referred to in Article 5(1) of this Directive, if, within three months of that date, the Commission announces its intention to propose or adopt a directive, regulation or decision on the matter in accordance with Article 288 TFEU.*”

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<sup>10</sup> ( ) [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14671-On-farm-animal-welfare-for-certain-animals-modernisation-of-EU-legislation/public-consultation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14671-On-farm-animal-welfare-for-certain-animals-modernisation-of-EU-legislation/public-consultation_en)

<sup>11</sup> ( ) [https://commission.europa.eu/publications/2026-commission-work-programme-and-annexes\\_en](https://commission.europa.eu/publications/2026-commission-work-programme-and-annexes_en)

The Commission reconfirms its intention to propose or adopt a directive, regulation or decision on the matter in accordance with Article 288 TFEU. Therefore, in accordance with Article 6(3) of Directive (EU) 2015/1535, the Dutch authorities are invited to postpone the adoption of the notified draft for a period of twelve months from the date of receipt by the Commission of the notification in question.

This period expires on 8 September 2026.

The Commission notes that according to Article 6(6) of Directive (EU) 2015/1535,

*“[t]he obligations referred to in paragraphs (3), (4) and (5) shall lapse:*

*(a) when the Commission informs the Member States that it no longer intends to propose or adopt a binding act,*

*(b) when the Commission informs the Member States of the withdrawal of its draft or proposal,*

*(c) when a binding act has been adopted by the European Parliament and the Council or by the Commission.”*

Yours faithfully,

For the Commission

Olivér VÁRHELYI  
Member of the Commission