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Animal welfare in the European agri-food market: law, policy and veterinary roles

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Abstract

Animal welfare has evolved from an ethical principle into a binding operational standard within the European Union (EU) agri-food system. Based on a documentary analysis combining legal and veterinary sources, this short communication examines how EU law integrates welfare requirements into food safety, trade, and official controls. The findings highlight three outcomes: the institutionalization of welfare as a trade condition; its judicial recognition as a legitimate public interest; and the expansion of the veterinarian's mandate as a translator of legal norms into measurable procedures. The analysis also explores the ethical and human-rights dimensions of welfare governance, where freedom of religion and animal protection coexist under EU and World Trade Organization law. These developments demonstrate how veterinarians, as both technical and institutional actors, contribute to the effective implementation of EU welfare principles within a sustainability-oriented global market.

Key words: animal welfare, European Union, veterinary public health, official controls, trade law.

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Introduction

Animal welfare has evolved from an ethical aspiration to a binding operational requirement within the European agri-food system. The scientific foundation of animal welfare, originating from the Brambell Report and the subsequent "Five Freedoms" framework, continues to guide European Union (EU) regulation by linking physiological and ethological needs with legal obligations (Brambell, 1965). Over the past two decades, the EU has progressively embedded welfare standards into food law, consumer protection and international trade instruments, alongside guidance on private schemes (European Commission, 2010; European Parliament and Council of the European Union, 2017). This regulatory trajectory is grounded in Article 13 of the Treaty on the Functioning of the EU, which recognizes animals as sentient beings and requires integration of welfare considerations across policies (European Union, 2012). "Animal welfare" now functions as a condition for market access and a determinant of consumer trust, product quality and business reputation, with ethical justifications also acknowledged in trade law (Henson and Humphrey, 2010; Harvey and Hubbard, 2013; WTO Appellate Body, 2014). For veterinary public health professionals, this shift entails a renewed role: not only as compliance inspectors, but as translators of legal principles into measurable and verifiable operational standards across the production chain, within the framework of official controls and species-specific requirements (European Parliament and Council of the European Union, 2017; Council of the European Union, 2009).

Materials and Methods

An interdisciplinary documentary analysis was conducted, combining legal and veterinary perspectives. The materials reviewed include: EU primary and secondary legislation concerning animal welfare, food safety and trade, notably Regulation (EC) No 1099/2009 on the protection of animals at the time of killing and Regulation (EU) 2017/625 on official controls (Council of the European Union, 2009; European Parliament and Council of the European Union, 2017); case law from the Court of Justice of the European Union, with specific focus on decisions related to ritual slaughter and market access conditions (Court of Justice of the European Union, 2020); World Trade Organization (WTO) jurisprudence, particularly the European Communities Seal Products dispute, which established the legitimacy of moral and ethical concerns in trade restrictions (WTO Appellate Body, 2014); bilateral and multilateral trade agreements concluded by the EU, such as CETA, Mercosur, and the EU-New Zealand Agreement, where explicit animal welfare provisions appear (European Commission, 2019a, 2019b, 2022).

The analysis assessed how these legal instruments collectively redefine the professional and technical duties of veterinarians operating within official controls, certification, and private auditing systems.

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Results

First, the EU has institutionalized animal welfare as a condition for trade and market access. Welfare has evolved from a moral aspiration into a legally enforceable standard: access to the EU market now depends on documented compliance verified through audits, traceability systems, and certification procedures (European Parliament and Council of the European Union, 2017; European Commission, 2019a). These requirements are increasingly embedded in bilateral trade agreements, which include cooperative mechanisms for improving animal welfare practices in production systems (European Commission, 2019b, 2022). Second, judicial interpretation has further consolidated animal welfare as a legitimate objective of public interest at different legal levels. At EU level, the Court of Justice of the European Union confirmed in *Centraal Israëlitisch Consistorie van België* (2020) that limitations on slaughter without stunning may pursue objectives of general interest, including animal welfare, even when they affect other fundamental freedoms. At the international level, the WTO Appellate Body in the *EC – Seal Products* dispute recognized that public morality constitutes a valid ground for trade-restrictive measures, encompassing ethical concerns related to animal welfare (WTO Appellate Body, 2014). Although operating within distinct legal frameworks, these decisions converge in acknowledging animal welfare as a legitimate public interest capable of justifying regulatory intervention, thereby reinforcing its role within both EU law and international trade governance.

