

Animal welfare during transport

Background

Every year, at least 1.37 billion animals are transported alive within the EU and to third countries, most of them for slaughter. Live transport, especially over long distances, is a major animal welfare concern. Animals are exposed to stress at loading and unloading, and can suffer hunger, thirst, exhaustion, and lack of space and rest during transit. Transporting live animals also poses serious risks for animal and public health due to the possible spread of diseases. Scientific evidence shows that the stress of transport weakens the immune system, making animals more vulnerable to diseases (European Food Safety Authority (EFSA), 2011).

The EU has had rules governing animal welfare during transport since 1977 (EU Directive 77/489/EEC). Today, the EU Regulation 1/2005 (the Transport Regulation) applies to all livestock transported within and from the EU, regulating rest periods, the training and authorisation of drivers, stocking densities and general transport conditions. Unfortunately, the vast number of derogations still allow animals to be transported for days on end throughout and outside Europe. Additionally, the enforcement of existing rules is very poor and the control by public authorities is scarce, leading to very poor compliance and animal suffering.

The situation gets even worse when animals are exported to third countries: journeys last hundreds of hours – sometimes days – and animals face inhumane slaughter practices upon arrival. The European Court of Justice ruling (CJEU, C-424/13) establishing that provisions of the Transport Regulation also apply to those stages of the journey taking place outside the EU remains to all effects disregarded. Despite it being well known that when animals leave Europe they are no longer protected, the European Commission is promoting and expanding this trade, sending a growing number of live animals to third countries.

Context

The Transport Regulation entered into force on 1st January 2007. Since then, scientific bodies and committees have provided abundant evidence that this Regulation is unfit for its purpose. In 2011 EFSA concluded that *“parts of the Regulation are not in line with the current scientific knowledge”*. An independent study on the impact of the Regulation on the protection of animals during transport concluded that *“there are no indications that animal welfare during transport has improved substantially with the Introduction of Regulation 1/2005”* (W. Baltussen et al, 2011). In December 2019 the [EU Council called on the EU Commission to revise the EU Transport Regulation](#). [As stated in December 2019 by Stella Kyriakides](#) - the EU Commissioner for Health and Food Safety - the EU Commission is willing to work on animal welfare during transport in the framework of the EU Farm to Fork strategy.

Since 2007, over 200 investigations and reports exposing the brutality behind live transport and the systematic violations to the Transport Regulation have been sent to the EU Commission. Regrettably, the European Commission can only rely on the annual reports submitted by Member States under Article 27 of the Transport Regulation to assess enforcement. Also, the audits carried out by the EU Commission’s own inspectorate - DG SANTE Directorate F - are an important source of information. However, the limited number of those missions in the field of welfare during transport makes them far less effective than they could be.

In February 2019, the EU Parliament [voted on an Implementation Report](#) on the transport of live animals (EP, 2019). The report stressed that unannounced EU Commission audits and strategic spot checks by national authorities would allow major and systematic violations to be addressed. Echoing the Court of Auditors' recommendations and stressing the EU Commission's enforcement power, the report also called for infringement proceedings against EU member states as a way to prevent animal cruelty and increase compliance. The EU Parliament, in line with the World Animal Health Organisation (OIE), EFSA and the Federation of the Veterinarian of Europe (FVE), acknowledged the benefits of transporting meat and carcasses instead of live animals, and called on the EU Commission to develop a strategy to shift to a meat and carcasses only trade.

Recently this issue has been widely discussed by stakeholders, and in 2019 Eurogroup for Animals published [a report looking into policy measures](#) to reduce the transport of live animals across the EU and beyond. The report was launched at an [expert meeting hosted by the Dutch Permanent Representation to the EU](#) and discussed by stakeholders and representatives of EU Member States. Evidence shows that a shift to a meat and carcasses only trade instead of transporting animals alive would be justified not only by animal health and welfare reasons, but also by environmental indicators, economic considerations and existing practices.

