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REPORT

on the proposal for a Council regulation on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EEC
(COM(2003) 425 – C5-0438/2003 – 2003/0171(CNS))

Committee on Agriculture and Rural Development

Rapporteur: Albert Jan Maat

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 17 September 2003 the Council consulted Parliament, pursuant to Article 37 of the EC Treaty, on the proposal for a Council directive on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EEC (COM(2003) 425 – 2003/0171(CNS)).

At the sitting of 22 September 2003 the President of Parliament announced that he had referred the proposal to the Committee on Agriculture and Rural Development as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy and the Committee on Regional Policy, Transport and Tourism for their opinion (C5-0438/2003).

The Committee on Agriculture and Rural Development had appointed Albert Jan Maat rapporteur at its meeting of 29 September 2003.

The committee considered the Commission proposal and draft report at its meeting of 25 November 2003, 21 January 2004, 19 February 2004, 15/16 March 2004.

At the latter meeting it adopted the draft legislative resolution by 18 votes to 10, with 5 abstentions.

The following were present for the vote: Joseph Daul, chairman, Friedrich-Wilhelm Graefe zu Baringdorf, María Rodríguez Ramos, vice-chairmen, Albert Jan Maat (rapporteur and vice-chairman), Uma Aaltonen (for Giorgio Celli pursuant to Rule 153(2)), Gordon J. Adam, Elspeth Attwooll (for Karl Erik Olsson), María del Pilar Ayuso González (for Christos Folias), Reimer Böge (for Michl Ebner), Niels Busk, Avril Doyle (for Robert William Sturdy), Juan Manuel Ferrández Lezaun, Christel Fiebiger, Georges Garot, Lutz Goepel, João Gouveia, Cristina Gutiérrez Cortines (for Encarnación Redondo Jiménez pursuant to Rule 153(2)), Liam Hyland, María Izquierdo Rojo, Elisabeth Jeggle, Salvador Jové Peres, Hedwig Keppelhoff-Wiechert, Heinz Kindermann, Wolfgang Kreissl-Dörfler (for Willi Görlach), Véronique Mathieu, Xaver Mayer, Patricia McKenna (for Danielle Auroi pursuant to Rule 153(2)), Jan Mulder (for Giovanni Procacci), Seán Ó Neachtain (for Sergio Berlato pursuant to Rule 153(2)), Neil Parish, Ioannis Patakis (for Dimitrios Koulourianos), Mikko Pesälä, Christa Prets (for Jean-Claude Fruteau), Giacomo Santini (for Francesco Fiori), Agnes Schierhuber, Dominique F.C. Souchet.

The opinions of the Committee on the Environment, Public Health and Consumer Policy and the Committee on Regional Policy, Transport and Tourism are attached.

The report was tabled on 18 March 2004.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council regulation on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EEC (COM(2003) 425 – C5– 0438/2003 – 2003/0171(CNS)).

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 425)¹
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0438/2003),
 - having regard to Rule 67 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 and the Committee on Regional Policy, Transport and Tourism (A5-0197/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1

RECITAL 5

(5) For reasons of animal welfare ***the transport of animals over long distances, including animals for slaughter, should be reduced as far as possible.***

(5) For reasons of animal welfare the animals should be ***in the vehicles for as short a time as possible, for which there is a need to have more than one driver, to minimise the travelling time and the duration of stops. Accordingly, the use of mobile slaughterhouses should be***

¹ Not yet published in OJ.

encouraged, above all in thinly populated and outlying areas.

Amendment 2
RECITAL 10

(10) The unloading and subsequent reloading of animals is more stressful than leaving them resting in the vehicle in good conditions. In addition, contact at staging points between animals from different sources can lead to the spread of infectious disease. Therefore, for animal welfare and animal health reasons the use of staging points should be prevented. Accordingly, Council Regulation (EC) No 1255/97 of 25 June 1997 [16] concerning Community criteria for staging points and amending the route plan referring to in the Annex to Directive 91/628/EEC [17], should be repealed.

(10) The unloading and subsequent reloading of animals is more stressful than leaving them resting in the vehicle in good conditions. In addition, contact at staging points ***and markets*** between animals from different sources can lead to the spread of infectious disease. Therefore, for animal welfare and animal health reasons the use of staging points should be ***avoided, provided that suitable conditions for the animals can be guaranteed***. Accordingly, Council Regulation (EC) No 1255/97 of 25 June 1997 [16] concerning Community criteria for staging points and amending the route plan referring to in the Annex to Directive 91/628/EEC [17], should be repealed.

Amendment 3
RECITAL 10 a (new)

(10a) When long-distance journeys are undertaken, stopping areas should continue to be available at which transport vehicles can be refuelled, animals can be fed and watered if supplies for the journey have unexpectedly run out, lactating animals can be milked, and, in emergencies, the assistance of a veterinarian can be sought.

Amendment 4
RECITAL 15 A (NEW)

(15a) Limiting the transport of animals could have serious economic consequences for peripheral regions, so the Regulation should specify the exemptions required to prevent the regions' commercial isolation.

Amendment 5
RECITAL 16

(16) Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport provides for maximum driving periods and minimum rest periods for road drivers. It is appropriate that journey times for animals are similarly regulated. Council Regulation (EEC) No 3821 of 20 December 1985 on recording equipment in road transport provides for recording equipment to be installed and used to ensure effective checking on compliance with social legislation concerning road transport. ***It is necessary that such record data be made available and checked so as to enforce travelling time limits under animal welfare legislation.***

(16) Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport provides for maximum driving periods and minimum rest periods for road drivers. It is appropriate that journey times for animals are similarly regulated. Council Regulation (EEC) No 3821 of 20 December 1985 on recording equipment in road transport provides for recording equipment to be installed and used to ensure effective checking on compliance with social legislation concerning road transport. ***For animal transport control of the travelling time and the route and activities during the journey of the vehicle one must use a GPS system, that can result in an automated system of control of animal transport.***

Amendment 6
RECITAL 16 A (new)

(16a) Owing to their great flexibility and versatility, the application of new satellite positioning and mobile communication technologies to tracking and tracing systems meet the requirements of the new “animal protection during transport” policies planned at Community level. These technologies enable animal transport vehicle to be tracked, traced, monitored, and controlled. With regard to satellite positioning, the Galileo project launched by the European Union in 2002 (Council Regulation (EC) No 876/2002) is scheduled to provide, as of 2008, services which are optimal for these purposes.

Amendment 7
RECITAL 25 a (NEW)

(25a) In the interests of animal welfare and animal and public health, movements

should be kept to the minimum consonant with good farming practice.

Amendment 8
RECITAL 25 (b) (NEW)

(25b) The slaughter of animals as close as possible to their place of rearing should be given priority, leading to the development of local slaughterhouses and hence employment, in particular in disadvantaged rearing areas,

Amendment 9
ARTICLE 1

2. This Regulation shall not apply to the transport of a single animal accompanied by the person who is responsible for it during transport.

2. This Regulation shall not apply to the transport of a single animal accompanied by the person who is responsible for it during transport, *for transport in connection with traditional pasturing and transhumance, nor shall it apply to equidae being transported for breeding or competition purposes that are identifiable through individual passports. It shall likewise not apply to the transport of animals intended for public performances or shows, cultural, sporting or training activities, restocking or centres exhibiting animal life and the natural world.*

The sectors excluded from this Regulation must supply the competent authorities with details of their customary transport practices, in addition to being regularly inspected and demonstrating compliance with the respective specific requirements so as to guarantee the welfare of animals to be transported.

Amendment 10
ARTICLE 1, PARAGRAPH 2 (A) (NEW)

2. (a) This Regulation shall not be an obstacle to any stricter national measures, including a total ban on the export of live equidae intended for production or slaughter, aimed at improving the welfare

of animals during transport taking place entirely within the territory of a Member State or during transport by sea, departing from the territory of a Member State.

Amendment 11
ARTICLE 2, POINT (A) b (new)

'certified breeding animals' means animals intended for breeding for which a herd-book certificate has been issued.

Amendment 12
ARTICLE 2, POINT (C)

(c) 'attendant' means a person directly in charge of the welfare of the animals who accompanies them during a journey;

(c) 'attendant' means a person directly in charge of the welfare of the animals who accompanies them during a journey *and during loading and unloading*;

Amendment 13
ARTICLE 2, POINT K A (new)

ka. Journey for slaughter means a journey of animals which are slaughtered within one month after arrival at the place of destination after a journey.

Amendment 14
ARTICLE 3 a (NEW)

The slaughter of animals as close as possible to their place of rearing shall be given priority. The development of local slaughterhouses and hence employment in disadvantaged areas, shall form part of rural development policy.

In order to minimise the duration of the journey or to obviate the need to transport slaughter animals, the use of mobile slaughterhouses under Regulation (EC) No 1257/1999 on support for rural development shall be encouraged.

Amendment 15
ARTICLE 3 b (NEW)

The Commission shall review the rules on state aid with a view to ensuring that sufficient support can be given to local abattoirs to allow them both to conform with the required standards and be financially viable.

Amendment 16
ARTICLE 6, PARAGRAPH 7

7. Paragraphs 1, 2 and 4 shall not apply to persons transporting animals up to a maximum distance of **50 km** counted from the place of departure to the place of destination.

7. Paragraphs 1, 2 and 4 shall not apply to persons transporting animals up to a maximum distance of **100 km** counted from the place of departure to the place of destination.

Amendment 17
ARTICLE 7, PARAGRAPH 1

1. No person shall transport animals by road over **long-distance journeys** unless the means of transport has been inspected and approved under Article 17(1).

1. No person shall transport animals by road over **more than 100 km from the place of departure to destination** unless the means of transport has been inspected and approved under Article 17(1).

Amendment 18
ARTICLE 9, PARAGRAPH 1 (A) (NEW)

1(a). Operators of assembly centres shall ensure that animals have easy and constant access to fresh, clean water.

Amendment 19
ARTICLE 9, PARAGRAPH 2, POINT (a)

(a) entrust the handling of animals only to personnel who have followed training courses on the relevant technical rules set out in Annex I;

(a) entrust the handling of animals only to personnel who have followed training courses on the relevant technical rules set out in Annex I ***and on animal physiology and drinking and feeding needs, animal behaviour and the factors causing stress, and, in particular, the practical aspects of***

handling of animals and emergency care for animals.

Amendment 20
ARTICLE 10, HEADING

Authorisations for transporters *operating long-distance journeys*

Authorisations for transporters *transporting animals over a distance of more than 100 km from the place of departure to destination*

Amendment 21
ARTICLE 10, POINT (e) (i)

(i) valid training certificates for drivers as provided for in Article 16 (2) for all the drivers intended to operate *long distance* journeys;

(i) valid training certificates for drivers as provided for in Article 16 (2) for all the drivers intended to operate journeys *of more than 100 km or two hours*;

Amendment 22
ARTICLE 10, POINT (e) (ii)

(ii) valid certificates of approval as provided for in Article 17 (2) for all means of transport by road intended to be used for *long distance* journeys;

(ii) valid certificates of approval as provided for in Article 17 (2) for all means of transport by road intended to be used for journeys *of more than 100 km or two hours*;

Amendment 23
ARTICLE 11

Authorisations for transporters not operating long distance journeys

delete

1. The competent authority shall grant authorisations to transporters not operating long distance journeys upon application, provided that they comply with points (a) to (d) of Article 10(1).

2. The competent authority shall issue such authorisations in accordance with the specimen set out in Chapter II of Annex III and valid for not more than five years from the date of issue.

Amendment 24
ARTICLE 12

1. The competent authority may limit the scope of an authorisation provided for in Article 10(1) *or Article 11(1)* according to criteria that may be verified during transport.
2. The competent authority shall issue each authorisation provided for in Article 10(1) *or Article 11(1)* with a number unique in the Member State. The authorisation shall be drawn up at least in one of the official languages of the Member State of issue and two other official languages of the Community.
3. The competent authority shall record authorisations provided for in Article 10(1) *or Article 11(1)* in a manner enabling the competent authority to identify transporters rapidly in particular in the event of failure to comply with the requirements of this Regulation.

1. The competent authority may limit the scope of an authorisation provided for in Article 10(1) according to criteria that may be verified during transport.
2. The competent authority shall issue each authorisation provided for in Article 10(1) with a number unique in the Member State. The authorisation shall be drawn up at least in one of the official languages of the Member State of issue and two other official languages of the Community.
3. The competent authority shall record authorisations provided for in Article 10(1) in a manner enabling the competent authority to identify transporters rapidly in particular in the event of failure to comply with the requirements of this Regulation.

Amendment 25
ARTICLE 12, PARAGRAPH 2

2. The competent authority shall issue each authorisation provided for in Article 10(1) or Article 11(1) with a number unique in the Member State. The authorisation shall be drawn up at least in one of the official languages of the Member State of issue and two other official languages of the Community.

2. The competent authority shall issue each authorisation provided for in Article 10(1) or Article 11(1) with a number unique in the Member State. The authorisation shall be drawn up at least in one of the official languages of the Member State of issue and in two other official languages of the Community, *one of them being English*.

Amendment 26
ARTICLE 13, POINT C

- (c) send details as soon as possible of the intended long distance journey set out in the journey log to the competent authority of the place of destination or of the exit point.

- (c) send details as soon as possible of the intended long distance journey set out in the journey log to the competent authority of the place of destination or of the exit point. *For this purpose the competent authority shall notify as soon as possible all transports that it has accepted to be in compliance with this Regulation through*

the information exchange system referred to in Article 20 of Directive 90/425/EEC.

Amendment 27

ARTICLE 14

The competent authority shall *carry* out at any stage of the long distance journey appropriate checks on a random or targeted basis to verify that declared journey times are credible and *comply* with this Regulation. *In particular the competent authority shall verify that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.*

The competent authority shall *have carried* out *by qualified representatives* at any stage of the long distance journey appropriate *official* checks on a random or targeted basis *concerning aspects which are of relevance to animal welfare* to verify that declared journey times are credible and *that the journey complies* with this Regulation. *The number of animals to be checked and the number of checks shall cover at least 20% of journeys, of which at least 10% shall be in the form of a spot check on the road. Member States shall ensure that the relevant inspection authorities have at their disposal sufficient qualified staff to carry out the checks mentioned above.*

If the checks are delegated to more than one authority, the central authority of the Member State shall ensure that the checks are coordinated, particularly in order to prevent duplication of checks, so as not to delay transport unnecessarily.