Finally, the analysis highlights the expansion of the veterinarian's mandate. Veterinary public health professionals act as both technical experts and institutional actors, ensuring that legal principles are translated into measurable, evidence-based indicators. They contribute to risk assessment and Hazard Analysis and Critical Control Point systems, support compliance with private standards, and provide assurance to competent authorities and international markets (Harvey and Hubbard, 2013; European Parliament and Council of the European Union, 2017).

Discussion

The findings confirm that the EU acts as a regulatory driver in the global governance of animal welfare, transforming ethical considerations into enforceable trade and food safety standards (Henson and Humphrey, 2010; European Commission, 2019a). The EU's external action increasingly projects animal welfare as a value-based trade standard, using trade agreements as instruments of normative diffusion toward third countries (Celentano, 2022). This leadership is reflected in the EU's approach to regulatory diplomacy, where welfare standards are not only internal policy instruments but also elements of negotiation and cooperation with third countries (European Commission, 2019b, 2022). The balance between ethical imperatives, market access, and fundamental rights remains a distinctive feature of the European model, which often requires reconciling freedom of religion and the protection of animal welfare under Regulation (EC) No 1099/2009 (Bozzo *et al*., 2021). Within this framework, veterinarians play a pivotal role in translating these legal and ethical principles into measurable, verifiable practices across the food chain.

For veterinary public health professionals, this shift reshapes their institutional function. They are no longer limited to enforcing existing rules but increasingly participate in their interpretation and implementation, bridging scientific, legal and operational domains (Harvey and Hubbard, 2013; European Parliament and Council of the European Union, 2017). Their autonomy and technical expertise are crucial in harmonizing welfare requirements with food safety and quality assurance systems. The integration of animal welfare into global trade has also been strengthened by judicial developments. The Court of Justice of the European Union (2020) has recognized that the protection of animal welfare can justify limitations on other rights, such as freedom of religion, when balanced against legitimate public interest. Similarly, the WTO Seal Products case demonstrated that moral and ethical concerns can constitute valid grounds for trade measures (WTO Appellate Body, 2014). These rulings have consolidated animal welfare as an emerging dimension of international public law, linking consumer ethics with market regulation. This judicial and ethical alignment also reveals a progressive convergence between animal welfare protection and human rights reasoning, where public morality operates as a legitimate ground for balancing fundamental freedoms (Celentano, 2024). Nevertheless, the practical application of welfare standards remains uneven across Member States and trade partners. Variability in inspection capacity, documentation systems, and operator training can undermine uniform enforcement (European Commission, 2010, 2023). This challenge calls for stronger coordination mechanisms and knowledge-sharing platforms. Within this framework, veterinarians contribute significantly to the translation of legal and ethical principles into measurable practices across the food chain (EFSA, 2022). This role is exercised within a broader governance context that requires clear policy direction, institutional backing and adequate organizational resources, ensuring that veterinary expertise can be effectively integrated with legal and societal objectives. Its dual nature requires integrated governance where scientific evidence, legal norms, and professional practice reinforce each other. Veterinarians thus represent a key operational interface through which legal requirements, scientific evidence and societal expectations are practically aligned.

Conclusions

The EU has progressively transformed animal welfare from an ethical aspiration into a binding condition for food safety and market access. This regulatory evolution, rooted in Article 13 of the Treaty on the Functioning of the EU, reflects the EU's capacity to translate moral values into enforceable standards with global resonance. Veterinary public health professionals stand at the core of this transformation. Their dual expertise, scientific and legal, enables them to operationalize welfare principles through measurable indicators, control plans and certification processes, ensuring consistency between regulatory expectations and field implementation (Harvey and Hubbard, 2013; European Parliament and Council of the European Union, 2017). As animal welfare becomes increasingly linked to sustainable trade, food integrity and consumer confidence, veterinarians act as both guarantors of compliance and architects of continuous improvement. Their contribution extends beyond enforcement: it encompasses ethical interpretation, data-driven assessment and international cooperation.

Ultimately, the EU's model demonstrates that animal welfare is not merely a moral commitment but a cornerstone of responsible production and fair trade. The veterinary profession thus embodies the bridge between normative systems, scientific validation and societal expectations, turning principles of welfare into tangible practices within the global food chain.

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