Additionally, long-distance live animal transports have the potential of spreading zoonosis. As highlighted by EFSA, *"stresses associated with handling and transport may cause latent infections with, for instance, Salmonella or Pasteurella sp. that proceed to clinical disease. Such animals are more likely to infect others during the journey or after arrival at their destination, and in many cases (e.g. salmonellosis) this will also increase the risk to public health"* (EFSA, 2011). The link between public health and live animal transport has recently been reconfirmed by the COVID-19 outbreak. For drivers and operators transporting live animals, it is very difficult to comply with [the basic hygienic rules of the World Health Organisation \(WHO\)](#), so they could play an important role in further spreading the virus via direct contact with other human beings or contaminated surfaces. This is further evidence that the time has come to shift to a meat and carcasses as well as semen and embryos trade, instead of live animals.

Conclusion

Eurogroup for Animals calls for a revision of the EU Transport Regulation to phase out long-distance transportation of over 8 hours, forbid the transportation of unweaned animals, reduce transport time for end-of-career animals, and improve the conditions for the remaining transportations. In the new legislative text, a harmonised sanction system should be set to ensure that EU Member States increase and tighten official checks of live transports and thus ensure that violations are tackled effectively.

In line with the EU Parliament's request, we call on the EU Commission to prepare a strategy to shift to a meat and carcasses as well as semen and embryos only trade.

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CJEU, 2015. Judgment of the Court (Fifth Chamber), 23 April 2015 (*) (References for a preliminary ruling — Agriculture — Regulation (EC) No 1/2005— Protection of animals during transport — Long journey between Member States and between Member States and third countries — Article 14(1) — Check to be carried out related to the journey log by the competent authority at the place of departure prior to long journeys —

Applicability of that provision in regards to the stages of the journey taking place outside the territory of the European Union — Applicability of the standards fixed by that regulation to that part of the journey), 2015.

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Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law').

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2016:084:FULL&from=EN>

Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation).

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Annex I - Live animal transport in the EU and beyond

Overview of the main EU Directives, EU Regulations and documents published from 1995 to 2019 on the welfare of animals during transport.

Reference	Citation
Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport.	Introduced limits on travel time and maximum stocking densities for transporting animals within the EU.
EC, 2000. Report from the Commission and the Council to the EU Parliament on the experience acquired by Member States since the Implementation of Council Directive 95/29/EEC amending Directive 91/628/ EEC concerning the protection of animals during transport.	"Several fundamentals of the Directive should be evaluated on a scientific basis and notably data concerning travelling times and loading densities."
EP, 2001. European Parliament resolution on the Commission report on the experience acquired by Member States since the implementation of Council Directive 95/29/EC amending Directive 91/628/EEC concerning the protection of animals during transport (COM(2000) 809 - C5-0189/2001 - 2001/2085(COS).	"In the case of cattle, horses, goats, sheep and pigs not intended for specific breeding and/or sporting purposes, transport should be limited to a maximum of eight hours duration."
FVE, 2001. Position Paper_ Transport of live animals.	"The fattening of animals should take place within or near the place of birth. Animals should be slaughtered as near the point of production as possible. The journey time for slaughter animals should never exceed the physiological needs of the animal for food, water or rest. The long distance transport of animals for slaughter should be replaced, as much as possible, by a carcass only trade. In addition, the transport of animals for breeding purposes can sometimes be replaced by the transport of sperm and embryos."
SCAHAW, 2002. Report of the Scientific Committee on Animal Health and Animal Welfare (SCAHAW). The welfare of animals during transport (details for horses, pigs, sheep and cattle).	"After a few hours of transport welfare tends to become poorer as journey length increases. Hence such animals should not be transported if this can be avoided and journeys should be as short as possible."
EFSA, 2004. Opinion of the Scientific Panel on Animal Health and Welfare (AHAW) on a request from the Commission related to the welfare of animals during transport.	"Transport should be avoided wherever possible and journeys should be as short as possible."
Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.	The EU judged it to be more appropriate to set out the community rules governing live transport in a Regulation. Maximum journey time is still not set in this Regulation and the recommendations given by SCAHAW regarding transport time and stocking