The competent authority shall record the outcome of the checks carried out on long distance journeys within the information exchange system referred to in Article 20 of Directive 90/425/EEC.

Amendment 28

ARTICLE 14, PARAGRAPH 1 A (new)

The use of satellite positioning and mobile communications technologies shall be used for carrying these checks.

Amendment 29
ARTICLE 15, SENTENCE 2 (new)

The training shall be organised within the framework of this regulation in the Member States on the basis of uniform criteria.

Amendment 30
ARTICLE 16, PARAGRAPH 1

1. Training courses shall be available for personnel of transporters and assembly centres for the purposes of Article 6(4) and Article 9(2)a.

1. Training ***and further training*** courses shall be available for personnel of transporters and assembly centres ***and a certification procedure established*** for the purposes of Articles 6(4) and 9(2)a.

Amendment 31
ARTICLE 16, PARAGRAPH 2

2. The training certificate for drivers of road vehicles transporting ***domestic equidae or domestic animals of bovine, ovine, caprine, porcine species or poultry*** as referred to in Article 6(5) shall be granted in accordance with Annex IV. The training certificate shall be drawn up in at least one of the official languages of the Member State where it is issued and of two other official languages of the Community. The training certificate shall be issued by the competent authority or body designated for this purpose by the Member States and in accordance with the specimen set out in Chapter III of Annex III.

2. The training certificate for drivers of road vehicles transporting ***animals*** as referred to in Article 6(5) shall be granted in accordance with Annex IV. The training certificate shall be drawn up in at least one of the official languages of the Member State where it is issued and of two other official languages of the Community. ***One of these languages must be English.*** The training certificate shall be issued by the competent authority or body designated for this purpose by the Member States and in accordance with the specimen set out in Chapter III of Annex III. ***A certificate of completion of the regular course at an agricultural college or similar training shall be deemed to constitute a training certificate as referred to in Annex IV.***

Amendment 32
ARTICLE 16, PARAGRAPH 2 A (new)

2a. The scope of the training certificate may be limited to a specific species, subgroup, transport times or period of time.

Amendment 33
ARTICLE 16, PARAGRAPH 2 B (NEW)

2b. The personnel responsible have to brush up their knowledge at suitable intervals to include further scientific developments in animal handling.

Amendment 34
ARTICLE 17, PARAGRAPH 1, INTRODUCTORY PHRASE

1. The competent authority or body designated by *the* Member State shall grant a certificate of approval for means of transport by road used for ***long-distance journeys*** upon application provided that the means of transport:

1. The competent authority or body designated by *the* Member State shall grant a certificate of approval for means of transport by road used for journeys ***of more than 100 km between the place of departure and destination*** upon application provided that the means of transport:

Amendment 35
ARTICLE 17, PARAGRAPH 1, POINT (B)

(b) have been favourably inspected by the competent authority regarding the requirements of Chapters II and VI of Annex I applicable to the design, the construction and the maintenance of means of transport by road ***used for long distance journeys***.

(b) have been favourably inspected by the competent authority regarding the requirements of Chapters II and, ***in case of means of transport on road for long distance journeys***, VI of Annex I applicable to the design, the construction and the maintenance of means of transport by road.

Amendment 36
ARTICLE 17, PARAGRAPH 2

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State and in accordance with the specimen set out in Chapter IV of Annex III. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community. Certificates shall be valid for a period of not more than ***five*** years from the date of

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State and in accordance with the specimen set out in Chapter IV of Annex III. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community, ***one of them being English***. Certificates shall be valid for a period of not more than ***three*** years from the date of issue and shall

issue and shall *be renewed any time* the means of transport is modified or refitted.

become invalid as soon as the means of transport is modified or refitted.

Amendment 37
ARTICLE 17, PARAGRAPH 2 A (new)

2a. The competent authority shall record the certifications of the approval of the means of transport in an electronic database in a manner enabling competent authorities in all Member States to identify a means of transport rapidly in particular in the event of failure to comply with the requirements of this regulation.

Amendment 38
ARTICLE 18, PARAGRAPH 1 (A)

(a) *regularly* operated from the Member State where the application is made;

(a) operated from the Member State where the application is made;

Amendment 39
ARTICLE 18, PARAGRAPH 2

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community. Certificates shall not be valid for a period of more than five years from the date of issue and shall be renewed any time the livestock vessel is modified or refitted.

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community, *one of them being English*. Certificates shall not be valid for a period of more than five years from the date of issue and shall be renewed any time the livestock vessel is modified or refitted.

Amendment 40
ARTICLE 18, PARAGRAPH 3

The competent authority shall record approved livestock vessels in a manner enabling them to be rapidly identified in particular in the event of failure to comply with this Regulation.

The competent authority shall record approved livestock vessels *in an electronic database* in a manner enabling them to be rapidly identified in particular in the event of failure to comply with this Regulation.

Amendment 41
ARTICLE 18, PARAGRAPH 3 A (NEW)

3a. All vehicles in each Member State shall be licensed for the species of animal they will be allowed to carry, also the weight and size of the animals will effect the number of animals the individual vehicle will be allowed to carry. Each vehicle will be 'plated' with the relevant information so that it can be enforced throughout the EU.

Amendment 42
ARTICLE 19, PARAGRAPH -1 (NEW)

-1. Before loading begins, the transporter shall complete fully and correctly the 'route plan for livestock vessels' as provided for in Chapter IV A of Annex III, after which the route plan shall be submitted to the competent authority.

Amendment 43
ARTICLE 19, PARAGRAPH 1, INTRODUCTION

1. The competent authority shall inspect livestock vessels before any loading of animals in order to verify in particular that:

1. The competent authority shall inspect livestock vessels before any loading of animals in order to verify **the correctness of the presented 'journey plan for livestock vessels' and** in particular that:

Amendment 44
ARTICLE 20, PARAGRAPH 1, INTRODUCTION

1. Without prejudice to the checks provided for in Article 2 of Regulation (EC) No 639/2003 **where animals are presented at exit points or border inspection posts**, official veterinarians of the Member States shall check that the animals are transported in compliance with this Regulation and in particular:

1. Without prejudice to the checks provided for in Article 2 of Regulation (EC) No 639/2003, official veterinarians of the Member States shall check **at exit points and border inspection posts** that the animals are transported in compliance with this Regulation and in particular:

Amendment 45
ARTICLE 20, PARAGRAPH 1, POINT F A (new)

(fa) that, in case of imports and exports, transporters have provided evidence that the journey from the place of departure up to the place of destination indicates compliance with the journey times fixed in chapter V of Annex I.

Amendment 46
ARTICLE 20, PARAGRAPH 2

2. In the case of long distance journeys for domestic equidae and domestic animals of bovine, ovine, caprine and porcine species official veterinarians of exit points and border inspection posts shall perform and record the checks listed in the Section 3 "Place of destination" of Annex II. Records of those checks and the check provided for in paragraph 1 shall be kept by the competent authority for a period of at least five years from the date of the checks including a copy of the corresponding record sheet or printing as referred to in Annex I or Annex IB to Regulation (EC) No 3821/85 if the vehicle is covered by that Regulation.

2. In the case of long distance journeys *or journeys for slaughter of* domestic equidae and domestic animals of bovine, ovine, caprine and porcine species official veterinarians of exit points and border inspection posts shall perform and record the checks listed in the Section 3 "Place of destination" of Annex II. Records of those checks and the check provided for in paragraph 1 shall be kept by the competent authority for a period of at least five years from the date of the checks including a copy of the corresponding record sheet or printing as referred to in Annex I or Annex IB to Regulation (EC) No 3821/85 if the vehicle is covered by that Regulation.

Amendment 47
ARTICLE 20, PARAGRAPH 3

3. Where the competent authority considers that animals have been neglected or maltreated during the journey *and are therefore* not fit to *complete* their journey, they shall be unloaded, watered, fed and rested.

3. Where the competent authority considers that animals have been neglected or maltreated during the journey *or are* not fit to *continue* their journey, they shall be unloaded, watered, fed and rested *for a period of at least 24 hour and if necessary, action shall be taken in accordance with Article 22.*

Amendment 48
ARTICLE 20, PARAGRAPH 3 A (new)

3a. If, in case of imports, animals are not transported in compliance with this

Regulation and in particular with provisions laid down in no. 1, lit a, b, c, d, f, or f (a), no. 2 or no. 3, the competent authority shall refuse the entry of the animals on the territory of the European Union.

Amendment 49
ARTICLE 20, PARAGRAPH 3 (B) (NEW)

3b. All animals imported for slaughter shall be unloaded at or near to the border inspection post and rested for a period of 24 hours, with the provision of food and water, unless their journey to the slaughterhouse can be completed within two hours. This provision would not apply if the countries of origin and transit have transposed Community welfare legislation into their own legislation and the imported animals meet all the requirements of this Regulation.

Amendment 50
ARTICLE 20, PARAGRAPH 3 C (new)

3c. If, in case of exports, animals are not transported in compliance with this Regulation and in particular with provisions laid down in no. 1, lit a, b, c, d, e or f, no. 2 or no. 3, the competent authority shall prohibit the leaving of the animals from the territory of the European Union.

Amendment 51
ARTICLE 21, PARAGRAPH 2 A (new)

2a. The competent authority shall ensure that the official checks required pursuant to Article 14 are organised and performed in such a way that the journeys can continue immediately. The duration of a check should not exceed 30 minutes.

Amendment 52
ARTICLE 22, PARAGRAPH 2, POINT D)

(d) returning the animals to their place of departure by the most direct route;

(d) returning the animals to their place of departure by the most direct route, ***or allow the animals to continue to their place of destination by the most direct route, whichever would be the most humane.***

Amendment 53
ARTICLE 22, PARAGRAPH 2 A (new)

2a. The competent authority of each member state shall identify a sufficient number of suitable unloading premises and notify the Commission hereof in a regular time period.

Amendment 54
ARTICLE 23, PARAGRAPH 2

2. Each Member State shall communicate details of a contact point for the purposes of this Regulation to the Commission, including, ***where available***, an electronic address, ***within three months of the date of entry into force of this Regulation as well as any update of such data. The Commission shall forward details of the contact point to the other Member States within the framework of the Standing Committee on the Food Chain and Animal Health.***

2. Each Member State shall communicate details of a contact point for the purposes of this Regulation to the Commission, including an electronic address. ***The Commission shall create, no more than six months after the entry into force of this regulation, a central electronic data base to which all information shall be sent pursuant to Article 25(7) by the contact point determined by each Member State pursuant to Article 23(2). The Commission shall be responsible for the management of this data base within the framework of the Standing Committee on the Food Chain and Animal Health.***

Amendment 55
ARTICLE 24

The Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and

The Member States shall lay down the rules on penalties ***which shall be uniform throughout the EU***, applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for

dissuasive. The Member States shall notify those provisions, as well as provisions for the application of Article 25, to the Commission by dd/mm/yy insert 18 months after the date of publication at the latest and shall notify it without delay of any subsequent amendment affecting them.

must be effective, proportionate and dissuasive. The Member States shall notify those provisions, as well as provisions for the application of Article 25, to the Commission by dd/mm/yy [insert 18 months after the date of publication] at the latest and shall notify it without delay of any subsequent amendment affecting them.

In case of negligent or deliberate infringements causing severe suffering of animals, the transporter's authorisation shall be withdrawn for one year and all the employees shall be required to undergo appropriate training. In case of negligent or deliberate infringements causing severe suffering of animals, penalties must include the possibility of imprisonment up to two years.

Amendment 56

ARTICLE 25, PARAGRAPH 2

2. Where a competent authority establishes that a transporter has not observed, or a means of transport does not comply with this Regulation, it shall notify without delay the competent authority that granted the authorisation to the transporter or the certificate of approval of the means of transport. Any relevant data and documents shall accompany such notification.

2. Where a competent authority establishes that a transporter has not observed, or a means of transport does not comply with this Regulation, it shall notify without delay the competent authority that granted the authorisation to the transporter or the certificate of approval of the means of transport ***and, where the driver is involved in the failure to observe this Regulation, the competent authority that issued the driver's training certificate.*** Any relevant data and documents shall accompany such notification.

Amendment 57

ARTICLE 25, PARAGRAPH 4 A (new)

4a. In case of three infringements of this Regulation within one year, the competent authority shall suspend or withdraw the authorization of the transporter and, if appropriate, the certificate of approval of the means of transport concerned for at least one year.

Amendment 58
ARTICLE 25, PARAGRAPH 5

5. In the case of infringement of this Regulation by a driver holding a training certificate as provided for in Article 16 (2), the competent authority *may* suspend or withdraw the training certificate, in particular if the infringement shows that the driver lacks sufficient knowledge or awareness to transport animals in compliance with this Regulation.

5. In the case of infringement of this Regulation by a driver holding a training certificate as provided for in Article 16 (2), the competent authority *shall* suspend or withdraw the training certificate, in particular if the infringement shows that the driver lacks sufficient knowledge or awareness to transport animals in compliance with this Regulation *unless the infringement is minor and did not impair the animals' welfare or there are particular circumstances which indicate that the infringement was outside the driver's control.*

Amendment 59
ARTICLE 25, PARAGRAPH 6

6. In the case of *repeated or serious* infringements of this Regulation, a Member State may temporarily prohibit the transporter or means of transport concerned from transporting animals on its territory, even if the transporter or the means of transport is authorised by another Member State, provided that all the possibilities afforded by mutual assistance and exchange of information as provided for in Article 23 have been exhausted.

