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Background

- Chief advisor, animal health and animal welfare policy
- Danish Agriculture and Food Council - representing both farmers and the food industry
- Enforcement and compliance is the responsibility of the authorities.
- However, I can give the industry perspective of the enforcement of regulation 1/2005 in Denmark
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Enforcement of regulation 01/2005 in Denmark

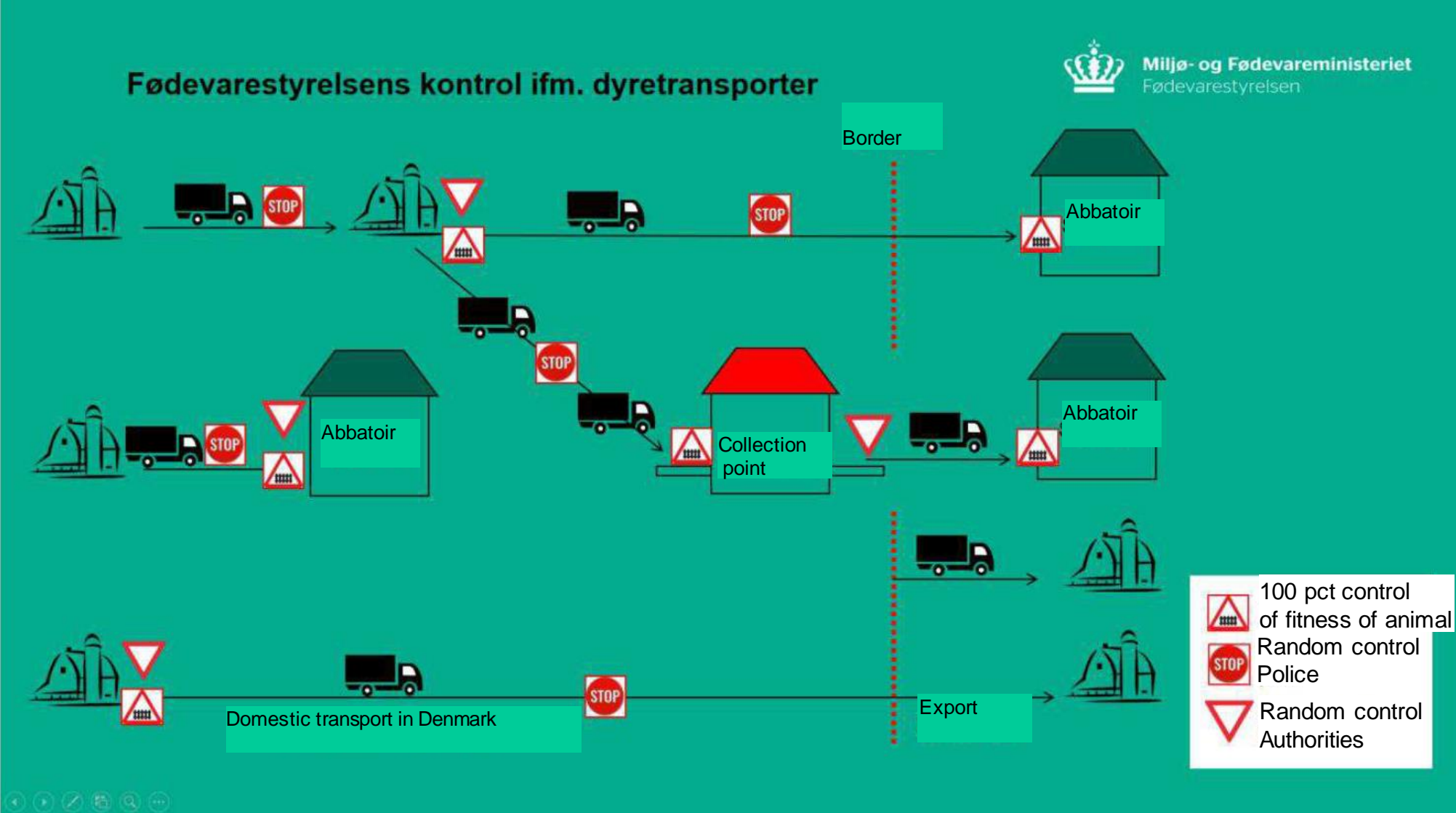
- We are aware of a very different implementation across MS
- We are in a different situation in Denmark with a very strict and rather unproportionate implementation of the rules.
- Drivers are leaving the industry because of fear and the psychological pressure for the serious sanctions that are placed on the drivers in case of non-compliances.
- We see a need for an overview/ benchmark of the different sanctions level across MS
- We also see a need for adjustments of the current regulation