	density are not incorporated into the legislative framework.
FVE, 2008. Position Paper: The welfare of animal during Transport.	"The transportation of animals should be subject to the "3R" principle – it should be refined, reduced and replaced wherever possible. Animals should be reared as close as possible to the premises on which they are born and slaughtered as close as possible to the point of production."
OIE, 2009. Report to the Animal Welfare Working Group of the OIE Ethical concerns relevant to the work of the OIE on international animal welfare guidelines/standards. Long-distance transport (including export) of animals for slaughter.	"OIE should recommend phasing out of unnecessarily long transport (including export) of animals for slaughter. It should set a target date, for example 2020, and work with stakeholders including governments towards ending such transport by that date."
EFSA, 2011. Scientific Opinion Concerning of EFSA Panel on Animal Health and Welfare (AHAW) on the Welfare of Animals during Transport.	"In order to reduce the risk of transport-associated disease outbreaks, strategies should be developed to reduce the volume of transport (e.g. replacing the transport of breeding animals by using semen or embryos), and long distance transport of animals for finishing or slaughter (e.g. by the transport of carcasses and food products) or reducing journey times (e.g. by slaughtering animals as close as possible to the site of production)."
EC, 2011. Commission Report on the impact of Council Regulation (EC) No 1/2005.	"According to the EFSA opinion it appears that parts of the Regulation are not fully in line with the current scientific knowledge. Enforcement of the Regulation remains a major challenge, partly because of differences in interpretation of the requirements and because of lack of controls by the Member States. Furthermore, the quality of monitoring data, submitted to the Commission by Member States, is often insufficient to provide a clear analysis of the situation and to allow planning of specific corrective measures at EU level."
W. Baltussen, G. Gebrens, and K. de Roest, 2011. Study on the impact of Regulation (EC) No 1/2005 on the protection of animals during transport.	"For the main groups of animals there are no indications that animal welfare during transport has improved substantially with the introduction of Regulation (EC) 1/2005."
EP, 2012. European Parliament resolution of 12 December 2012 on the protection of animals during transport (2012/2031).	The European Parliament calls on the Commission and Council to review Council Regulation (EC) No 1/2005 in the light of the latest scientific evidence published by EFSA.

<p>COJEU, 2015. Judgment of the Court (Fifth Chamber), 23 April 2015 in Case C-424/13.</p>	<p>It ruled that Council Regulation (EC) 1/2005 also applies to journeys outside the EU, so the EU Regulation provisions must be implemented even once the animals have exited EU territory.</p>
<p>Animals Angels, 2016. The Myth of Enforcement of Regulation 1/2005 on the protection of animals during transport.</p>	<p>The report collects evidence on the unenforceability of Regulation 1/2005's provisions as well as of the main violations occurring during live transport.</p>
<p>FVE, 2016. Position paper: FVE calls to end suffering of animals during long distance transports.</p>	<p>"Animals should be reared as close as possible to the premises on which they are born and slaughtered as close as possible to the point of production."</p>
<p>EC, 2016. Overview report Systems to prevent the Transport of Unfit Animals in the EU.</p>	<p>"There is no generalised use of actions such as suspension or revoking of licences, increased controls or restrictions in activity. While most Member States opt for administrative processes (fines) and sanctions, the former are generally too long to be effective and the latter too low to be dissuasive."</p>
<p>D. Broom, 2017. Animal Welfare in the European Union. Study for the Peti committee.</p>	<p>"The wording of the legislation needs some improvements."</p>
<p>EP, 2019. European Parliament resolution of 14 February 2019 on the implementation of Council Regulation (EC) No 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI)), 2019.</p>	<p>The European Parliament "Calls on the Commission and the Member States to promote a shift, when possible, towards the transport of meat or carcasses, instead of live animals, to third countries, as well as the transport of semen or embryos instead of breeding animals."</p>
<p>EC, 2019. Follow-up to the European Parliament non-legislative resolution on the protection of animals during transport within and outside the EU.</p>	<p>"The Commission will foster a dialogue to explore possible tools for shifting towards trade in meat, when feasible, as well as the facilitation of trade in animal products."</p>
<p>EU Council 2019. Council conclusions on animal welfare - an integral part of sustainable animal production - Council Conclusions (16 December 2019). 14975/19. AGRILEG 215. VETER 108.</p>	<p>"The Council of the European Union [...] encourages the Commission to review and update Regulation (EC) No 1/2005."</p>