6. In the case of infringements of this Regulation, a Member State may, *depending on the seriousness of the offence, temporarily or entirely* prohibit the transporter or means of transport concerned from transporting animals on its territory, even if the transporter or the means of transport is authorized by another Member State, provided that all the possibilities afforded by mutual assistance and exchange of information as provided for in Article 23 have been exhausted.

Amendment 60
ARTICLE 25, PARAGRAPH 7

7. Member States shall ensure that *all the contact points* as provided for in Article 23(2) *are* notified *without delay* of any decision taken under paragraph 4 (c), or paragraphs 5 or 6.

7. Member States shall ensure that the *electronic database* provided for in Article 23(2) *is* notified of any decision taken under paragraph 4 (c), or paragraphs 5 or 6.

Amendment 61
ARTICLE 26, PARAGRAPH 1

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of the animals transported each year within each Member State, and may be carried out at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded. The above proportions shall be determined in accordance with the procedures referred to in Article 30 (2).

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion ***of at least 10%*** of the animals transported each year within each Member State, and may be carried out at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded. The above proportions shall be determined in accordance with the procedures referred to in Article 30 (2).

Amendment 62
ARTICLE 26, PARAGRAPH 2

2. The competent authority shall submit to the Commission by 30 June each year an annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them.

2. The competent authority shall submit to the Commission by 30 June each year an annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them ***and documentation on the sanction measures taken by the authorities. The report shall be made available to the European Parliament and the Member States on request.***

Amendment 63
ARTICLE 27

Veterinary experts from the Commission may, in collaboration with the authorities of the Member State concerned and, in so far as it is necessary to ensure uniform application of this Regulation, make on-the-spot checks in accordance with the

Veterinary experts from the Commission may, in collaboration with the authorities of the Member State concerned and, in so far as it is necessary to ensure uniform application of this Regulation, make on-the-spot checks in accordance with the procedures laid down in Commission

procedures laid down in Commission Decision 98/139/EC¹.

Decision 98/139/EC² *during at least one mission per Member State per year.*

Amendment 64
ARTICLE 28, PARAGRAPH 1

Guides to good practice

Member States *shall encourage the development* of guides to good practice which shall include guidance on compliance with this Regulation and in particular with Article 10(1).

Guides to good practice *and Certification Schemes*

1. Member States shall *develop* guides to good practice *and certification schemes* which shall include guidance on compliance with this Regulation and in particular with Article 10(1). *Such guides shall be drawn up at national level, among a number of Member States, or at Community level. Dissemination and use of national and Community guides shall be encouraged. However, their use shall be optional.*

2. Certification schemes for transporters carrying out long distance journeys shall include guidance on compliance with this Regulation and ensure animal welfare standards that exceed the minimum standards laid down in this regulation.

Participation in a certification scheme is obligatory for certain long distance transporters, as specified in Annex I.

Amendment 65
ARTICLE 29, PARAGRAPH 1

1. The Annexes may be amended in accordance with the procedure referred to in Article 30(2).

1. The Annexes *to this Regulation shall be amended by the Council acting by a qualified majority on a proposal of the Commission and after consultation of the European Parliament, except as regards Annex III, IV, V and VI, which* may be amended in accordance with the procedure referred to in Article 30(2).

¹ OJ L 38, 12.2.1998, p. 10.

² OJ L 38, 12.2.1998, p. 10.

Amendment 66
ARTICLE 29, PARAGRAPH 6 a (NEW)

6a. The Commission shall draw up a report, which it shall forward to the European Parliament, making it possible to assess the impact of this Regulation on all sectors affected by the tightening of rules on animal welfare during transport. Any further amendment of the rules contained in the annexes to this Regulation and which may result from the application of Article 29(1) shall form the subject of a prior impact assessment, which shall also be forwarded to the European Parliament.

Amendment 67
ARTICLE 30b (NEW)

30b. Since the impact of this Regulation on animal welfare needs to be demonstrated scientifically, the European Commission shall submit, by a deadline of five years after its entry into force, a report on the development of acute-phase protein research, if necessary accompanied by proposals to revise the Regulation.

Amendment 68
ARTICLE 32.2, PARAGRAPH 1, LETTER (b), POINT (i)

(i) *have appropriate* cleaning and disinfection facilities approved by the competent authority, including facilities for storing litter and dung; or

(i) ***The Member States shall make available to transporters the facilities needed to clean and disinfect vehicles. These facilities shall be*** approved by the competent authority, including facilities for storing litter and dung; or

Amendment 69
ARTICLE 33
Annex A point II, paragraph 3, directive 93/119/CE)

3. Animals must be moved with care. Passageways must be so constructed as to minimise the risk of injury to animals, and

3. Animals must be moved with care. Passageways must be so constructed as to minimise the risk of injury to animals, and

so arranged as to exploit their gregarious tendencies. Instruments intended for guiding animals must be used solely for that purpose, and only for short periods.'

so arranged as to exploit their gregarious tendencies. Instruments intended for guiding animals must be used solely for that purpose, and only for short periods.
The use of instruments which administer electric shocks shall be prohibited.

Amendment 70
ARTICLE 34

It shall apply from dd/mm/yy [insert **18** months after the date of publication].

It shall apply from dd/mm/yy [insert **24** months after the date of publication].

Amendment 71
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT E

(e) they are pigs of less than **four** weeks, lambs of less than one week and calves of less than two weeks of age ***unless they are transported less than 100 km;***

(e) they are pigs of less than **three** weeks, lambs of less than one week and calves of less than two weeks of age;

Amendment 72
ANNEX I, CHAPTER I, PARAGRAPH 3, INTRODUCTORY SENTENCE

3. However, ill or injured animals may be considered fit for transport if they are:

3. However, ill or injured animals may be considered fit for ***transporting for short distances*** if they are:

Amendment 73
ANNEX I, CHAPTER II, PARAGRAPH 1, SUBPARAGRAPH 1, POINT H A (new)

(ha) be equipped, from 2008 onwards, with the appropriate satellite navigation equipment, allowing for recording and transmission of positioning information to the competent authorities.

Amendment 74
ANNEX I, CHAPTER II, PARAGRAPH 1.1, POINT (H B) (new)

(hb) provide external and internal ramps that are not steeper than 30 % on the horizontal level, equipped with cleats with intervals at a maximum of 30 centimetres.

Amendment 75
ANNEX I, CHAPTER II, PARAGRAPH 1, SUBPARAGRAPH 5

1.5 *Piglets of less than 10 kg, lambs of less than 20 kg, calves of less than six months and foals of less than four months of age shall be provided with appropriate bedding material. It shall be sufficient to allow the animals to lie down without being in direct contact with the floor.*

1.5 *All animals shall be provided with adequate and appropriate bedding material which shall be sufficient to allow the animals to lie down without being in direct contact with the floor. This material has to ensure adequate absorption of urine and faeces.*

Amendment 76
ANNEX I, CHAPTER III, PARAGRAPH 1.4

1.4 Ramps shall not be steeper than **33,3 % on the horizontal level** for pigs, calves and horses **and than 50 % for sheep and cattle other than calves provided that ramps are** equipped with cleats with intervals at a maximum of 30 centimetres.

1.4 *External and internal* ramps shall not be steeper than **30 %** for pigs, calves and horses, sheep and cattle **and shall be** equipped with cleats with intervals at a maximum of 30 centimetres.

Amendment 77
ANNEX I, CHAPTER III, PARAGRAPH 1.11, POINT (F) A (NEW)

(fa) Sexually mature male and female animals.

Amendment 78
ANNEX I, CHAPTER IV, PARAGRAPH 9 A (new)

(9a) A satellite navigation system to record on a continuous basis journey positioning information, as well as transmission of such data on request to the competent authorities.

Amendment 79
ANNEX I, CHAPTER V, INTRODUCTION, SUBPARAGRAPH B

(b) 'travel time' means a period during a journey which is not interrupted by a minimum rest period as provided for in points (d) and (e) of paragraph 1.1 of section 1.

(b) 'travel time' means a period during a journey which is not interrupted by a minimum rest period as provided for in points (d) and (e) of paragraph 1.1 of section 1. *In the interests of animal welfare, transport may be extended by two hours in the event of unforeseeable delays (traffic jams, breakdown, accident,*

diversions, force majeure, etc.), taking account in particular of the proximity of the destination or the resting place envisaged in the transport plan.

Amendment 80

ANNEX I, CHAPTER V, JOURNEY TIMES, PARAGRAPH 1, SUBPARAGRAPH -1
(new)

-1. Journeys by road and rail for slaughter of animals such as domestic equidae and domestic animals of bovine, ovine, caprine and porcine species are only permitted if travel times do not exceed 9 hours. This restriction shall not apply if there are not at least two slaughterhouses available within a radius of 500 km from the place of departure. Member States may apply shorter transport periods for transport within their own territory or ban exports of certain species for moral reasons.

Amendment 81

ANNEX I, CHAPTER V, PARAGRAPH 1.1 D (A) (NEW)

(da) for transport by road, certified according to the provisions in article 28 paragraph 2, travel times do not exceed travel times for drivers as set in Council Regulation 3820/85. Sequences of travel times may be repeated during a journey. In the interest of the animals the maximum journey time may be extended by maximum 2 hours taking into account proximity of the final destination.

Amendment 82

ANNEX I, CHAPTER VI, PARAGRAPH 1, SUBPARAGRAPH 2

1.2 Equidae shall have permanent access to hay

1.2 Equidae shall have access to hay *and water every 9 hours.*

Amendment 83
ANNEX I, CHAPTER VI, POINT 1.7

1.7 Animals shall not be tied during movements of the means of transport. This provision does not apply for registered equidae as referred to in Directive 90/426/EEC.

1.7 Animals shall not be tied during movements of the means of transport. This provision does not apply for registered equidae as referred to in Directive 90/426/EEC. ***However, tying shall be permitted, exceptionally, if this is necessary on grounds of animal welfare and/or occupational health and safety and adequate feed and water are provided.***

Amendment 84
ANNEX I, CHAPTER VI, ARTICLE I, PARAGRAPH 1, SUBPARAGRAPH 9 A (new)

9a. Bovines should be transported in a group of maximum 8 adult cattle or 15 calves; pigs in a group of maximum 15 pigs/young sows, 60 piglets (<10 kg) , 32 young pigs (10-30 kg), sheep and goats in groups of maximum 30 animals.

Amendment 85
ANNEX I, CHAPTER VI, PARAGRAPH 3, SUBPARAGRAPH 1

3.1 Ventilation systems on road vehicles shall be designed, constructed and maintained in such way ***hat, at any time during the journey, whether the vehicle is stationary or moving, they are capable of maintaining the temperature adjusted for humidity in the vehicle between the maximum and minimum temperatures set out in Table 1;***

3.1 Ventilation systems on road vehicles shall be designed, constructed and maintained in such way ***as to ensure that a temperature range between 5° and 30° C is maintained for all animals inside the vehicle, with a tolerance of +5° C depending on the outside temperature;***

Amendment 86
ANNEX I, CHAPTER VI, TABLE 1
Species–Type/weight/age–Minimum temperature/Maximum temperature °C

This table is deleted.

Amendment 87
ANNEX I, CHAPTER VII, PARAGRAPH 1, SUBPARAGRAPH 2 A (new)

2a. In case of long distance transport by sea, an additional 10% shall be given to

*pregnant females in the last third of
estation, non castrated bulls and bovines
shipped to destinations south of the 30th
parallel for the minimum floor area set
out in Tables 1, 2 and 3.*

Amendment 88
ANNEX I, CHAPTER VII, POINT 1.7 a (new)

*7a. The height of the compartments must
permit all animals to stand upright
naturally, with sufficient space above the
highest part of the body to allow adequate
ventilation. The internal height of the
compartment must be at least 10 cm more
than the height of the withers of the
largest animal.*

Amendment 89
ANNEX I, CHAPTER VII, TABLE 1, EQUIDAE

Area A1 per animal in m2		Area A1 per animal in m2	
50	0,488	50	0,50
100	0,625	100	0,60
150	0,763		
200	0,900	200	0,90
250	1,038		
300	1,175	300	1,20
350	1,313		
400	1,450	400	1,50
450	1,588		
500	1,725	500	1,70
550	1,863		
600	2,000	600	1,90
650	2,125		
700	2,250	700	2,00
750	2,375		
800	2,500		

Amendment 90
ANNEX I, CHAPTER VII, TABLE 2, SHEEP AND GOATS

Average weight in kg	Area A1 or A2 per animal in m2	Average weight in kg	Area A1 or A2 per animal in m2
20	0.240	20	0.25
30	0.265	<i>delete</i>	
40	0.290	<i>delete</i>	
50	0.315	50	0.30
60	0.340	<i>delete</i>	
70	0.390	70	0.40
80	0.440	80	0.50

Amendment 91
ANNEX I, CHAPTER VII, TABLE 3, PIGS, H1 (CM) FORCED VENTILATION

Average weight in kg	H1 (cm)	Average weight in kg	H1 (cm)
20	66	20	60
30	70	30	60
40	74		
50	77	50	70
70	84	70	80
90	90		
100	92	100	90
110	95		
130	99		
150	103	150	100
170	106		
190	109		
		200	110
210	111		
230	112		

Amendment 92
ANNEX I, CHAPTER VII, TABLE 3, PIGS, H2 (CM) PASSIVE VENTILATION

Average weight in kg	H1 (cm)	Average weight in kg	H1 (cm)
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	passive ventilation		passive ventilation
20	81	20	70
30	85	30	70
40	89	<i>delete</i>	
50	92	50	80
70	99	70	90
90	105	<i>delete</i>	
100	107	100	100
110	110	<i>delete</i>	
130	114	<i>delete</i>	
150	118	150	120
170	121	<i>delete</i>	
190	124	<i>delete</i>	
		200	130
210	126		
230	127		

Amendment 93
ANNEX 1, Chapter VII, table 3

Average weight in kg Area A1		Average weight in kg Area A1		
Wt in kg	m2/animal	Wt in kg	m2/anml < 4 hours	m2/anml > 4 hours
20	0.143	20	0.119	0.15
30	0.187	30	0.156	0.20
40	0.227	40	0.189	
50	0.264	50	0.220	0.30
70	0.331	70	0.276	0.35
90	0.391	90	0.326	
100	0.420	100	0.350	0.45
110	0.448	110	0.373	
130	0.501	130	0.417	
150	0.551	150	0.460	0.55
170	0.599	170	0.499	
190	0.646	190	0.538	
		200		0,70

210	0.691	210	0.575
230	0.734	230	0.612

Amendment 94
ANNEX II, PARAGRAPH 3, SUBPARAGRAPH (d)

(d) ensure that the journey log accompanies the animals during the journey until the point of destination ***or, in case of export to a third country at least until the exit point.***

(d) ensure that the journey log accompanies the animals during the journey until the point of destination.