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Danish Veterinary and Food administrations kontrol system



Responsibility for farmer, driver and transport company

- According to 1/2005 the farmer, the driver and the transport company equally share the responsibility for cases related to the fitness of animal for transport.
- In Denmark cases against drivers and transport companies are handed over to the police and prosecution services, followed by a court case, and fines are issued ranging from 2.000 euro to 13.000 euros in cases, where infringements have been found with fitness of animal for transport- even in cases with 1 animal out of a lorry with 200 finishers or 600-700 weaners. We also see cases, where the driver is charged with prison.
- On average a driver is transporting more than 80.000 pigs a year under a sanction regime leaving no room for any mistakes and unforeseen situations
- Due to animal welfare reasons pigs are moved onto the truck in groups making it difficult for the driver to see every detail of each animal
- There is 100 pct. control from the official veterinarians upon arrival at the abattoir and before export of animals
- There is no economic incentive for drivers and transport companies for transporting unfit animals.

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Proposal 1: Differentiated approach for the responsibility

DAFC proposes a differentiated approach for the responsibility of transporting animals.

1. The farmer knows the history of the animals, and potential cases of injury or disease and should carry the main responsibility for the fitness of animals for transport.
2. The driver carries the responsibility of the design and the maintenance of the vehicle, complying with stocking density, provision of food/water, resting periods etc. and the animal welfare during the journey.
3. And the transport company carries the responsibility for approval of the vehicle, administrative work, education and training of the driver etc.

We also encourage for the regulation to take into account whether cases with fitness of animals for transport is due to simple or gross negligence from the driver. Accidents will take place and can not be avoided completely. In Denmark drivers are sanctioned even in cases with simple negligence. The regulations should take into account whether the driver can be blamed at all for the accident.

We find that it is relevant and in accordance with the regulation to distribute the responsibility without compromising the overall objective of the regulation to protect animals during transport.

Animal welfare during transport is a high priority

- DAFC is focusing on raising as many farm animals for slaughter as possible in Denmark. It is of great value to the society in terms of working places, economics and support for the rural part of Denmark
- Animal welfare during domestic transport as well as live animal export is of high priority to the farmers and the industry. It is only in the interest of all involved that the animals arrive in a healthy and good condition.
- In Denmark drivers must complete a 5 days training course in handling of animals in order to be allowed to transport animals.
- The industry has developed extensive guidelines to support the drivers and farmers in decisions regarding fitness of animals for transport and communicate about this on workshops, meetings and conferences
- The Danish farmers would not be able to sustain a relatively large export of animals unless we were able to deliver healthy animals in a good condition to customers every time.
- We see opportunities to improve the existing regulation to further support a high-quality transport of animals across borders

Proposal 2: Differentiation of the rules for transport according to groups of animal

DAFC encourage the Committee to look into options for a differentiation of the rules for transport of

- 1) animals for slaughter
- 2) animals for further keeping like piglets or calves
- 3) animals intended for further breeding

Different tools for improvement of the quality of transport could be applied like for eksempel:

- Increased space requirements
- Differentiated transport times according to the different groups of animals
- Compartments heights and specific requirements for bedding
- Use of different technologies for export to third countries like cameras or real time access to fleet control systems

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Conclusions

1. Animal welfare during domestic transport as well as live animal export is of high priority to farmers and the industry. It is only in the interest of all involved that the animals arrive in a healthy and good condition.
2. DAFC finds that the current situation has put Danish transport business operators in a very difficult situation because of the very strict implementation of the regulation in Denmark. It is very important that rules are applied and enforced at EU level to ensure a harmonized market and a level playing field in the EU.
3. We encourage the Committee to look into a differentiated approach for the responsibility of transporting animals, where the farmer carry the main responsibility for fitness of the animal for transport.
4. DAFC encourage the Committee to look into options for a differentiation of the rules for transport of 1) animals for slaughter, 2) animals for further keeping like piglets or calves, 3) animals intended for further breeding.
5. We also encourage the Committee to initiate a benchmark study on implementation of the regulation and the sanctions regimes used on member state level.