

**MIRROR
MEASURES
ON EU ANIMAL
WELFARE
STANDARDS
ON FARMS
AND DURING
TRANSPORT.**

L214.



SUMMARY

- **Producers in the European Union (EU) must comply with legal standards that are often stricter than the rules imposed on non-EU producers** regarding the treatment of animals on farms and during transport. As a result of this double standard, the production costs for EU farmers are higher than for their non-EU counterparts.
- Imports to the EU are not subject to equivalent production standards, which creates **significant distortions in competition** between EU and non-EU producers.
- According to **the principle of reciprocity of standards (“mirror measures”)**, the EU already requires non-EU producers to comply with EU production standards **for animals**:
 - Equivalent animal welfare requirements during slaughter (as per the Slaughter Regulation)
 - Equivalent animal welfare requirements for imported pigs and calves (as per the Pigs and Calves Directives)
- Expanding the reciprocity principle to animal welfare standards on farms and during transport is therefore **consistent with existing EU law**, rather than representing a change in political doctrine.
- Mirror measures can serve as a lever for **protecting animals, ensuring food sovereignty, strengthening the credibility of EU standards, and promoting the proper use of public funds**.
- Mirror measures can be integrated into any relevant directive or regulation, including the Common Agricultural Policy (CAP) regulations or the modernization of EU farm animal welfare law, as announced by the European Commission.

LEXICON

Among the different types of mirror measures, we typically differentiate between:

- **Mirror measures**, which are codified in EU law (in regulations and directives);
- **Mirror clauses**, which are negotiated in free trade agreements.
- **Safeguard clauses**, which are emergency measures that can be activated by trading partners to protect a given sector if an EU sector is significantly harmed by imports due to distortions in competition.



THE ISSUE: DISTORTIONS IN COMPETITION IN THE EARLY STAGES OF PRODUCTION

1 / The EU regulatory framework

The European Union (EU) provides a regulatory framework applicable in all 27 of its Member States, covering all stages of animal production – from breeding to slaughter – including by way of:

- Two regulations covering specific segments of animal agriculture production:
 - Regulation 1/2005 on the protection of animals during transport and related operations (transport regulation);
 - Regulation 1099/2009 on the protection of animals at the time of killing (slaughter regulation).
- Five directives regulating the treatment of animals on farms:
 - Directive 98/58/EC concerning the protection of animals kept for farming purposes (general farming directive);
 - Directive 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production (broilers directive);
 - Directive 2008/120/EC laying down minimum standards for the protection of pigs (pigs directive);
 - Directive 2008/119/EC laying down minimum standards for the protection of calves (calves directive);
 - Directive 1999/74/EC laying down minimum standards for the protection of laying hens (hens directive).

These acts provide a consistent regulatory framework that sets standards across a wide range of practices related to the keeping, transport, and slaughter of animals. These standards reflect explicit political choices that have been codified into law and apply to all operators on the EU market. Furthermore, this framework is often perceived as one of the most advanced to be applied in a harmonized way on such a vast territory.

This framework directly impacts the practices of the various animal agriculture industries in the EU and the production costs borne by EU producers, who must comply with extensive requirements and the associated enforcement mechanisms, such as inspection rules and penalties¹.

¹ - The substantive farm animal welfare standards in EU law, as well as the rules on inspections and penalties, have a number of shortcomings. For instance, EU law does not provide species-specific animal welfare legislation for all species of animals. Enforcement rules also lack effectiveness, due to low inspection rates and significant disparities in the application of penalties against offenders. Despite these limitations, disparities between the EU Member States remain smaller than those between the EU and non-EU countries.

2 / Regulatory discrepancy between eu and non-EU countries

Outside of the EU, most countries exporting to the EU lack a regulatory framework covering a scope comparable to that of EU farm animal welfare legislation, which applies to the treatment of animals on farms, during transport, and at slaughter.

Instead, most non-EU countries set standards by way of:

- Technical industry standards,
- Private standards and specifications,
- Variable standards depending on the destination country of exported products.

These standards do not guarantee the existence of harmonized and binding production standards comparable to EU legal standards.