Amendment 95
ANNEX II, PARAGRAPH 7 (A) NEW

7a. Satellite navigation data records shall be provided to the competent authority upon its request and in the format required by this authority.

Amendment 96
ANNEX III, CHAPTER IV A (NEW)

Journey plan for livestock vessels

1. Ship's details

Name of Ship:

Ship's flag:

IMO number:

Classification society:

ISM issuing authority:

ISM operator:

Full contact details of shipowner / manager

Captain's name:

Full contact details of authorised transporter:

Authorisation number:

Date and place of issue:

Full contact details of issuing authority:

2. Ship's livestock particulars

Total area available for livestock, excluding ramps / alleyways / storage (in m²)

Fresh water capacity, excluding ballast water (in tons):

Possible daily fresh water production at sea (in tons):

3. Voyage particulars

Loadport:

Intended date and time of sailing from loadport:

Discharge port:

Intended date and time of arrival at discharge port:

Duration of voyage (in hours / days):

Distance between load port and discharge ports (in sea miles):

Cargo details (types of animals, number, weight):

Number of pregnant animals:

Number of non-castrated bulls:

Total area required for the animals (in m²)

Total tons of fodder required for the sea voyage + safety margin:

Total tons of water required for the sea voyage + safety margin:

Total tons of fodder available on board upon sailing:

Total tons of water available on board upon sailing:

4. Signatures

Signature ship master:

Signature for approval of competent authority:

Amendment 97
ANNEX IV, PARAGRAPH 1

1. Road drivers as referred to in Article 6(4) and Article 16 (1) shall have successfully completed the training as provided for in paragraph 2 and have passed an examination approved by the competent authority, which shall ensure that examiners are independent.

1. Road drivers as referred to in Article 6(4) and Article 16(1) shall have successfully completed the training provided for in paragraph 2 and have passed an examination approved by the competent authority, which shall ensure that the examiners are independent.

Previous training and experience may be assessed and taken into account by the examiner.

EXPLANATORY STATEMENT

Introduction

Transport of animals is part of the process of animal production. Their movement is necessary to adjust the unequal distribution of resources and demand. These situations arise from geographical and historical factors that differ between regions and vary between seasons or years. In the year 2000 3.5 million bovines, 12 million pigs, 4.1 million sheep and goats and 212.000 equidae were traded between Member States in the EU, including imports and exports from third countries. Most transports are transports by road (95%).

Transport of animals is a controversial area of animal welfare. A large proportion of animals carried in international transport are destined for slaughter in the country of destination.

As the prices of livestock and meat have been under pressure for many years, cost price is the decisive factor for the industry.

The economic interest in keeping up high welfare standards for these animal is relatively low in some cases (compared to animals transported for sports or breeding). Animal welfare organisations have highlighted intolerable practices on many occasions. In December 2000, the Commission published a report to the Council and Parliament on the implementation of the relevant directive 91/628/EEC (amended by Directive 95/29/EC) 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:

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

In November 2001 the European Parliament adopted a resolution on this report, based on the report of the Committee on Agriculture and Rural Development (rapporteur: Mr Maat), calling for tighter rules and better controls for animal transports and inviting the Commission to take action in this area (e.g. handling long distance transports or better monitoring of the implementation of the relevant EC rules).

The Commission's proposal

The proposal from the Commission repeals all existing Community laws in relation to the protection of animals during transport. It also aims at incorporating the requirements of the Commission proposal for a Council Regulation amending Regulation (EC) No 411/98 as regards ventilation in road vehicles carrying livestock on long journeys.

The proposal includes new rules in particular on:

Duration of transport

No maximum limit on the total duration of transport is set. In the case of long-distance journeys there is an obligatory rest period of 12 hours after 9 hours of transport.

Space allowances (floor area and height)

More space must be made available according to species and length of journey, e.g. 40% more for pigs, 16% more for cattle, 32% more for sheep.

Fitness for transport

Transport of very young animals is banned and definitions are set to determine when animals are unfit for transport.

Means of transport

Technical standards for road vehicles are upgraded and specific requirements for all livestock vessels operating from Community ports are introduced.

Enforcement/responsibilities

Reinforcement of the responsibilities of the transporters, as well as of the other operators concerned by the transport of animals.

Training/ authorisations

This includes harmonised and improved mandatory training of personnel and widening of the scope of this obligation to personnel at markets and assembly centres, reinforced registration rules, harmonised registration format (European database), requirements on traceability and emergency plans for transporters, a 5-year time limit on approval of vehicles for long-distance journeys (9 hours) etc.

Transport practices

Specific requirements are set for loading or unloading operations. Ramps shall not be steeper than 33.3 % on the horizontal level for pigs, calves and horses and than 50 % for sheep and cattle other than calves provided that ramps are equipped with cleats with intervals at a maximum of 30 centimetres.

Comments by the rapporteur

Your rapporteur welcomes the Commission proposal, which thus partially satisfies the wish expressed by the European Parliament in the resolution of 2001.

The current level of protection of animal welfare in the EU is among the best in the world. This standard is an appropriate part of European culture, in which concern for animals and the natural environment is an element.

However, this European model is under pressure. Globalisation is making markets more open. Imports of livestock which have not been reared in accordance with EU standards, and

imports of meat from such livestock, are increasing. Clearly, the cost price of this meat will tend to be lower, partly because of differences in animal welfare standards. In the long term, amendments to the existing European legislation will be successful only if they do not significantly increase costs and if imports also meet European requirements.

The main subjects of this draft report are as follows:

Duration of journeys

Your rapporteur considers that regionalisation of slaughter would help to reduce the risk of spread of animal diseases, improve animal welfare and ensure wider social acceptance of the industry. Milk and sugar, after all, are processed in their region of production, whereas the same is not always true of livestock. The rapporteur proposes opting for this now and promoting this process, inter alia taking as a basis existing EU legislation on rest periods and journey times.

An adequate solution could possibly be reached through special rules for different types of transport (transport for slaughter, transport for sports, fairs or breeding and transports for other purposes). In particular transport for slaughter should be limited to nine hours' duration, or a distance of 500 km.

If, however, there are not at least two slaughterhouses within this radius, the Commission may grant an exemption.

As regards long-distance transport of other categories, it is questionable whether the interests of animal welfare are served by - in some cases repeated - rest periods of up to 12 hours in the vehicle. A short rest period is more practical and certainly no worse from the point of view of animal welfare. Moreover, account must be taken of the possibility of transport using two drivers, applying the rules of Regulation 3820/85 EC if transporters hold a specific certification scheme.

Equipment of transport means and space allowances

A central aspect of the proposal is the space allowances for the animals. The Commission proposes increased space allowances according to species and the length of the journey. For example in the case of long-distance journeys 40% more space for pigs, 16% more for cattle and 32% more for sheep. On the other hand it must be taken into account that under certain circumstances less space may be better regarding animal welfare.

In the case of animals for slaughter, the rapporteur maintains approximately the same space requirements as apply now. For journeys over longer distances, proposals are made for space requirements based on considerations both of animal welfare and of practicability.

Unfortunately, concerning ramps, the proposal contains a maximum angle of 33.3 % for pigs, calves and horses and 50% for sheep and bovines, which is much more than recommended by the scientific committee. This should be revised.

Exclusion of particular animals from transport

In principle it is positive that the Commission's proposal aims at introducing a ban on transporting very young animals with the exception of transport of such young animals if the journey is less than 100 km. It is also positive that pregnant female animals would not be considered fit for transport if they have reached the latest stage of gestation (10% of the estimated time of the gestation before birth) and for a period of one week after giving birth.

Enforcement

The lack of enforcement was the weakest part in the implementation of the existing legislative framework. The proposal tries to improve this point and identifies the chain of all those involved in animal transport and who is responsible for what. It also hopes to introduce efficient enforcement tools such as checks via the tachograph on transport vehicles, which records for how long vehicles have been travelling.

Your rapporteur also proposes introducing the use of GPS systems as from 2008.

Furthermore, it is important that detected infringements are linked to effective sanctions.

Authorisations/training

Your rapporteur welcomes in principle the new rules on reinforced registration and in particular on training, which should lead to more awareness of animal welfare in the transport business. As regards electronic databases, not only the authorisations for transporters (long and short distance transport) should be stored but also the approval certificate of the means of transport.

20 February 2004

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

for the Committee on Agriculture and Rural Development

on the proposal for a Council regulation on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EEC (COM(2003) 425 – C5-0438/2003 – 2003/0171(CNS))

Draftswoman: Patricia McKenna

PROCEDURE

The Committee on the Environment, Public Health and Consumer Policy appointed Patricia McKenna draftswoman at its meeting of 2 October 2003.

It considered the draft opinion at its meetings of 21 January and 17 February 2004.

At the latter meeting it adopted the following amendments by 37 votes to 3, with no abstentions.

The following were present for the vote: Caroline F. Jackson (chairman), Mauro Nobilia, Guido Sacconi and Alexander de Roo (vice-chairmen), Patricia McKenna (draftswoman), Bent Hindrup Andersen (for Jean-Louis Bernié), María del Pilar Ayuso González, Hans Blokland, David Robert Bowe, Hiltrud Breyer, Raquel Cardoso, Dorette Corbey, Chris Davies, Marie-Françoise Duthu (for Inger Schörling), Marialiese Flemming, Karl-Heinz Florenz, Pernille Frahm, Françoise Grossetête, Cristina Gutiérrez Cortines, Eija-Riitta Anneli Korhola, Hans Kronberger, Bernd Lange, Peter Liese, Torben Lund, Minerva Melpomeni Malliori, Rosemarie Müller, Giuseppe Nisticò, Ria G.H.C. Oomen-Ruijten, Marit Paulsen, Guido Podestà (for Avril Doyle), Dagmar Roth-Behrendt, Yvonne Sandberg-Fries, Giacomo Santini (for John Bowis), Renate Sommer (for Christa Kläß), María Sornosa Martínez, Catherine Stihler, Robert William Sturdy (for Martin Callanan), Nicole Thomas-Mauro, Peder Wachtmeister, Phillip Whitehead.

SHORT JUSTIFICATION

Introduction

Each year around 3 million farm animals are transported extremely long distances across the EU or to or from third countries. These journeys can last anything from 30-90 hours. The animals often suffer greatly particularly from extreme heat in the summer, severe overcrowding, insufficient headroom, water deprivation, poor ventilation, injuries and illness and the sheer length of the journeys.

Need for an overall journey limit

In 2001 the Parliament adopted a report which called for a maximum overall limit of 8 hours or 500 km. to be placed on journeys to slaughter or for further fattening.

Disappointingly the Commission proposal does not contain any overall limit at all on journeys. Instead it proposes that animals can be transported for 9 hours and then they must be rested for 12 hours; this cycle can be repeated indefinitely. Under the proposal it will still be possible to transport animals from one end of Europe to another.

The difference between the Parliament's 2001 report and the Commission's proposal is not between 8 and 9 hours, but between the Parliament's wish for an **overall** journey limit and the Commission's proposal for a cycle of travel and rest which can be repeated as often as the transporter wishes.

Both scientific research and practical experience show that suffering is inherent in long journeys. In its March 2002 report the Commission's Scientific Committee on Animal Health and Animal Welfare (SCAHAW) concluded that welfare tends to get worse as journey length increases and so that "journeys should be as short as possible".

There is a simple solution to these problems: the EU should adopt a fundamental reform under which animals are slaughtered as near as possible to the farm of rearing; the meat and carcasses can then be transported to wherever they are wanted. Long journeys are also unnecessary in the case of animals being transported for further fattening: the Federation of Veterinarians of Europe has said that animals should be fattened on or near the farm of birth. To be specific, a maximum overall limit of 9 hours or 500 km. should be placed on journeys to slaughter or for further fattening; however, a derogation should be provided for remote areas.

Rest on board the vehicle is detrimental for welfare

If the Council adopts an overall limit of 9 hours or 500 km., animals will not need rest during the journey. If, however, longer journeys are permitted (as they will be at least for breeding animals), then rest will be needed.

The Commission has proposed that rest should be taken on the vehicle. This is highly detrimental for welfare. Experience shows that it is very difficult to provide water for all the animals while they remain on the vehicle; they must be unloaded. It is hard to believe that in hot weather ventilation systems will be able to keep temperatures down to bearable levels during a rest on a stationary truck. Moreover, the space allowances proposed by the

Commission for long journeys for cattle and sheep are much poorer than those recommended by SCAHAW. In addition, if animals are left on the vehicle, it will be impossible to clean manure out during rest stops.

In short, the Commission proposal will lead to animals spending long periods on vehicles not resting in any real sense, but having to endure extreme heat, overcrowding, water deprivation and increasingly dirty and unhygienic conditions. It is essential that animals are unloaded for rest. Moreover, contrary to the Commission proposal, rest must be provided at an authorised place otherwise it will be impossible to monitor compliance and to provide veterinary checks that animals remain healthy and fit for transport.

