

# EUROPEAN PARLIAMENT

1999



2004

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*Session document*

FINAL  
**A5-0347/2001**

16 October 2001

## **REPORT**

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))

Committee on Agriculture and Rural Development

Rapporteur: Albert Jan Maat



## CONTENTS

	<b>Page</b>
PROCEDURAL PAGE .....	4
MOTION FOR A RESOLUTION.....	5
EXPLANATORY STATEMENT .....	10
OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER POLICY .....	14

## PROCEDURAL PAGE

By letter of 6 December 2000 the Commission forwarded to Parliament its 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 – 2001/2085(COS)).

At the sitting of 14 May 2001 the President of Parliament announced that she had referred the report to the Committee on Agriculture and Rural Development as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy for its opinion (C5-0189/2001).

The Committee on Agriculture and Rural Development had appointed Albert Jan Maat rapporteur at its meeting of 25 April 2001.

The committee considered the Commission report and the draft report at its meetings of 9 July, 17-18 September and 10 October 2001.

At the last meeting it adopted the motion for a resolution by 34 votes to 1, with 1 abstention.

The following were present for the vote: Friedrich-Wilhelm Graefe zu Baringdorf, chairman; Joseph Daul, Vincenzo Lavarra and Encarnación Redondo Jiménez, vice-chairmen; Albert Jan Maat, rapporteur; Gordon J. Adam, Danielle Auroi, María del Pilar Ayuso González, (for Francesco Fiori), Niels Busk, Giorgio Celli, Alejandro Cercas, (for Bernard Poignant), Arlindo Cunha, Avril Doyle, (for Michl Ebner), Jonathan Evans, (for Neil Parish), Christel Fiebiger, Georges Garot, Lutz Goepel, Michiel van Hulst, (for Michel J.M. Dary), Liam Hyland, (for Sergio Berlato), Elisabeth Jeggle, Salvador Jové Peres, Hedwig Keppelhoff-Wiechert, Heinz Kindermann, Christa Kläß, (for Robert William Sturdy), Dimitrios Koulourianos, Astrid Lulling, (for Agnes Schierhuber), Albert Jan Maat, Xaver Mayer, Mikko Pesälä, Michel Raymond, María Rodríguez Ramos, Dominique F.C. Souchet, Struan Stevenson, Eurig Wyn, (for Carlos Bautista Ojeda), Marie-Arlette Carlotti (for Willi Görlach pursuant to Rule 153(2)) and Paulo Casaca (for António Campos pursuant to Rule 153(2)).

The opinion of the Committee on the Environment, Public Health and Consumer Policy is attached.

The report was tabled on 16 October 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## MOTION FOR A RESOLUTION

### **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))**

*The European Parliament,*

- having regard to the report of the Commission to the Council and the European Parliament 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<sup>1</sup>),
  - having regard to Directive 91/628/EEC<sup>2</sup> and Directive 95/29/EC<sup>3</sup> on the protection of animals during transport,
  - having regard to the resolution of the Council of Ministers for Agriculture of 19 June 2001 on the protection of animals during transport,
  - having regard to Rule 47 (1) of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0347/2001),
- A. whereas the transport of live animals over long distances and inadequate rules and inspections have contributed to a sudden and dramatic spread of infectious animal diseases such as swine fever and foot and mouth disease,
- B. whereas the compulsory use of staging points on long-distance journeys has also been a contributory factor,
- C. whereas EU legislation is partly to blame for the closure of many smaller slaughterhouses, especially in sparsely populated areas and whereas this has encouraged the long-distance transport of animals for slaughter,
- D. whereas the Directives concerning animal welfare for the long-distance transport of live animals are repeatedly infringed, and whereas application of Member States' monitoring policies is clearly inadequate in structural terms and the penalties policy applied does not have sufficient effect,
- E. whereas, partly on the basis of the Commission report on the experience acquired with the transport directive, it is clear that existing EU legislation has been transposed into national law by all Member States but that compliance therewith is far from adequate,