Such differences in production standards create competitive distortions, as EU producers must comply with stricter requirements than producers in non-EU countries, who nevertheless have access to the EU market. As a result, domestically produced food competes with imports from countries where production systems are fragmented, standards are less stringent, or regulations do not align with EU production requirements.

Example: stocking density in the broiler industry (part. 1)

In the EU, broiler production is regulated under a specific law that limits stocking density to 33kg per m², with possible exemptions allowing an increase to 42 kg/m² under certain conditions. However, EU stocking density standards do not apply to poultry meat originating from broiler chickens raised outside the EU. In Ukraine, a recent law was adopted to bring domestic production standards in alignment with the 33kg/m² limit. However, in practice, not all Ukrainian farms comply with this limit. Similarly, Thailand and the Mercosur countries do not provide a regulatory framework comparable to the EU's, with stocking densities determined by technical industry or private standards.













This regulatory gap, concentrated at the upstream stage of the production chain, undermines the competitiveness of EU producers, who, unlike the EU's trading partners, must comply with rules stemming from the EU's political choices.



3 / Mirror measures, mirror clauses, and safeguard clauses

Several instruments are available to policymakers to address competitive imbalances between trading partners. However, not all of them effectively neutralizes competitive distortions. The table below shows the main differences between **mirror measures, mirror clauses, and safeguard clauses**, from a legal, economic, and regulatory perspective.

Comparative table: instruments aiming to ensure reciprocity in production standards for products imported from non-EU countries

Criteria	MIRROR MEASURES (extraterritoriality of EU legal standards)	MIRROR CLAUSES (extraterritoriality of standards negotiated in a given trade deal)	SAFEGUARD CLAUSES
Type of Provision	EU regulation / directive, with permanent and unilateral effects. 	Negotiated on a case-by-case basis in the context of bilateral trade agreements. 	<i>Ad hoc</i> mechanism. Cumbersome and lengthy procedure, unsuitable to regulate market dynamics. 
Impact on Animal Welfare Standards	Prohibit the imports of animal-based products produced under less strict standards than EU legal standards. 	Can undermine EU animal welfare standards in order to prioritize other economic advantages to the EU, such as market access for EU industrial goods or favorable prices for energy resources. 	No preventive measures on farmed animal welfare. 
Competitive Impact on EU Producers	Bring global production standards in alignment with EU production standards. 	Protects producers only against producers from trading partners that are parties to the trade agreement. 	Activated by trading partners only after the latter can demonstrate the existence of “serious harm” and only after such a harm has materialized. 
Degree of Compliance with WTO Rules	Allowed on the grounds of public morals (Art. XX of the GATT). 	Unlikely because such clauses are highly dependent on diplomatic relations. 	Opportunistic and limited response to trade flows. 

EXISTING EXTRATERRITORIAL MEASURES IN EU FARMED ANIMAL WELFARE LEGISLATION

The EU already requires importers to comply with animal welfare standards for certain animals and animal-based products:

- Article 12, Regulation 1099/2009 requires importers to provide an attestation certifying that they have followed EU slaughter rules for meat products originating from non-EU countries.
- Article 9, Directive 2008/119 and Article 8, Directive 2008/119 require importers to provide “a certificate issued by the competent authority of [the third country of origin], certifying that [the animals] have received treatment at least equivalent to that granted to animals [in the EU].”

These provisions demonstrate that the EU can – and has – required importers to comply with domestic legal standards as a condition for market access.



THE NEED TO EXTEND MIRROR MEASURES TO THE WELFARE OF ANIMALS ON FARMS AND DURING TRANSPORT

1 / To fight unfair competition

Mirror measures are an effective lever to correct distortions in competition stemming from differences in animal welfare legal standards. These measures neutralize discrepancies between production standards rather than simply compensating for their economic effects through the distribution of subsidies to affected producers.

By ensuring that all animal-based food products sold on the EU market originate from systems following the same production standards, mirror measures ensure that EU legislation produces its full economic effects. Mirror measures therefore help reinstate fair competition between operators without undermining the functioning of the internal market or requiring compensation mechanisms for domestic producers.