Export of cattle to third countries

The EU exports on average 250,000 live cattle a year to the Middle East and North Africa. The long journeys, together with the brutal unloading and slaughter methods in the Middle East, make this an extremely cruel trade. The trade is heavily subsidised. Export refunds of around €60 million a year are paid out to encourage the export of live cattle to third countries. In January 2003 the Commission adopted a Regulation which ended export refunds on cattle being exported for slaughter, but with the major exception that the subsidies are still paid on cattle going to Egypt or the Lebanon. As nearly all EU cattle exported for slaughter go to the Lebanon, the Commission's Regulation has done virtually nothing to improve matters. The Parliament should, as it did in 2001, call for an end to all export refunds on live cattle being exported for slaughter to third countries.

AMENDMENTS

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 amendments in its report:

<u>Text proposed by the Commission¹</u>	<u>Amendments by Parliament</u>
	Amendment 1 RECITAL 10
<i>(10) The unloading and subsequent reloading of animals is more stressful than leaving them resting in the vehicle in good conditions. In addition, contact at staging points between animals from different sources can lead to the spread of infectious disease. Therefore, for animal welfare and animal health reasons the use of staging points should be prevented. Accordingly, Council Regulation (EC) No 1255/97 of 25 June 1997 concerning</i>	<i>deleted</i>

¹ Not yet published in OJ.

Community criteria for staging points and amending the route plan referring to in the Annex to Directive 91/628/EEC, should be repealed.

Justification

Loading and unloading of animals only becomes more stressful than staying in the vehicle if animals are handled inadequately. For horses it is definitely more stressful to stay in the vehicle than to be unloaded.

Staging points are necessary for feeding and watering as well as for properly checking health status. If one follows the argumentation of the European Commission about the connection between the spreading of diseases and the unloading of animals at staging points, it is surprising that unloading at markets is not taken into consideration. Furthermore, consignments of animals entering a Member State from a third country should be required to undergo a compulsory resting period of 24 hours with unloading near the border on the territory of the European Union.

In order to be able to milk them every 12 hours, lactating cows, sheep and goats which are not accompanied by their offspring have to be unloaded.

Amendment 2
ARTICLE 2, POINT (H)

(h) 'journey' means the entire transport operation from the place of departure to the place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey;

(h) 'journey' means the entire transport operation from ***the loading of the first animal at*** the place of departure to the ***unloading of the last animal at*** the place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey;

Justification

To prevent any animals from being kept on the vehicle for excessive periods, the definition of 'journey' should make it clear that a journey starts from the loading of the first animal and only ends with the unloading of the last animal.

Amendment 3
ARTICLE 2, POINT (A A) (NEW)

(aa) No person shall transport any animal, or cause any animal to be transported, in a way which is likely to

cause injury or undue suffering to that animal.

Justification

This important provision appears in Article 5 (A) (1) (b) of the existing Directive. It is in a way the 'starting point' for the law on transport and should be included in the proposed Regulation.

Amendment 4
ARTICLE 2, POINT (K)

(k) 'long distance journey' means a journey that exceeds **nine** hours starting from when the first animal of the consignment is moved by a means of transport excluding 45 minutes of driver rest in the case of road transport.

(k) 'long distance journey' means a journey that exceeds **eight** hours starting from when the first animal of the consignment is moved by a means of transport excluding 45 minutes of driver rest in the case of road transport.

(This amendment concerns the entire proposal; if adopted technical corrections should be made throughout the text.)

Justification

A maximum 8-hour journey time is the demand raised in many quarters among consumers, politicians and institutions concerned. The Danish Folketing has backed the demand for a maximum journey of 8 hours. The Society for the Protection of Animals in Denmark has collected no fewer than half a million signatures backing the demand for eight hours and finally Parliament has also given its support for eight hours in the form of a written declaration.

Amendment 5
ARTICLE 2, POINT (I)

(l) 'means of transport' means road or rail vehicles vessels and aircraft used for the transport of animals as well as containers when they are used for the transport of domestic equidae or domestic animal of bovine, ovine, caprine or porcine species;

(l) 'means of transport' means road or rail vehicles vessels and aircraft used for the transport of animals as well as containers when they are used for the transport of domestic equidae or domestic animal of bovine, ovine, caprine or porcine species **as well as poultry**;

Justification

There is no plausible reason why poultry should not be included, since the transport of poultry represents the biggest contingent of animal transports. Poultry suffers the highest injury and death rate due to the use of inappropriate containers.

Amendment 6
ARTICLE 2, POINT (N) (I)

(i) the place at which the animal is first loaded on to a means of transport provided that it had been accommodated there, for at least **48** hours prior to the time of departure;

(i) the place at which the animal is first loaded on to a means of transport provided that it had been accommodated there, for at least **72** hours prior to the time of departure;

Justification

The possibility of starting another transport journey after a resting period of only 48 entails the danger of repeated short-distance transport in order to avoid being subject to the strict rules for long-distance transport and would therefore undermine the sense of this legislation. A resting period of at least 72 hours prevents the repetition of short-distance transport.

Amendment 7
ARTICLE 2, POINT (O) (I)

(i) accommodated for at least **48** hours prior to the time of departure; or

(i) accommodated for at least **72** hours prior to the time of departure; or

Justification

The possibility of starting another transport journey after a resting period of only 48 entails the danger of repeated short-distance transport in order to avoid being subject to the strict rules for long-distance transport and would therefore undermine the sense of this legislation. A resting period of at least 72 hours prevents the repetition of short-distance transport.

Amendment 8
ARTICLE 3, POINT (C) A (NEW)

(ca) Large pigs from different sites must not be mixed together during transport.

Justification

Large pigs which are mixed with pigs from other sties during transport will start a fight about ranking as soon as the lorry stops. This fight could also break out with a great deal of damage as a result when there is more space for other reasons. This requirement is crucial if the Commission's proposal that the pigs should remain on the lorry during rest periods is to be adopted.

Amendment 9
ARTICLE 3, POINT (H)

(h) water, feed and rest are offered to the animals, at suitable intervals and are

(h) water, feed and rest are offered to the animals, ***permanently*** at suitable intervals

appropriate in quality and quantity to their species and size.

and are appropriate in quality and quantity to their species and size.

Justification

The need for water, feed and rest is dependent on the species - while for some species suitable intervals have proven to be enough, other species are in need of permanent access to water, feed and rest (e.g. rabbits need permanent access to water).

Amendment 10
ARTICLE 3 A (NEW)

3a. Member States may on grounds of public morality prohibit the export to other Member States or third countries of farm animals destined for slaughter or further fattening.

Justification

There is ample evidence that long journeys impose very considerable welfare problems on animals. Member States should be free to address these problems by declining to be involved in a trade in which suffering is inherent. Animals should be slaughtered near the farm of rearing and fattened on or near the farm of birth. The public morality aspect of Article 30 of the EC Treaty should be interpreted as including animal welfare.

Amendment 11
ARTICLE 3 B (NEW)

3b. Member States may on grounds of public morality prohibit the export of horses, ponies and donkeys destined for slaughter to other Member States or third countries.

Justification

A number of Member States do not consider horses to be food animals and therefore Member States should be allowed, for animal welfare reasons, to prohibit the export of slaughter equines. The public morality aspect of Article 30 of the EC Treaty should be interpreted as including animal welfare.

Amendment 12
ARTICLE 3 C (NEW)

3c. The European Commission must examine ways of encouraging and promoting the development and use of

more small local abattoirs - and mobile slaughterhouses - and publish a report to that effect before December 2004. The report will in particular examine whether charges for meat hygiene inspections should be on a headage (throughput) basis rather than a set daily charge.

Justification

Small local abattoirs are not only beneficial for reasons of reducing journey times - and therefore improving animal welfare and reducing the likelihood of spreading disease - but they are also of greater benefit to the rural economy than a smaller number of large abattoirs.

Amendment 13
ARTICLE 6, PARAGRAPH 5

5. No person shall drive a road vehicle transporting ***domestic equidae or domestic animals of bovine, ovine, caprine, porcine species or poultry***, unless they hold a training certificate pursuant to Article 16(2). The training certificate shall be made available to the competent authority when the animals are transported.

5. No person shall drive a road vehicle transporting ***animals*** unless they hold a training certificate pursuant to Article 16(2). The training certificate shall be made available to the competent authority when the animals are transported.

Justification

The enumeration of animals is incomplete, ostriches or wild animals are for instance also transported for commercial reasons.

Amendment 14
ARTICLE 6, PARAGRAPH 6

6. Transporters shall ensure that ***an attendant accompanies any consignment of animals except in the following cases:***

6. Transporters shall ensure that ***animals are transported in containers which are secured, adequately ventilated and, where necessary, contain enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated journey time. In exceptional cases the driver may perform the functions of attendant if he has been trained as such in accordance with this Regulation.***

(a) where animals are transported in containers which are secured, adequately

ventilated and, where necessary, contain enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated journey time;

(b) where the driver performs the functions of attendant.

Justification

It is particularly important for animals to be looked after during transport and for vehicles to be equipped accordingly.

Amendment 15
ARTICLE 9, PARAGRAPH 1 A (NEW)

1a. Operators of assembly centres shall ensure that animals have easy and constant access to fresh, clean water.

Justification

The Commission's proposals apply certain rules to assembly centres which term includes markets. This is welcome, but a requirement as to the provision of water is important as animals often go long periods without water in markets.

Amendment 16
ARTICLE 9, PARAGRAPH 1 B (NEW)

1b. Operators of assembly centres shall ensure that animals have sufficient space to allow all the animals to lie down at the same time.

Justification

Animals, especially sheep, are often kept in extremely overcrowded conditions in markets.

Amendment 17
ARTICLE 13, INTRODUCTORY PHRASE

For long distance journeys for *domestic equidae and domestic animals of bovine, ovine, caprine and porcine species*, the competent authority of the place of departure shall:

For long distance journeys for *animals*, the competent authority of the place of departure shall:

Justification

The list of animals is incomplete: ostriches or wild animals are, for instance, also transported for commercial reasons.

Amendment 18 ARTICLE 14

The competent authority shall carry out at any stage of the long distance journey appropriate checks on a random or targeted basis to verify that declared journey times are credible and **comply** with this Regulation. In particular the competent authority shall verify that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.

The competent authority shall carry out at any stage of the long distance journey appropriate checks on a random or targeted basis to verify that declared journey times are credible and **that the journey complies** with this Regulation. In particular the competent authority shall verify that travel times and rest periods have complied with the limits set out in Chapter V of Annex I. ***The number of controlled animals and checks has to be at least 20% of all animal transports, 10% of these should be road checks. Member States shall ensure that the supervisory authorities concerned have sufficient staff to conduct the above inspections.***

For journeys of over eight hours, there shall be systematic veterinary checks at the beginning of the journey and on the unloading platform at delivery.

Justification

A minimum number of checks ensures statistically significant data about abidance by the legislation and provides information about necessary adjustments that have to be made. The checks enable the competent authorities to take legal action against the persons responsible if transport does not comply with the regulations. A higher possibility of being checked will encourage transporters to comply with the regulation. Even the best law on animal transport is useless if its provisions are not checked.

On longer journeys it is important that an independent veterinary check is carried out at the beginning to ensure that the animals are in a condition to justify despatching them. At the same time systematic veterinary checks are also necessary on the unloading platform at the destination so that there is ongoing assessment of whether the journeys are justifiable in terms of the animal's welfare. At the present time there is no systematic veterinary check at delivery; it is the driver alone who reports back on his schedule and this report contains nothing about the condition of the animals. Even though the animals are inspected while still alive within 24 hours at slaughterhouses, this says nothing about the condition of the animals on arrival at the unloading platform, or how many died during the journey. This is a problem associated with the transport of sows for slaughter.

Amendment 19
ARTICLE 16, PARAGRAPH 2 A (NEW)

2a. The personnel responsible have to brush up their knowledge at suitable intervals to include further scientific developments in animal handling.

Amendment 20
ARTICLE 19 (A) (A) (NEW)

Livestock vessels: conditions in relation to weather

1. Before sailing, the master of a livestock vessel or a roll-on roll-off vessel shall obtain the current weather forecast for those areas in which the vessel is intended to travel.

2. The master shall not sail if the forecast predicts unfavourable sea and wind conditions which are such that the animals might suffer or be injured and in particular if it predicts wind of force 6 or greater on the Beaufort scale for any sea area in which the vessel is intended to travel.

Justification

Vessels carrying animals should not sail in sea or wind conditions which are likely to be harmful to animals.

Amendment 21
ARTICLE 20, PARAGRAPH 1, POINT (F A) (NEW)

(fa) that, in the case of imports, the transporter is carrying a journey log which shows the animals' third country place of departure, the date and time of departure, the intended place of destination and the expected duration of the intended journey.

Justification

When animals enter the EU, it is essential that officials at the Border Inspection Post have clear information as to how long the animals have already travelled in order to ensure that they are given an appropriate rest period before continuing their journey.

Amendment 22

ARTICLE 20, PARAGRAPH 2 A (NEW)

2a. Animals which have been transported for 9 hours or more which arrive at a border post for entry into the EU shall at, or in the immediate vicinity of, the post be unloaded, fed, watered and rested for at least 12 hours. Animals which have been transported for less than 9 hours before reaching a border inspection post, shall at or in the immediate vicinity of the post be unloaded, watered, fed and rested for at least 6 hours.

Justification

It is important that animals which enter the EU from third countries are unloaded and given rest, food and water before continuing their journey within the EU.

Amendment 23

ARTICLE 21, PARAGRAPH 2 A (NEW)

2a. Drivers must carry a list of contact numbers of competent authorities along their route that can be contacted if problems occur during transport.

Justification

This measure is necessary to cope with emergencies during the journey in an unfamiliar area where a foreign language is spoken in order to organise help as quickly as possible.

Amendment 24

ARTICLE 25, PARAGRAPH 2

2. Where a competent authority establishes that a transporter has not observed, or a means of transport does not comply with this Regulation, it shall notify without delay the competent authority that granted the authorisation to the transporter or the

2. Where a competent authority establishes that a transporter has not observed, or a means of transport does not comply with this Regulation, it shall notify without delay the competent authority that granted the authorisation to the transporter or the

certificate of approval of the means of transport. Any relevant data and documents shall accompany such notification.

certificate of approval of the means of transport **and, where the driver is involved in the failure to observe this Regulation, the competent authority that issued the driver's training certificate.** Any relevant data and documents shall accompany such notification.