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<sup>1</sup> OJ C not yet published

<sup>2</sup> OJ L 340 of 11/12/1991, p. 17-27

<sup>3</sup> OJ L 148 of 30/6/1995, p. 52-63

- F. whereas in the case of road transport, differences in statutory travelling and resting periods for animals and statutory driving and rest periods for drivers have not been conducive to compliance with the legislation,
- G. whereas the Council and the Commission have an obligation under the Protocol on animal welfare attached to the Treaty of Amsterdam to take animal welfare into account when formulating and implementing the common transport policy and in particular when laying down certain requirements relating to vehicles used for the transport of animals,
- H. whereas serious abuses repeatedly occur in the case of exports of live animals intended for slaughter in countries outside the European Union,
- I. whereas in the case of imports of live animals, the welfare of such animals must be ensured in accordance with European rules and the introduction of diseases must be prevented,
- J. whereas there are major differences between Member States' policies on the holding of livestock markets and the use of livestock collection centres and auctions, and whereas such differences pose a threat to the free internal market,

Calls on the Council and the Commission to present proposals in the short term for amending existing rules on the transport of animals (cattle, sheep, goats, horses and pigs) and, at all events, to incorporate the following amendments and implement measures concerning inspections;

1. 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, or a distance of 500 km; in the case of transport operations exceeding four hours' duration, or a distance of 250 km, animals should have the use of a lying area and have access to fresh water;
2. Where animals of the species referred to in paragraph 1 are intended for breeding and sporting purposes (and are registered as such), travelling time of more than eight hours, or a distance of more than 500 km, is permitted, subject to a maximum travelling time of 48 hours and the granting of prior authorisation, provided that existing standards are applied so that all animals have access to adequate lying area with clean litter and have individual access to sufficient fresh water and feed; in addition, the means of transport should have mechanical ventilation (irrespective of engine type), and the temperature inside the means of transport must not fall below 5°C or exceed 30°C; for areas where there are no, or hardly any, slaughterhouses within a radius of 500 km, the Commission may, on the basis of specific geographical circumstances, grant temporary dispensation as regards the duration specified in paragraph 1 and the conditions in which transport takes place; the duration specified in paragraph 1 may not, however, be increased by more than 50%;
3. Reminds the Council and the Commission of their duty to pay full regard to the welfare of animals during transport, which is a legal obligation under the Treaty Protocol on Animal Welfare agreed at Amsterdam, and to bring forward a report on how this duty is being fulfilled;

4. Calls on the Commission to consult the Scientific Steering Committee in order to obtain the advice of scientific experts on the duration of animal transport;
5. In the case of small islands and the associated transport by sea, the Commission should present further proposals on the transport of animals in accordance with the requirement concerning the quality of transport in the European Union; however, where animals transported by sea between small islands and a reasonably nearby point on the mainland, or vice versa, are unloaded from the road vehicle and transported on board ship in straw-bedded pens with adequate water, space and ventilation available, such sea transport must not be included in the journey time calculations;
6. The number of Food and Veterinary Office (FVO) inspections to verify implementation of the rules by Member States is to be increased substantially, and the FVO is to appoint at least 15 inspectors by 1 January 2002;
7. Member States are to present a report every 12 months to the Commission on the inspections that have been carried out, indicating in particular the frequency of the inspections, the nature of the shortcomings and infringements found and the penalties applied by the competent authorities;
8. The FVO is to present a detailed inspection report to the Commission and the European Parliament every year;
9. Is concerned that Council Directive 91/628/EEC (as amended by Directive 95/29) is not being adequately enforced; points out that Member States are required to enforce European legislation properly; draws attention to the fact that it is the task of the Commission to ensure that the Member States comply with their obligations; calls for compliance with the Directive and checks on its application;
10. Progress must be made with regard to the Treaty infringement proceedings against Member States that have not yet complied with EU rules on the transport of animals or have not done so fully; the Commission should report every year to the Council and the European Parliament and also send the report to the parliaments of the Member States; the report should also cover the way in which EU rules concerning the protection of animals during transport are complied with;
11. The Commission should, in addition to monitoring compliance with the directives, draw up a policy plan indicating clearly how coordination and communication amongst Member States and between Member States and the Commission can be improved;
12. Calls on the Member States to each produce within six months a management and control plan detailing the steps they intend to take to ensure effective enforcement of Council Directive 91/628/EEC (as amended by Directive 95/29) in respect of journeys which start in, pass through or finish in their territory;
13. Calls on the Member States to strengthen their policies on penalties in respect of infringements by introducing deterrent fines and, in the case of repeated infringements, suspending authorisation for the transport of animals; considers that the Commission

