Message 201

Communication from the Commission - TRIS/(2025) 1120

Directive (EU) 2015/1535

Notification: 2025/0111/NL

Forwarding of the response of the Member State notifying a draft (Netherlands) to comments (5.2) of Spain.

MSG: 20251120.EN

1. MSG 201 IND 2025 0111 NL EN 26-05-2025 24-04-2025 NL ANSWER 26-05-2025

2. Netherlands

3A. Douane Groningen, Centrale dienst voor in- en uitvoer
cdiu.notificaties@douane.nl

3B. Ministerie van Landbouw, Visserij, Voedselzekerheid en Natuur, directie Wetgeving en Juridische Zaken.

4. 2025/0111/NL - C90A - Well-being of animals and pets

5.

6. Spain (MSG 103 (COMMS)) has asked two questions about Notification: 2025/0111/NL. We would like to thank Spain for these questions, which are answered below:

1. First, in relation to the inclusion of invertebrate animals in the requirements and limitations of their transport on the basis of temperature, the scope of the regulation being the transport of live vertebrate animals.

Answer:
The policy rule concerns the interpretation of the Transport Regulation, which applies to vertebrates. The policy rule mistakenly also refers to ‘crabs and lobsters’, which are not vertebrates. The proposed policy rule will be amended to exclude ‘crabs and lobsters’.

2. Secondly, in relation to the non-discriminatory effect of this rule, we request clarification on the application of these requirements; whether they apply only to transport within the territory of the Netherlands, or whether they also affect movement to and from the Netherlands, including in this carriers authorised by the competent authority of another Member State.

Answer:
The policy rule concerns the interpretation of the prohibition laid down in Article 3 of the Transport Regulation to transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them. The policy rule therefore applies to all transport in the Netherlands, even if it originates in another country or is en route to another country. The temperature limit of 30 degrees Celsius included in the policy rule is also in line with a call from the European Commission from 2019 for Member States to no longer allow long transport when an outdoor temperature of 30 degrees Celsius or higher is expected en route.

****

EUROPEAN COMMISSION
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

European Commission
Contact point Directive (EU) 2015/1535
email: grow-dir2015-1535-central@ec.europa.eu