Justification

In many cases non-compliance with the Regulation will involve the driver as well as the transporting firm or company. Accordingly, notification should in appropriate cases also be made to the competent authority which issued the driver's training certificate.

Amendment 25 ARTICLE 26, PARAGRAPH 1

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections **must be carried out on an adequate proportion of the animals transported each year within each Member State, and** may be carried out at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded. **The above proportions shall be determined in accordance with the procedures referred to in Article 30 (2).**

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. **The number of controlled animals and checks has to be at least 20% of all animal transports, 10% of these should be road checks.** Such inspections may be carried out at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded.

Justification

A minimum number of checks ensures statistically significant data about abidance by the legislation and provides information about necessary adjustments that have to be made. The checks enable the competent authorities to take legal action against the persons responsible if transport does not comply with the regulations. A higher possibility of being checked will encourage transporters to comply with the regulation.

Amendment 26 ARTICLE 26, PARAGRAPH 2

2. The competent authority shall submit to the Commission by 30 June each year an

2. The competent authority shall submit to the Commission by 30 June each year an

annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them.

annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them, **together with documents detailing the penalties imposed by the authorities. The report shall be made available to the European Parliament and Member States on request.**

Justification

Even the best law on animal transport is useless if its provisions are not checked and infringements not punished.

Amendment 27
ARTICLE 28

Member States **shall encourage the development of** guides to good practice which shall include guidance on the compliance with this Regulation and in particular with Article 10(1).

Member States **shall develop** guides to good practice which shall include guidance on the compliance with this Regulation and in particular with Article 10(1).

Justification

The development of guides to good practice is absolutely necessary. Experience has shown that these guides are of major importance, if the law is to be applied correctly.

Amendment 28
ARTICLE 29, PARAGRAPH 1

1. The Annexes may be amended in accordance with the procedure **referred to in Article 30(2).**

1. The Annexes may be amended in accordance with the procedure **being used to amend the regulation.**

Justification

The annexes contain the different technical provisions which are highly important for animal welfare and politically sensitive (such as e.g. journey times). Given the danger that these provisions could be amended in a - from the welfare viewpoint - negative way, the European Parliament has to be involved in the legislative procedure as well. Comitology procedure does not appear appropriate regarding the amendment of the annexes.

Amendment 29
ARTICLE 31, SUBPARAGRAPH 1 A (NEW)

Transport of live animals should be exempt from internal market rules. It should be possible in this respect to lay down further-reaching national rules for the transport of animals and vehicle facilities, and introduce veterinary inspections at borders with associated quarantine arrangements.

Justification

First of all it is unethical to treat animals in the same way as any other type of good on the EU's internal market, solely on the grounds that they are living creatures. In addition, large-scale transport of live animals would entail an unnecessarily large risk of spreading livestock diseases hazardous to the health of both animals and humans. By exempting livestock from internal market rules, it should also be possible to carry out systematic veterinary checks at borders with associated quarantine arrangements, which would be effective in restricting livestock diseases and would radically reduce the number of long journeys, as only breeding animals will cross borders.

Amendment 30
ARTICLE 33
Annex A, part 2, paragraph 3 (Directive 93/119/EC)

3. Animals must be moved with care. Passageways must be so constructed as to minimise the risk of injury to animals, and so arranged as to exploit their gregarious tendencies. Instruments intended for guiding animals must be used solely for that purpose, and only for short periods.'

3. Animals must be moved with care. Passageways must be so constructed as to minimise the risk of injury to animals, and so arranged as to exploit their gregarious tendencies. Instruments intended for guiding animals must be used solely for that purpose, and only for short periods.
The use of instruments which administer electric shocks shall be prohibited.'

Justification

Recital 21 states that Directive 93/119/EC on the protection of animals at slaughter should be amended to adapt it to the proposed Regulation on transport, which prohibits the use of electric goads. However, the wording of Article 33, which amends Directive 93/119/EC, does not clearly and expressly prohibit the use of electric goads.

Amendment 31
ARTICLE 33 (A) (NEW)

In Article 33 of Regulation (EC) No. 1254/1999 the following paragraph (9a) is inserted after paragraph (9):

‘No export refunds shall be granted on live animals which are exported for slaughter to third countries.’

Justification

It is ethically unacceptable for public money to be used to encourage a trade which routinely imposes great suffering on animals.

Amendment 32
ARTICLE 33 (B) (NEW)

In Article 130 (1) of Regulation (EC) No. 1782/2003 the words ‘or their export to a third country’ are deleted.

Justification

Article 130 provides for the slaughter premium to be paid not only on cattle slaughtered in the EU, but on live cattle exported to third countries. This amendment means that the slaughter premium could no longer be paid in respect of cattle exported to third countries as public money should not be used to encourage extremely long journeys.

Amendment 33
ARTICLE 34, LAST SENTENCE (NEW)

No later than five years after entry into force of this Regulation the European Commission shall submit to the Council and the European Parliament a report, drawn up on the basis of the reports of the Commission’s Food and Veterinary Office on the evaluation of checks on animal welfare during transport in the Member States, as well as annual reports provided by Member States in accordance with Chapter IV, Article 26 (2).

In addition, it shall be accompanied by appropriate proposals taking into account the conclusion of these reports.

Justification

Five years after entry into force of the regulation, the Commission shall draw up a report with regard to the effective implementation of the regulation and propose new legislation if necessary.

Amendment 34
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (B)

(b) they present **a severe** open wound or prolapse;

(b) they present **an** open wound or prolapse;

Justification

It is nearly impossible for a non-veterinarian to determine whether a wound is severe or not. In most cases wounds are dynamic processes, which means small wounds can evolve into severe wounds especially during transport.

Amendment 35
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (C)

(c) they are pregnant females for whom **90%** or more of the expected gestation period has already passed, or females who have given birth in the previous week;

(c) they are pregnant females for whom **70%** or more of the expected gestation period has already passed, or females who have given birth in the previous week;

Justification

The danger of premature birth rises during the last third of the gestation period, especially if animals have to cope with the stress of long-distance transport. Therefore a limit of 90% is too high. From the point of view of animal welfare a limit of 70% should be laid down.

Amendment 36
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (E)

(e) they are pigs of less than four weeks, lambs of less than one week and calves of less than two weeks of age unless they are transported less than 100 km.

(e) they are animals less than 4 weeks of age for purposes of veterinary treatment;

Justification

In the case of lambs and calves, the navel only heals after 4 weeks. Furthermore, the Pigs Directive prescribes the weaning age for piglets as 4 weeks. Animals aged less than 4 weeks are not fit to be transported, exceptions are only permissible for veterinary purposes.

Amendment 37
ANNEX I, CHAPTER I, PARAGRAPH 3, POINT (A)

(a) slightly injured or ill whose transport would not cause unnecessary suffering; *deleted*

Justification

Slightly injured or slightly ill animals should not be transported at all since their health situation may rapidly deteriorate during transport. Furthermore, the term 'slightly' is too inexact.

Amendment 38
ANNEX I, CHAPTER I, PARAGRAPH 4

4. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. **They** shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.

4. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. **A veterinarian from the emergency list has to be contacted. The animals** shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.

Justification

The measure is necessary to cope with emergencies during the journey in an unfamiliar area where a foreign language is spoken in order to organise help as quickly as possible.

Amendment 39
ANNEX 1, CHAPTER I, FITNESS FOR TRANSPORT, PARAGRAPH 6

Lactating females of bovine, ovine and caprine species not accompanied by their offspring shall be milked at intervals of not more than 12 hours.

Lactating females of bovine, ovine and caprine species not accompanied by their offspring shall be milked **shortly before being loaded on to a means of transport and thereafter** at intervals of not more than 12 hours **during the journey**. For this purpose they must be unloaded from the vehicle at a suitable premises and that milking must be carried out by a trained and experienced person.

Justification

If animals are not milked shortly before the start of the journey, they may go for much longer than 12 hours without being milked.

Amendment 40

ANNEX I, CHAPTER I, FITNESS FOR TRANSPORT, PARAGRAPH 6 A (NEW)

6a. This Chapter shall apply mutadis mutandis to the treatment of animals at assembly centres.

Justification

Article 9 provides that animals at assembly centres shall be treated in accordance with Chapter 1 of Annex 1. However, the language of Chapter 1 is focused on transport and is not always appropriate for assembly centres. This suggested insertion would make it clear, as provided for by Article 9, that Chapter 1 also applies to assembly centres.

Amendment 41

ANNEX I, CHAPTER I, PARAGRAPH 6 A (NEW)

6a. Grazing animals have to be made accustomed to the available food, which will be given to them during the journey.

Justification

Grazing animals have to be made accustomed to the available food, which will be given to them during the journey: otherwise they will not eat and therefore should not be transported.

Amendment 42

ANNEX I, CHAPTER II, PARAGRAPH 1.1, POINT (F)

(f) provide access to the animals to allow them to be inspected and cared for;

(f) provide ***individual*** access to the animals to allow them to be inspected and cared for;

Amendment 43

ANNEX I, CHAPTER II - MEANS OF TRANSPORT, PARAGRAPH 1.4

1.4 Partitions shall be strong enough to withstand the weight of animals. Fittings shall be designed for quick and easy operation.

1.4 To prevent animals being thrown about during transport, partitions shall be fitted and used to subdivide large groups of animals or subdivide an area which contains fewer animals than its normal capacity. Partitions shall be strong enough to withstand the weight of animals.

Fittings shall be designed for quick and easy operation. ***Partitions shall be constructed and fitted in such a way that animals are not caused injury by their legs being trapped between the bottom of the partition and the vehicle floor or between bars of the partition.***

Justification

An express provision is needed to require that not only are partitions fitted but that they are in fact used. Injuries can result from animals' legs being trapped between the bottom of the partition and the vehicle floor or between bars of the partition.

Amendment 44

ANNEX I, CHAPTER II - MEANS OF TRANSPORT, PARAGRAPH 1.6 A (NEW)

1.6a. The floor of the means of transport or container shall be sufficiently strong to bear the weight of the animals being transported; if it has any spaces or perforations these shall be completely smooth to prevent injury to the animals. The floor shall be covered with sufficient litter to absorb droppings unless this can be dealt with in a different way presenting at least the same advantages or unless droppings are regularly removed.

Justification

The above helpful wording appears in paragraph 5 of Chapter 1 of the Annex to the present Directive. It should be included in the proposed Regulation.

Amendment 45

ANNEX I, CHAPTER II, PARAGRAPH 2, POINT 2.1

2.1 Vehicles in which animals are transported shall be clearly and visibly marked indicating the presence of live animals.

2.1 Vehicles in which animals are transported shall be clearly and visibly marked ***with a sign affixed either at the back or at the side of the vehicle*** indicating the presence of live animals. ***The sign, conforming to international standards, must specify the species that may be transported, given the equipment of the vehicle, the net loading space, and the maximum admissible load.***

Justification

Stringent and exact identification requirements need to be laid down for vehicles. This would also facilitate inspections by the authorities.

Amendment 46
ANNEX I, CHAPTER II, PARAGRAPH 3.1, POINT (B)

b) on open decks, adequate protection from seawater is provided.

b) on open decks, adequate protection from seawater **and from exposure to excessive sunlight** is provided.

Justification

Transported animals need protection from sea water as well as protection from exposure to excessive sunlight.

Amendment 47
ANNEX I, CHAPTER II, PARAGRAPH 5.3 A (NEW)

5.3a Sufficient ventilation in closed containers analogous to the provisions for ventilation in vehicles has to be provided.

Amendment 48
ANNEX I, CHAPTER III, PARAGRAPH 1.1

1.1 Due regard shall be paid to the need of **certain categories of animals, such as wild animals**, to become acclimatised to the mode of transport prior to the proposed journey.

1.1 Due regard shall be paid to the need of animals to become acclimatised to the mode of transport prior to the proposed journey.

Justification

In its report, the Standing Veterinary Committee stated: 'Since loading and transport are stressful to animals unaccustomed to them, for these animals transport should be avoided wherever possible and journeys should be as short as possible. When animals are to be transported, they should be: prepared for the experiences associated with the journey, (...)'

Amendment 49
ANNEX I, CHAPTER III, PARAGRAPH 1.1 A (NEW)

1.1a The fitness of every animal to travel must be checked by a veterinarian immediately before loading. Additionally, the condition of every animal must also be checked by a veterinarian when

unloading at the final place of destination.

Justification

To ensure that all animals are physically capable of travelling, they should all be checked by a veterinarian before the journey commences. The animals should also be checked by a veterinarian on arrival to ensure that the journey passed as it should and that the animals are fit for slaughter.

Amendment 50

ANNEX I, CHAPTER III, PARAGRAPH 1.2, INTRODUCTION

1.2 Where loading or unloading operations last for more than **six** hours:

1.2 Where loading or unloading operations last for more than **three** hours:

Amendment 51

ANNEX I, CHAPTER III, PARAGRAPH 1.3, POINT (A)

(a) prevent injury and suffering and minimise excitement and distress during animal movements as well as to ensure the safety of the animals, in particular surfaces shall not be slippery and lateral protections shall be provided so as to prevent animals from escaping;

(a) prevent injury and suffering and minimise excitement and distress during animal movements as well as to ensure the safety of the animals, in particular surfaces shall not be slippery ***regardless of the weather conditions*** and lateral protections shall be provided so as to prevent animals from escaping;

Amendment 52

ANNEX I, CHAPTER III, PARAGRAPH 1.4

1.4 Ramps shall not be steeper than 33,3% on the horizontal level for pigs, calves and horses and than **50%** for sheep and cattle other than calves provided that ramps are equipped with cleats with intervals at a maximum of 30 centimetres.

1.4 Ramps shall not be steeper than 33,3% on the horizontal level for pigs, calves and horses and than **36%** for sheep and cattle other than calves provided that ramps are equipped with cleats with intervals at a maximum of 30 centimetres.