should present a proposal aimed at harmonising the policy on penalties in the European Union as far as possible;

14. Calls on Member States:

- to impose much more stringent penalties on transporters who contravene Council Directive 91/628/EEC (as amended by 95/29);
- to require drivers to carry on the vehicle a copy of their, or their firm's, authorisation;
- to suspend or withdraw a transporter's authorisation in the event of serious or repeated infringements of the Directive;

15. The Commission should present proposals by 1 January 2002 for a harmonised European model certificate for registered transporters and at the same time present a proposal for harmonising the route plans required for long-distance transport according to a European model;

16. Calls on the Commission to examine ways of promoting small, local abattoirs and mobile slaughterhouses in order to ensure that journey time to slaughter is minimised;

17. So as to limit the long-distance transport of live animals, the Commission should present a policy plan by 1 January 2003, indicating how regionalisation of the production chain can be achieved;

18. Calls on the Commission to examine the quality of the transport of animals and to present specific proposals for improving various aspects thereof, taking also into consideration aspects that are not mentioned in the evaluation report; concrete proposals should be forwarded for harmonising travelling/driving and resting/rest periods for animals and drivers, to ensuring that cleaning and disinfecting facilities are available after transport, for defining fitness for transport in the case of animals, for defining space and temperature requirements during transport and for introducing truck certification and driver certification;

19. Calls on the Commission to ensure that any driver and staff of a livestock road vehicle holds a certificate of professional competence recognised by one of the Member States confirming that he has completed a training course for drivers of vehicles intended for the carriage of livestock, in conformity with Community rules on the minimum level of training for road transport drivers;

20. Calls on the Commission to end, with effect from 1 January 2002, the payment of export refunds in respect of live animals for slaughter;

21. When live animals are imported, not only are veterinary checks on the animals to be carried out at the EU border, but also checks to verify that the means of transport used comply with European loading and welfare standards; if the livestock is not to be slaughtered within 24 hours, it is to be placed in quarantine at destination for 30 days, during which time no livestock is to be removed;

22. In the case of imports of live animals, compliance with European loading and welfare standards and rules on the duration of the transport of live animals should be proven at the EU border; if infringements are noted, or if compliance with the above standards and rules



cannot be proven, it should not be possible to import the live animals concerned into the European Union;

23. Calls on the Council as a matter of urgency to establish a common position on the Commission's proposal to improve the construction and design of livestock vehicles (COM (97) 336), bearing in mind that considerable efforts have already been made in this field by individual Member States;
24. Calls on the Commission to ensure that transporters from third countries operate with drivers holding the appropriate EU licence to transport livestock and, if the driver does not hold such a licence, that the cargo is handed over to a licence holder;
25. Calls on the Member States to reject route plans which provide incomplete information or which show that the provisions of Council Directive 91/628/EEC (as amended by Directive 95/29) on journey times, resting periods and watering and feeding are going to be contravened during the intended journey;
26. Calls on Member States of origin to carry out inspections and other controls to ensure that livestock vehicles do not leave their territory when they (i) are overcrowded or (ii) are carrying unfit animals or (iii) do not comply with the additional standards laid down by Council Regulation 411/98 for journeys exceeding eight hours;
27. Calls on Member States of transit or destination to adopt effective systems at places through which animals regularly pass in the course of long journeys for checking that animals are being transported in accordance with the route plan and the requirements of Council Directive 91/628/EEC (as amended by Directive 95/29);
28. Calls on Member States of transit or destination to inform the Member State of origin of any serious deficiencies which they find regarding route plans, vehicle standards or the health and welfare of the animals with the purpose of enabling the Member State of origin to take steps to prevent future occurrences of such deficiencies;
29. Instructs its President to forward this resolution to the Council , the Commission and the parliaments of the Member States.