2 / To reduce food production dependencies

The EU is increasingly dependent on certain food imports in ways that weaken the security and resilience of its food systems, particularly in the context of geopolitical, sanitary, and climate crises. The absence of a stable, consistent regulatory framework regarding the production standards of imported food products further aggravates this vulnerability.

By harmonizing access to the EU market, mirror measures help secure the EU animal agriculture sector by reducing pressure from production models that benefit from less stringent standards. Mirror measures further contribute to achieving food sovereignty objectives, consistent with the EU's policy goal of reducing its dependence on soy, meat, fertilizers, legumes, fruits, and vegetables².

2 - On this topic, see L214, La fragilité alimentaire de la France, ou les raisons de la perte de notre souveraineté alimentaire, Position Paper, May 2024 (in French).

3 - INRAE, Comment la PAC soutient-elle le revenu des agriculteurs ?, May 2021

3 / To improve policy coherence and effectiveness

The EU animal agriculture sector benefits from high levels of public funding for a variety of reasons, including to compensate for compliance costs in relation to stricter production standards than in non-EU countries. According to the French national institute for agriculture, food, and environment (Institut national de recherche pour l'agriculture, l'alimentation et l'environnement, INRAE), direct payments distributed under the Common Agricultural Policy (CAP) accounted for 74% of farmers' revenues (before taxes) in 2019³.

The absence of mirror measures undermines the efficacy of this public support, as domestic products compete alongside imports subject to less stringent standards. Such inconsistencies weaken policy coherence. Mirror measures therefore reinforce the efficiency of public spending by ensuring that EU standards cannot be circumvented through trade dynamics.

4 / To reinforce animal protection goals and normative leadership

By extending the scope of mirror measures to farming and transport standards, the EU would reinforce its normative power, by guaranteeing that production standards are applied to all operators selling on the EU market. Such an approach to extraterritoriality would also be compliant with the EU's international obligations, including the exemptions to trade barriers provided in Article XX(b) and XX(g) of the Global Agreement on Tariffs and Trade (GATT), which allow trading partners to adopt non-discriminatory trade restrictions measures necessary to protect the life or health of animals.

Mirror measures thus create a virtuous circle: by protecting its domestic market, the EU would encourage the adoption of higher agricultural production standards domestically, while incentivizing prospective exporters to align with these standards.

By conditioning market access on compliance with harmonized standards for the farming and transport of animals, the EU would further reinforce its role as normative leader and, in doing so, help advance international production standards in a manner compatible with its international commitments and the exemptions provided under World Trade Organization (WTO) rules.

Additionally, the EU would be able to implement legislation based on the best available science without concern over the effects of unfair competition.

Example: stocking density in the broiler industry (part. 2)

The European Food Safety Authority (EFSA) found that stocking densities above 11kg/m² on broiler farms pose significant risks to animal welfare. If the EU were to align its legislation on EFSA's scientific opinions and adopt mirror measures, poultry meat imports would need to come from farms maintaining stocking densities below 11 kg/m².



OUR ASKS

Ask 1

Explicitly codify mirror measures in the directives and regulations governing the treatment of animals on farms and during transport, so that all animal-based products imported from outside the EU comply with standards at least equivalent to EU standards, as is already the case for slaughter as well as pig and calf welfare standards.

Ask 2

Reinforce control and traceability rules, as well as customs cooperation between EU authorities and the trading partners, by requiring proof of compliance with EU standards from non-EU sellers.

CONCLUSION

Mirror measures already apply to certain animals and animal-based products and are fully compliant with international trade rules. Mirror measures are instrumental in ensuring policy coherence and reinforcing the credibility and sovereignty of the EU.

By aligning EU market access requirements with EU legal standards, mirror measures ensure that competitiveness goals converge with public policy efficiency and animal welfare objectives, as set out in Article 13 of the Treaty on the Functioning of the EU.

We call for the enforcement of these asks to support the adoption of mirror measures through **the European Call for the Animal Rescue *Mission of the Century***.

MEPs, sign here:





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