Justification

The Scientific Committee on Animal Health and Animal Welfare recommended that ramps for sheep and cattle should not be steeper than 20° which is 36%.

Amendment 53
ANNEX I, CHAPTER III, PARAGRAPH 1.11, POINT (B)

(b) animals of **significantly** different sizes or ages; (b) animals of different sizes or ages;

Justification

The wording 'significantly' is too inexact.

Amendment 54
ANNEX I, CHAPTER III, SECTION 1, PARAGRAPH 1.12 A (NEW)

1.12a. Paragraphs 1.1 to 1.12 shall apply mutadis mutandis to the treatment of animals at assembly centres.

Justification

Article 9 provides that animals at assembly centres shall be treated in accordance with Chapter III, section 1 of Annex 1. However, the language of Chapter III, section 1 is focused on transport. This suggested insertion would make it clear, as provided for by Article 9, that Chapter III, section 1 also applies to assembly centres.

Amendment 55
ANNEX I, CHAPTER III, PARAGRAPH 1.12 A (NEW)

1.12a The number of animals per group according to the European Convention for the Protection of Animals during International Transport has to be determined:

- max. 8 cattle;***
- 10 young cattle;***
- 15 calves;***
- 5 sows;***
- 15 slaughter pigs and gilts up to 100 kg;***
- 32-35 piglets up to 30 kg;***
- 50 piglets up to 25 kg;***
- 60-75 piglets up to 10 kg;***
- 25-32 sheep or goats;***
- 105 one-day-old chicks;***
- 40 one-day-old geese or turkeys;***

- small groups of older water poultry.

Justification

The number of animals per group should be determined according to the European Convention for the Protection of Animals during International Transport.

Amendment 56
ANNEX I, CHAPTER III, PARAGRAPH 2.4

2.4 During transport, animals shall be offered water, feed and the opportunity to rest as appropriate to their species and age, at suitable intervals and in particular as referred to in Chapter V. The water and feed shall be of good quality and presented to the animals in a way which **minimises** contamination.

2.4 During transport, animals shall be offered water, feed and the opportunity to rest as appropriate to their species and age, at suitable intervals and in particular as referred to in Chapter V. The water and feed shall be of good quality and presented to the animals in a way which **avoids** contamination.

Justification

It is essential for the welfare of the transported animals not only to minimise but to avoid water and feed contamination.

Amendment 57
ANNEX I, CHAPTER IV, PARAGRAPH 4

4. Fresh water system shall be capable of supplying *freshwater* continuously in each livestock area and sufficient receptacles shall be available to ensure that all animals have easy and constant access to fresh water. Alternative pumping equipment shall be available to ensure water supply in the event of failure of the primary pumping system.

4. Fresh water system shall be capable of supplying *fresh water* continuously in each livestock area and sufficient receptacles shall be available to ensure that all animals have easy and constant access to fresh water. Alternative pumping equipment shall be available to ensure water supply in the event of failure of the primary pumping system. ***The animals to be transported must be familiar with the fresh water system installed in the means of transport.***

Justification

Experience has shown that animals have to be familiar with the drinking-trough system if they are to use it.

Amendment 58
ANNEX I, CHAPTER V, INTRODUCTION

For the purpose of this Chapter:

(a) ‘rest period’ means an uninterrupted period in the course of a journey during which animals are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on-roll-off vessel, time spent on the vessel shall be considered as a period when animal are not being moved in a means of transport and allowed to rest.

(b) ‘travel time’ means a period during a journey which is not interrupted by a minimum rest period as provided for in points (d) and (e) of paragraph 1.1 of section 1.

Journey Times for animals destined for slaughter or further fattening

Domestic equidae and domestic animals of bovine, ovine, caprine and porcine species destined for slaughter or further fattening shall not be transported for more than 8 hours or 500 km. This travel time or distance cannot be repeated during a journey. In order to take account of remote agricultural areas, where the distance from the place of rearing to the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport exceeds 8 hours or 500 km, the competent authority may grant a licence authorising animals to be transported in excess of 8 hours or 500 km, provided that the place of destination is the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport.

Justification

In its 2001 report, Parliament called for a maximum overall limit of 8 hours or 500 km to be placed on journeys to slaughter or for further fattening. However, the Commission has proposed that animals can be transported for 9 hours and then must be rested for 12 hours and that this cycle can be repeated indefinitely; it will still be permitted to transport animals on extremely long journeys from one end of Europe to another. A maximum overall limit of 8 hours or 500 km should be placed on journeys to slaughter or for further fattening. A derogation is provided for remote agricultural regions.

Amendment 59
ANNEX I, CHAPTER V, PARAGRAPH 1, HEADING

1. DOMESTIC EQUIDAE, DOMESTIC ANIMALS OF BOVINE, OVINE, CAPRINE AND PORCINE SPECIES

1. LONG DISTANCE TRANSPORT OF ANIMALS INTENDED FOR BREEDING

Justification

A clear distinction between animals intended for slaughter or further fattening and animals intended for breeding has to be drawn. Animals intended for slaughter or further fattening must not be transported for more than 8 hours or 500 km. Animals intended for breeding may be subject to long-distance transport exceeding 8 hours. However, such long distance journeys for breeding animals are only permitted under specific conditions.

The Commission's proposal requires animals to be given their rest period on board the vehicle. This is completely unacceptable from the welfare viewpoint. A lengthy period in a stationary vehicle in overcrowded conditions and often in sweltering heat cannot be thought of as rest. Moreover, there is no reason to assume that time spent on a roll-on roll-off vessel is less stressful or tiring than road transport, particularly if there is overcrowding, inadequate ventilation, lack of water or poor sea conditions.

Finally, animals arriving from third countries should have a compulsory resting period of 24 hours with unloading near the border on the territory of the European Union. Given that animals arriving from third countries often constitute a risk with regard to the spreading of diseases, the resting period would allow them to be examined by a veterinarian.

Amendment 60 ANNEX I, CHAPTER V, PARAGRAPH 1.1

1.1 Long distance journeys are only permitted for ***domestic equidae and domestic animals of bovine, ovine, caprine and porcine species*** if:

1.1 Long distance journeys are only permitted for ***animals intended for breeding*** if:

Justification

See justification to Amendment 59.

Amendment 61 ANNEX I, CHAPTER V, PARAGRAPH 1.1, POINT (F) A (NEW)

(fa) Animals arriving from third countries should be unloaded near the border on EU territory and have a compulsory resting period of 24 hours;

Justification

See justification to Amendment 59.

Amendment 62
ANNEX I, CHAPTER V, PARAGRAPH 1.1, POINT (F B) (NEW)

(fb) For the purpose of this Chapter:

(i) ‘rest period’ means an uninterrupted period in the course of a journey during which animals are unloaded from the vehicle at an approved staging point, and are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on-roll-off vessel, time spent on the vessel shall be considered as part of the travel time.

(ii) ‘travel time’ means a period during a journey which is not interrupted by a minimum rest period as provided for in points (d) and (e) of paragraph 1.1 of section 1.

Justification

See justification to Amendment 59.

Amendment 63
ANNEX I, CHAPTER V, PARAGRAPH 2.1

2.1 For poultry, domestic birds ***and domestic rabbits***, suitable food and water shall be available in adequate quantities, save in the case of a journey lasting less than:

- (a) 12 hours; or
- (b) 24 hours for chicks of all species, provided that it is completed within 72 hours after hatching.

2.1 For poultry ***and*** domestic birds, suitable food and water shall be available in adequate quantities, save in the case of a journey lasting less than:

- (a) 12 hours; or
- (b) 24 hours for chicks of all species, provided that it is completed within 72 hours after hatching.

For domestic rabbits suitable food and water shall be available in adequate quantities throughout the journey.

Justification

Domestic rabbits need suitable food and water in adequate quantities throughout the journey.

Amendment 64
ANNEX I, CHAPTER V, PARAGRAPH 2.2

2.2 Dogs *and cats* being transported shall be fed at intervals of not more than 24 hours and given water at intervals of not more than **eight hours**. There shall be clear written instructions about feeding and watering.

2.2 Dogs being transported shall be fed at intervals of not more than 24 hours and given water at intervals of not more than **four hours**. **Cats shall be fed at intervals of not more than 24 hours and given water at intervals of not more than eight hours**. There shall be clear written instructions about feeding and watering.

Amendment 65
ANNEX I, CHAPTER VI, TITLE

Chapter VI - Additional provisions for **long distance** journeys of **domestic equidae and domestic animals of bovine, ovine, caprine and porcine species**

Chapter VI - Additional provisions for journeys of **breeding animals exceeding 8 hours**

Justification

Instead of transport of live animals intended to be slaughtered, priority should always be given to the transport of meat. However, transport of live animals must be limited to a maximum of eight hours. Exceptions can be granted in those cases where, due to geographic restraints, it is impossible to adhere to the time limit as well as for those cases where permission has been granted by the proper authorities for the transport of breeding animals. Breeding animals may be subject to long distance transports exceeding eight hours. However, such long-distance journeys for breeding animals are only permitted under specific conditions.

Amendment 66
ANNEX I, CHAPTER VI, PARAGRAPH 1.1

1.1 Animals shall be provided with appropriate bedding material. It shall be sufficient that animals can lie down without being in direct contact with the floor.

1.1 Animals shall be provided with appropriate bedding material. It shall be sufficient that animals can **all** lie down **at the same time** without being in direct contact with the floor.

Amendment 67
ANNEX, CHAPTER VI, PARAGRAPH 2.1

2.1 The vehicle shall be equipped with a water supply system self-operated by the animals, that makes it possible for the attendant to provide water instantly anytime it is necessary during the journey, so that each animal has access to water.

2.1 The vehicle shall be equipped with a water supply system self-operated by the animals, that makes it possible for the attendant to provide water instantly anytime it is necessary during the journey, so that each animal has access to water.
The animals must be familiar with the water supply system.

Justification

Experience shows that animals do not drink if they are unfamiliar with the system.

Amendment 68
ANNEX I, CHAPTER VI, PARAGRAPH 2.2

2.2 The watering devices shall be in good working order and be appropriately designed and positioned for the categories of animals to be watered on board the vehicle.

2.2 The watering devices shall be in good working order and be appropriately designed and positioned for the categories of animals to be watered on board the vehicle. ***They must remain operational at all times, in particular when the outside temperature is close to freezing point.***

Amendment 69
ANNEX I, CHAPTER VI, PARAGRAPH 2.3 A (NEW)

2.3a The responsible person has to carry a list with possibilities to fill the water tank in countries where a foreign language is spoken.

Amendment 70
ANNEX I, CHAPTER VI, PARAGRAPH 3, TABLE 1
Maximum temperature °C, Pigs

< 95%	= or >95%	< 95%	= or >95%
32	29	20	17
32	29	20	17

Justification

It is important to prevent problems arising during transport owing to the temperature being too high or too low. Proper ventilation and temperature are factors in ensuring that the

animals have acceptable conditions during the journey. The maximum temperatures proposed by the Commission are too high in relation to the upper critical temperature limits, to which the animals can no longer adapt. They must therefore be reduced.

Amendment 71
ANNEX I, CHAPTER VI, PARAGRAPH 3, TABLE 1
Bovine and domestic equidae

<i>< 80%</i>	<i>= or >80%</i>	<i>< 80%</i>	<i>= or >80%</i>
30	27	25	22
30	27	25	22

Justification

See justification to Amendment 70.

Amendment 72
ANNEX I, CHAPTER VI, PARAGRAPH 3, TABLE 1
Sheep

28	25	25	22
32	29	28	25

Justification

See justification to Amendment 70.

Amendment 73
ANNEX I, CHAPTER VI, PARAGRAPH 3, TABLE 1
Goats

30	27	28	25
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Justification

See justification to Amendment 70.

Amendment 74
ANNEX I, CHAPTER VII, PARAGRAPH 1.3

1.3 For pigs, compartment heights shall ***comply with the minimum figures H1 with forced ventilation and H2 with passive ventilation as set in Table 3.***

1.3 For pigs, compartment heights shall ***be minimum of 1.4 metres.***

Justification

For pigs compartment heights must be at least 1.4 metres, which according to SCAHAW is the minimum height required to be able to inspect the animals properly. Also more air and space is needed to safeguard proper ventilation for pigs etc.

Amendment 75
ANNEX I, CHAPTER VII, PARAGRAPH 1.4

1.4 When the average weight of the transported animals does not exactly match one of the figures set out Tables 1, 2 and 3, ***an interpolation or an extrapolation shall be calculated to determine the appropriate minimum value.***

1.4 When the average weight of the transported animals does not exactly match one of the figures set out Tables 1, 2 and 3, ***the next highest figure shall be considered appropriate.***

Justification

This amendment will make it easier for the competent authority to check transport rules with regard to stock density.

Amendment 76
ANNEX I, CHAPTER VII, TABLE 3, COLUMNS 4 AND 5

Columns 4 and 5

deleted

Justification

For pigs compartment heights must be at least 1.4 metres, which according to SCAHAW is the minimum height required to be able to inspect the animals properly. Also more air and space is needed to safeguard proper ventilation for pigs etc.

Amendment 77
ANNEX II, PARAGRAPH 3, POINT (B)

(b) send a copy of Section 1 of the journey log properly completed and signed at least ***two*** working days before the time of departure to the competent authority of the place of departure;

(b) send a copy of Section 1 of the journey log properly completed and signed at least ***five*** working days before the time of departure to the competent authority of the place of departure;

Justification

A period of five days will give the competent authority enough time to review the transport papers and to take appropriate measures where necessary.

Amendment 78
ANNEX II, PARAGRAPH 3, POINT (D)

(d) ensure that the journey log accompanies the animals during the journey until the point of destination ***or, in case of export to a third country at least until the exit point.***

(d) ensure that the journey log accompanies the animals during the journey until the point of destination. ***Two of the required translations shall be in the languages of the country of departure and the country of destination.***

Justification

The journey log must always accompany the animals until the point of destination.