## EXPLANATORY STATEMENT

### ANIMAL WELFARE DURING TRANSPORT

#### 1. Introduction

The recent foot and mouth crisis has put the widespread practice of transporting animals over long distances clearly under the spotlight. The welfare of animals during transport was brought up for discussion, as were the major risks such transport poses to animal health. Another subject up for discussion was the inadequate application in the various Member States of the rules on the welfare of animals during transport.

In 1977, the Commission adopted its first directive on the protection of animals during transport (77/489/EEC), followed by two further directives. Directive 91/628/EEC set the maximum loading density for the most commonly transported species (horses, cattle, sheep, goats and pigs). The maximum travelling time was set at eight hours. A route plan (itinerary) was also made compulsory. Directive 95/29/EEC, containing provisions on the monitoring of the welfare of animals during transport, was adopted in 1995. It became compulsory for transporters to obtain authorisation from the national authorities in order to be able to transport animals.

#### 2. Commission report on implementation of the EU directives

On 6 December 2000, the Commission published a report to the Council and Parliament on the implementation of these directives in the Member States (COM(2000) 809). Its report is based on reports from the Member States, FVO inspection reports and complaints from NGOs.

The Commission reports in particular on the following findings:

- the low priority accorded in some Member States to implementation of the directives;
- the importation of horses from central and eastern Europe which have already been transported over long distances prior to being imported into the EU;
- non-compliance by transporters with route plans and travelling time limits;
- the transport of animals that are unfit owing to pregnancy or disease;
- inadequate ventilation in road vehicles used in long-distance transport;
- ineffective monitoring of compliance with transporter authorisations.

The Commission intends to present proposals for further measures in the near future, e.g. to improve the training and coordination of inspectors. Consideration is also being given to proposals for introducing a harmonised procedure for certifying and registering transporters, improving the exchange of information and the provision of assistance between Member States and application of EU rules to animals from third countries. The Commission also intends to request a mandate to negotiate on the revised European Convention on the transport of animals.

On the technical front, the Commission intends to adapt the route plan format to take account of the complexity of the chains of transport. Work will also be carried out on health certificates and the definition of the term 'unfit for transport' in the case of animals. Lastly, the

Commission considers it necessary to obtain scientific advice before it can formulate further standards for the transport of animals.

### **3. Conclusions**

Although your rapporteur can endorse the main findings of the Commission report, he regrets the lack of decisiveness displayed by the Commission and the Council so far. Your rapporteur also regrets that various Member States have obviously accorded very low priority to compliance with the directives, and that the Commission has done little to enforce compliance.

As far as the measures that are needed to improve the welfare of animals during transport in the short term, your rapporteur has drawn up a resolution which focuses in particular on the following points:

#### **3.1 Maximum transport time**

It is questionable whether the long-distance transport of animals for slaughter is still acceptable. The foot and mouth crisis and the recent outbreaks of swine fever have shown that transport, as well as affecting animal welfare, poses risks in terms of the spread of disease. This also has major consequences for sectors other than farming. One might well ask why animals have to be transported over long distances when there are slaughterhouses/fattening facilities within a reasonable distance. Policy would therefore be better focused on the transport of meat rather than on the long-distance transport of live animals.

In order to limit the transport of animals, the resolution proposes a maximum transport time. The transport of animals is restricted to a maximum of eight hours, or 500 km. Moreover, transport may exceed four hours' duration, or a distance of 250 km, only if the animals have access to fresh water and lying space. This also solves the problems associated with the staging points that are currently compulsory, because the journey time could be as much as eight hours without a rest period. It has emerged that staging points help spread diseases.

In the case of animals for breeding and sport, an exception is made in respect of the maximum travelling time, up to a maximum of 48 hours, because their high economic value generally ensures that transport conditions are acceptable. Specific conditions do apply to such transport operations, however. A second exception is made in respect of peripheral areas and small islands, where slaughterhouses unfortunately do not always exist, so that more time is required for transport. It must be possible for the Commission to grant temporary dispensations in this respect.

#### **3.2 Collection centres**

One of the main drawbacks of gathering animals together at auctions, livestock markets and animal collection centres is the risk of spreading disease. The setting of a maximum duration for transport of four hours and a maximum distance of 250 km, coupled with the aforementioned maximum transport time, will help prevent a rapid spread of animal diseases.

#### **3.3 Inspection and monitoring**

It is clear from the Commission report that it is not enough to impose requirements if such requirements are not complied with or monitored. Some Member States have still not fully implemented Directives 91/628 and 95/29. Your rapporteur is calling on the Commission to

give high priority to the relevant proceedings against Member States.

In order to be able to exert more pressure as regards Member State compliance, the number of inspectors working for the Food and Veterinary Office (FVO) must be increased. It is important that their findings be reported regularly to the Commission.

In addition, there should be more harmonisation as regards implementation of the rules, e.g. as regards the differences in levels of fines between Member States. The exchange of information amongst Member States and between them and the Commission leaves much to be desired. The ANIMO system which records all transport movements of animal products is used, but technical and static. The Commission must investigate how the system might be made more flexible and more transparent.

In its report, the Commission notes a number of loopholes in current rules and areas where more needs to be done, one example being the use of route plans, in respect of which there is insufficient follow-up and verification. Your rapporteur welcomes the fact that the Commission intends to take action in a number of areas, but would add that it is still necessary to aim high in this field.

### **3.4 Regionalisation**

In view of the experiences of the past few years, it would be advisable to take a critical look at the agricultural production system. There is much to be said for further regionalisation of the production of meat, the advantage being that animals would then be bred, fattened and slaughtered within a single region. This would put an end to the long-distance transport of live animals and contain the risk of spreading diseases. It is good for the environment, animal health and regional employment prospects.

Your rapporteur is calling on the Commission to present a policy plan indicating how further regionalisation of the production chain can be achieved. This applies to the fattening, trade, transport and slaughter sectors alike. Encouraging investment in small slaughterhouses in peripheral regions and on small islands must be part of such an approach.

### **3.5 Quality of transport**

In addition to the points made above, your rapporteur take the view that the quality of transport should receive more attention. This means the quality not only of the means of transport but also of other aspects associated with transport.

The Commission's evaluation report touches on a number of things, including the fitness of animals for transport. The term 'fitness of animals for transport' is not defined in the current directive, so that it is rather ill-defined in practice. Your rapporteur is calling on the Commission to define the term in more detail in order to give veterinarians more guidance when determining the condition of animals being transported.

Another point that is mentioned in the evaluation report is the cleaning and disinfecting of vehicles. In many Member States, there is a lack of good facilities for giving vehicles a thorough clean after transport. In view of the risks of spreading disease because of dirty lorries, the rules in this area must be applied.

The fact that journey times and rest periods for animals differ from driving and rest period for

drivers is a big obstacle to improving the quality of road transport. Infringements occur all too often because of this. The evaluation report does not address this problem. Your rapporteur is therefore calling on the Commission to take incorporate in its proposals provision for aligning the journey/driving and rest periods for drivers and animals.

Your rapporteur would also like to see certification introduced for drivers of vehicles used for the transport of animals. Before receiving certification, such drivers should have to complete a compulsory practical course. The transport of live animals by road should then only be possible using vehicles driven by drivers who hold a certificate.

### **3.6 Imports and exports of animals**

As of 1 January 2002, the Commission should abolish the subsidy on exports of live animals for slaughter to third countries, as this subsidy merely serves to encourage the transport of live animals. Exports of live animals should, as far as practically possible, be replaced by exports of meat, especially as it is difficult in practice to monitor and ensure the welfare of animals beyond the borders of the European Union effectively.

In the case of imports of live animals into the European Union, it is often hard to determine how long such animals have been travelling by the time they reach the border of the European Union. Your rapporteur is proposing that, in addition to the usual checks on animals by a veterinarian, checks be made to ascertain whether the transport operation does in fact meet the standards concerning loading and the EU standards for means of transport. Animals which are not to be slaughtered immediately after arrival should be placed in quarantine at the holding of arrival for 30 days, during which time no animals may be removed.

13 September 2001

## **OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER POLICY**

for the Committee on Agriculture and Rural Development

on the Report from the Commission to the Council and the European Parliament 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))

Draftsman: Patricia McKenna

### **PROCEDURE**

The Committee on the Environment, Public Health and Consumer Policy appointed Patricia McKenna draftsman at its meeting of 10 April 2001.

It considered the draft opinion at its meeting of 12 September 2001.

At the last meeting it adopted the following conclusions by 44 votes to 1, with 1 abstention.

The following were present for the vote: Caroline F. Jackson, chairman; Guido Sacconi and Alexander de Roo, vice-chairmen; Patricia McKenna, draftsman; Per-Arne Arvidsson, María del Pilar Ayuso González, Paolo Bartolozzi (for Karl-Heinz Florenz), Jean-Louis Bernié, Hans Blokland, David Robert Bowe, John Bowis, Hiltrud Breyer, Philip Bushill-Matthews (for Cristina Gutiérrez Cortines), Martin Callanan, Dorette Corbey, Chris Davies, Avril Doyle, Anne Ferreira, Marialiese Flemming, Cristina García-Orcoyen Tormo, Laura González Álvarez, Robert Goodwill, Françoise Grossetête, Jutta D. Haug (for Bernd Lange), Anneli Hulthén, Marie Anne Isler Béguin, Christa Klab, Hans Kronberger, Peter Liese, Torben Lund, Jules Maaten, Minerva Melpomeni Malliori, Jorge Moreira da Silva, Rosemarie Müller, Riitta Myller, Karl Erik Olsson, Marit Paulsen, Frédérique Ries, Dagmar Roth-Behrendt, Giacomo Santini, Karin Scheele, Bart Staes (for Inger Schörling), Catherine Stihler, Robert William Sturdy (for Eija-Riitta Anneli Korhola), Antonios Trakatellis, Roseline Vachetta, Kathleen Van Brempt (for Béatrice Patrie) and Phillip Whitehead.

## SHORT JUSTIFICATION

### Introduction

Each year over 2 million animals – pigs, cattle, sheep and horses – are transported on extremely long journeys across the EU or to or from third countries.

Much of Europe is criss-crossed by these long, cruel journeys. Over a million pigs a year are sent from the Netherlands to Spain and Italy; some are going for slaughter, while piglets are being sent for further fattening. Approximately 140,000 horses a year are exported from Poland and Lithuania to Italian abattoirs. Each year a large number of cattle are transported from Ireland and Germany for further fattening in Spain and Italy. Many young calves are also exported from Ireland on long journeys by sea and road to France, Spain, Italy and the Netherlands. Most of these calves end up in veal crates or other barren systems.

Each year hundreds of thousands of sheep are transported all the way from the UK for slaughter in Italy, Greece and Spain. The absurdity of the trade is highlighted by the fact that Spain *imports* sheep for slaughter from the UK, while at the same time *exporting* sheep for slaughter in Greece.

Many of these journeys take 40 or 50 hours or more. Indeed, sheep going from the UK to Greece and horses being sent from Lithuania to Sardinia may travel for over 90 hours.

The Commission has stated that animals are often subject to negligence, poor handling and brutalities during long distance transport. Trails undertaken by non-governmental organisations show that animals suffer greatly during long journeys, in particular from exhaustion, dehydration and stress. Some get injured, while others collapse on to the floor of the vehicle. In the worst cases many die, usually from heat exhaustion.

This suffering arises from a range of factors including severe overcrowding, high summer temperatures (heat stress is a major threat on long journeys), the lack of water and proper ventilation on many vehicles and the sheer length of the journeys.

### Disease transmission

Long journeys are a key factor in the transmission of infectious disease such as foot-and-mouth (FMD) and classical swine fever. The export of sheep from the UK spread FMD to France and Ireland and, in combination with Irish calves, to the Netherlands.

### Directive failing to protect animals

When adopted in 1995, Council Directive 95/29 was greeted by Member States as a law which would end the suffering involved in long journeys. The Directive has totally failed in this aim, partly due to systematic flouting of the rules and poor enforcement in many Member States and partly because its rules are far too weak.

Provided that some minimal rules on vehicle standards are complied with, the Directive allows traders to transport cattle and sheep for 28 hours, give them food, water and 24 hours rest and then transport them for another 28 hours. Pigs and horses can be transported for 24

hours, given food, water and 24 hours rest and then be transported for another 24 hours. These cycles can be repeated indefinitely. In short, animals can be transported from one end of the EU to another and beyond.

### **Long distance transport of live animals to be replaced by trade in meat**

Most of the animal welfare problems arising from long distance transport would be solved by slaughtering animals near to the farm of rearing and transporting meat or carcasses. This concurs with the view of the Commission's Scientific Veterinary Committee which, when it last looked at transport in detail in 1992, concluded: "the occurrence of poor welfare can be reduced considerably by slaughtering near the point of rearing and transporting meat".

It is not helpful to distinguish between journeys for slaughter and those for further fattening. The impact on animals of problems experienced during long journeys is the same regardless of whether the animal is being transported for slaughter or further fattening. Moreover, having different rules for slaughter and further fattening journeys would make enforcement difficult.

Ending the live trade will not be economically disadvantageous for the EU. If long distance live transport was ended, it does not mean that less meat would be consumed in the EU. Taking the EU as a whole, the same number of animals would be fattened and slaughtered. Whilst there would be a shifting of patterns of economic activity between Member State, overall, there would be just as many gains as losses.

### **Export of live EU cattle to third countries**

About 300,000 live cattle are exported each year from EU countries – mainly Germany, Ireland and France – to the Middle East and North Africa. The journeys last around a week or more. On arrival in the third countries the animals are often treated with great cruelty during unloading, onward transportation and at slaughter.

This inhumane trade is heavily subsidised. In the first 10 months of 2000, the sum of 110.8 million Euros was paid out in export refunds on the export of live cattle to third countries. In previous years the figure has been as high as 290 million Euros. The payment of these export refunds should be ended; it is unacceptable for taxpayers' money to be used to subsidise a trade which results in great animal suffering.

## **CONCLUSIONS**

The Committee on the Environment, Public Health and Consumer Policy calls on the Committee on Agriculture and Rural Development, as the committee responsible, to incorporate the following points in its motion for a resolution:

### **The European Parliament**

1. Believes that much of the suffering involved in long journeys could be avoided if animals were slaughtered near to the farm on which they have been reared; and calls



on the Commission to bring forward a proposal to replace the long distance transport of live farm animals with a trade in meat and to impose a maximum overall journey time of 4 hours on the transport of animals destined for slaughter or further fattening; duly substantiated requests for the total journey time to be extended to eight hours may be authorised on condition that ventilation and drinking water are provided during the journey.

2. Reminds the Council and the Commission of their duty to pay full regard to the welfare of animals during transport, which is a legal obligation under the Treaty Protocol on Animal Welfare agreed at Amsterdam, and to bring forward a report on how this duty is being fulfilled.
3. Calls on the Commission to examine ways of promoting small, local abattoirs and mobile slaughterhouses in order to ensure that journey time to slaughter is minimised.
4. Notes that live EU cattle which are exported to third countries are often treated with great cruelty during the long journeys, during unloading on arrival and onward transportation and at slaughter; and calls on the Commission to bring forward a proposal to end the payment of export refunds and the slaughter premium in respect of the export of live cattle to third countries.
5. Is concerned that Council Directive 91/628/EEC (as amended by 95/29) is not being adequately enforced; points out that Member States are required to enforce European legislation properly; draws attention to the fact that it is the task of the Commission to ensure that the Member States comply with their obligations; calls for compliance with the Directive and checks on its application.
6. Calls on the Member States to each produce within six months a management and control plan detailing the steps they intend to take to ensure effective enforcement of Council Directive 91/628/EEC (as amended by 95/29) in respect of journeys which start in, pass through or finish in their territory.
7. Urges the Commission to ensure that the Food and Veterinary Office gives this issue greater priority and increases the number of its inspections.
8. Calls on Member States:
  - to impose much more stringent penalties on transporters who contravene Council Directive 91/628/EEC (as amended by 95/29);
  - to require drivers to carry on the vehicle a copy of their, or their firm's, authorisation;
  - to suspend or withdraw a transporter's authorisation in the event of serious or repeated infringements of the Directive.
9. Calls on the Commission to ensure that transporters from third countries operate with drivers holding the appropriate EU licence to transport livestock; and if the driver does not hold such a licence, that the cargo is handed over to a licence holder.
10. Calls on the Commission to produce a detailed Guidance Note to the Member States as to the practical steps to be taken to achieve effective enforcement of Council Directive 91/628/EEC (as amended by 95/29).

11. Calls on the Member States to reject route plans which provide incomplete information or which show that the provisions of Council Directive 91/628/EEC (as amended by 95/29) on journey times, resting periods and watering and feeding are going to be contravened during the intended journey.
12. Calls on Member States of origin to carry out inspections and other controls to ensure that livestock vehicles do not leave their territory when they (i) are overcrowded or (ii) are carrying unfit animals or (iii) do not comply with the additional standards laid down by Council Regulation 411/98 for journeys exceeding 8 hours.
13. Calls on Member States of transit or destination to adopt effective systems at places through which animals regularly pass in the course of long journeys for checking that animals are being transported in accordance with the route plan and the requirements of Council Directive 91/628/EEC (as amended by 95/29).
14. Calls on Member States of transit or destination to inform the Member State of origin of any serious deficiencies which they find regarding route plans, vehicle standards or the health and welfare of the animals with the purpose of enabling the Member State of origin to take steps to prevent future occurrences of such deficiencies.
15. Believes that drivers and others handling animals during transport must either attend a training course approved by the competent authority in which they receive instructions on how to handle and care for animals during transport and on the requirements of the laws designed to protect the animals' welfare or, if they claim to have equivalent practical experience, must have their competence and knowledge assessed as satisfactory by an independent assessor before 1st January 2004.
16. Considers that only vehicles equipped with air conditioning or an effective system of forced ventilation should be used for the transport of live animals on journeys of more than four hours' duration.
17. Considers that live horses entering the European Union by road should be fed, watered and rested at the transporter's expense during a 24 hour stopover at border inspection posts, and that the onward journey thereafter should be of no more than eight hours' duration.
18. Calls on the Commission to bring forward a proposal to make it clear that when horses and other animals which arrive at the EU's external frontier from third countries have already been transported for longer than permitted by Council Directive 91/628/EEC (as amended by 95/29) for journeys within the EU, they must be unloaded at or near the frontier and given 24 hours rest, food and water.