Amendment 79
ANNEX II, PARAGRAPH 4

4. Keepers at the place of departure, and when the place of destination is located within the territory of the Community, keepers at the place of destination, shall complete and sign the relevant sections of the journey log. They shall inform the competent authority of any reservations concerning the compliance with the provisions of this Regulation using the model in Section 4 ***as soon as possible.***

4. Keepers at the place of departure, and when the place of destination is located within the territory of the Community, keepers at the place of destination, shall complete and sign the relevant sections of the journey log. They shall inform the competent authority of any reservations concerning the compliance with the provisions of this Regulation using the model in Section 4 ***within 14 days.***

Justification

The wording 'as soon as possible' is too inexact; a specific deadline should be stated.

Amendment 80
ANNEX II, PARAGRAPH 5

5. If animals are exported to a third country, transporters shall give the documents referred to in points (a) and (b) of paragraph 4 to the official veterinarian at the exit point.

In case of export of live bovine animals with refunds, Section 3: Place of Destination of the journey log shall not be required if the agricultural legislation imposes a report.

5. If animals are exported to a third country, transporters shall give ***a copy of*** the documents referred to in points (a) and (b) of paragraph 4 to the official veterinarian at the exit point.

Justification

The journey log shall be available for checks throughout the whole journey until the point of destination, regardless of whether the point of destination is on European territory or in a third country.

20 February 2004

OPINION OF THE COMMITTEE ON REGIONAL POLICY, TRANSPORT AND TOURISM

for the Committee on Agriculture and Rural Development

on the proposal for a European Parliament and Council regulation on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EEC
(COM(2003) 425 – C5-0438/2003 – 2003/0171(CNS))

Draftsman: Herman Vermeer

PROCEDURE

The Committee on Regional Policy, Transport and Tourism appointed Herman Vermeer draftsman at its meeting of 10 September 2003.

It considered the draft opinion at its meetings of 21 January and 17 February 2004.

At the last meeting it adopted the following amendments by 42 votes to 1, with 1 abstention.

The following were present for the vote: Paolo Costa (chairman), Rijk van Dam (vice-chairman), Gilles Savary (vice-chairman), Helmuth Markov (vice-chairman), Herman Vermeer (draftsman), Pedro Aparicio Sánchez (for Danielle Darras), Graham H. Booth (for Alain Esclopé), Philip Charles Bradbourn, Luigi Cocilovo, Nirj Deva (for Rolf Berend), Jan Dhaene, Den Dover (for Felipe Camisón Asensio), Garrelt Duin, Giovanni Claudio Fava, Markus Ferber (for Margie Sudre), Jacqueline Foster, Mathieu J.H. Grosch, Catherine Guy-Quint (for John Hume), Konstantinos Hatzidakis, Ewa Hedkvist Petersen, Juan de Dios Izquierdo Collado, Elisabeth Jeggle (for Christine de Veyrac), Dieter-Lebrecht Koch, Giorgio Lisi, Erik Meijer, Bill Miller (for Wilhelm Ernst Piecyk), Enrique Monsonís Domingo, Francesco Musotto, James Nicholson, Josu Ortuondo Larrea, Peter Pex, Samuli Pohjamo, Alonso José Puerta, Reinhard Rack, Ingo Schmitt, Elisabeth Schroedter (for Nelly Maes), Renate Sommer, Ulrich Stockmann, Hannes Swoboda (for Brian Simpson), Joaquim Vairinhos, Ari Vatanen, Dominique Vlasto (for Sérgio Marques), Mark Francis Watts, Brigitte Wenzel-Perillo (for Dana Rosemary Scallon).

SHORT JUSTIFICATION

1. Introduction

The European Parliament has a long-standing interest in and concern for the welfare of animals during transport, which reflects the interest in this matter amongst the European public at large. In its resolution on the experience acquired in implementing the current Directive 95/2/EC on animal transport, the Parliament emphasised the need to have effective enforcement of the relevant legislation and called on the Commission to present proposals to amend the existing rules in order to improve the general conditions under which animals are transported within the Union.

Following its report on the experience acquired on the implementation of directive 91/628/EEC and amending directive 95/29/EC [Com (2000) 809 final] and in the light of the report of the Scientific Committee on Animal Health and Animal Welfare, the Commission has brought forward a draft Regulation which will overhaul the animal transport rules in Europe.

The transport of animals is necessary to adjust the unequal distribution of resources and demand. The average annual trade of live animals involving Member States is approximately 2 million tonnes. About 80% of this trade is within the EU. Road transport represents between 90% and 99% of the overall trade in live animals in the EU. About 10% of these journeys are long distance.

2. The Commission's Proposal

The Commission's proposal falls into two broad categories. It suggests a number of improvements to the physical conditions under which animals are transported, especially over long distances, and it seeks to reinforce administrative and control procedures to ensure that the legislation is fully complied with.

A standard of a maximum nine hours travel followed by a minimum of 12 hours rest is proposed for all species. Precise rules restricting long distance travel is for young animals and females before and after giving birth are introduced. Better and monitorable temperature and humidity regulation is introduced, more space must be provided, there must be permanent access to drinking water and animals may not be tied for long distance transport. As staging posts are no longer to be used, stressful loading and unloading is reduced. Finally harmonisation is more readily ensured by a regulation as opposed to using a directive as in the past.

On the administrative side comprehensive journey logs and checkable route plans with clearly defined responsibilities for national administrations and transporters at the beginning and end of journeys are introduced. Responsibilities are more clearly defined; registration rules are harmonised and reinforced; and the nature of infringement checks and action to be taken in the event of infringement, including suspension or withdrawal of the authorisation of the means of transport, are set out.

3. Maximum Journey Times And Enforcement Of The Legislation

The Commission has opted for a maximum journey time of nine hours. This is a substantial reduction on current journey times, which at the moment vary by species. Very importantly from the point of view of the practical implementation of the legislation, and its enforceability, this journey time dovetails with the provisions of Directive 2002/15/EC on drivers working time. Drivers must stop after nine hours for a twelve-hour period. This will allow tachographs to be used to ensure that the maximum durations for animal transport are respected. Members will recall that the nine hour limitation includes not just driving time but also time taken to load and unload and for cleaning and technical maintenance.

Articles 13 and 14 of the draft regulation deal with checks by the competent authorities before and at any stage during long distance journeys. Your draftsman welcomes the introduction of harmonisation here through the specification of what is to be checked before departure and the checking of journey times. In the interests of ensuring that distortions are not introduced by widely varying practices in Member states there may be scope for developing a standardised checking regime in the legislation which would aim at ensuring that checks are of the same length of time, frequency and content throughout the Union.

4. Your Draftsman's Approach

Your draftsman has consulted widely on the proposed Regulation. There are a number of areas where he considers it may be necessary to propose amendments to the responsible committee, the Committee on Agriculture and Rural Development. As the committee on Agriculture is due to hold a hearing on this topic on 21 January he considers it more useful to hear further expert opinion in that context before finalising his amendments. He will therefore submit his amendments for the RETT Committee's February meeting, respecting the deadline set for all members. In your draftsman's view the key points are

- that the provisions of the legislation are applicable and can in practice be monitored and controlled.
- that the beginning of driving time has to be defined pragmatically if the real journey begins some time after the first animal is loaded and further farm stops are made.
- that GPS equipment should be used to avoid illicit loading/unloading and destination changes during journeys.
- that where vehicles are of the highest standard with modern ventilation systems, and where two drivers are available, journey times may be increased to not more than 22 hours.
- that flexibility is needed on rest times on ferries given different crossing times and weather conditions between say ferry crossings beginning in Ireland and those beginning in Mediterranean countries.
- that there has to be provision for truly exceptional circumstances such as reindeer transport in Finland.

AMENDMENTS

The Committee on Regional Policy, Transport and Tourism calls on the Committee on Agriculture and Rural Development, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 RECITAL 10

(10) The unloading and subsequent reloading of animals is more stressful than leaving them resting in the vehicle in good conditions. In addition, contact at staging points between animals from different sources can lead to the spread of infectious disease. Therefore, for animal welfare and animal health reasons the use of staging points should be prevented. Accordingly, Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referring to in the Annex to Directive 91/628/EEC, should be repealed.

deleted

Justification

Loading and unloading of animals only becomes more stressful than staying on the vehicle if animals are handled inadequately. For horses it is definitely more stressful to stay on the vehicle than be unloaded.

Staging points are necessary to feed and water as well as to properly check the health status. If one follows the argumentation of the European Commission about the connection of the spreading of diseases and the unloading of animals at staging points, it surprises that the unloading at markets is not taken into consideration. Furthermore, consignments of animals entering a Member State from a third country should be required to undergo a compulsory resting period of 24 hours with unloading near the border on the territory of the European Union.

In order to be able to milk lactating cows, sheep and goats every twelve hours when they are not accompanied by their offspring, these animals have to be unloaded.

¹ Not yet published in OJ.

Amendment 2
RECITAL 16

(16) Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport provides for maximum driving periods and minimum rest periods for road drivers. It is appropriate that journey times for animals are similarly regulated. Council Regulation (EEC) No 3821 of 20 December 1985 on recording equipment in road transport provides for recording equipment to be installed and used to ensure effective checking on compliance with social legislation concerning road transport. ***It is necessary that such record data be made available and checked so as to enforce travelling time limits under animal welfare legislation.***

(16) Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport provides for maximum driving periods and minimum rest periods for road drivers. It is appropriate that journey times for animals are similarly regulated. Council Regulation (EEC) No 3821 of 20 December 1985 on recording equipment in road transport provides for recording equipment to be installed and used to ensure effective checking on compliance with social legislation concerning road transport. ***For animal transport control of the travelling time and the route and activities during the journey of the vehicle one must use a GPS system, that can result in an automated system of control of animal transport.***

Justification

The recording equipment in road transport is not reliable. In light of other road legislation concerning operability and automation it will be a good incentive for the entire sector if the animal transport industry starts using GPS as a means of control.

Amendment 3
ARTICLE 2 (H)

(h) ‘journey’ ***means*** the entire transport operation from the place of departure to the place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey;

h) ‘journey’, the entire transport operation from ***loading of the first animal*** at the place of departure to the ***unloading of the last animal*** place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey;

Justification

Promotes the well-being of both the drivers and the animals; journey time starts to count at the loading of the first animal and ends after loading of the last animal.

Amendment 4
ARTICLE 2 (J)

(j) ‘livestock vessel’ means a vessel **which is used or intended to be used for the carriage of domestic equidae or domestic animals of bovine, ovine, caprine or porcine species** other than a roll-on-roll-off vessel, and other than a vessel carrying animals in moveable containers;

(j) ‘livestock vessel’ means a vessel **that is permanently fitted for the carriage of live animals**, other than a roll-on-roll-off vessel, and other than a vessel carrying animals in moveable containers.

Justification

More specific definition of a ‘livestock vessel’ so that no discussion can arise. It is important that a livestock vessel only carries live animals. This definition of ‘live animals’ instead of a limited enumeration of types of animals makes sure it encompasses everything.

Amendment 5
ARTICLE 2 (K)

(k) ‘long-distance journey’ **means** a journey that exceeds 9 hours starting from when the first animal of the consignment is **moved** by a means of transport excluding 45 minutes of driver rest in the case of road transport.

(k) ‘long-distance journey’, a journey that exceeds 9 hours starting when the first animal of the consignment is **loaded on to** a means of transport excluding 45 minutes of driver rest in the case of road transport.

Justification

To promote the well-being of both the drivers and the animals, journey times should start to count at the loading of the first animal and end after the loading of the last animal.

Amendment 6
ARTICLE 2 (N) II

(ii) assembly centres where:
- such assembly centres have been approved in accordance with Community veterinary legislation; and
- animals have **been** accommodated with sufficient bedding, untied and watered for at least six hours **prior to the time of departure** within the assembly centre.

(ii) assembly centres where:
- such assembly centres have been approved in accordance with Community veterinary legislation; and
- animals **which** have **travelled less than 4 hours to the centre will be** accommodated with sufficient bedding, untied and watered for at least six hours within the assembly centre;
- animals which have travelled for more than 4 hours must be accommodated with sufficient bedding, untied, fed and

watered for at least 48 hours within the centre.

Justification

A clear definition of when and where the journey time starts is necessary.

Amendment 7
ARTICLE 2 (M) - TITLE

(m) ‘organiser’ means: ***deleted***

Justification

The draft Regulation defines “attendant”, “keeper”, “organiser” and “transporter” and also refers to “personnel handling animals”, “drivers” and “operators of assembly centres” (who are not defined). While this emphasises the large number of people who share responsibility for the welfare of animals during a journey, FVE believes that it will make it very difficult for the competent authority of a MS to apply sanctions when the welfare of animals being transported is compromised by failure to comply with the Regulation. FVE therefore proposes that the number of people who carry statutory responsibility under the Regulation for the welfare of transported animals should be minimised and only these persons should be defined in the Regulation.

This amendment will avoid any ambiguity as to whether an organiser when not falling under point (m) (i) needs to have an authorisation.

In order to replace the organiser by the newly defined transporter articles 5.3, 5.4, 13 a ii, 13 b, Annex II 3 and some of the certificates need to be changed accordingly.

Amendment 8
ARTICLE 2 (S)

(s) ‘transporter’ means any natural or legal person transporting animals on his own account, or ***for the account of a third party;***

(s) ‘transporter’ means any natural or legal person transporting animals on his own account, or ***contracting/subcontracting any part of the journey to another transporter;***

Justification

The draft Regulation defines “attendant”, “keeper”, “organiser” and “transporter” and also refers to “personnel handling animals”, “drivers” and “operators of assembly centres” (who are not defined). While this emphasises the large number of people who share responsibility for the welfare of animals during a journey, FVE believes that it will make it very difficult for the competent authority of a MS to apply sanctions when the welfare of animals being transported is compromised by failure to comply with the Regulation. FVE therefore proposes that the number of people who carry statutory responsibility under the Regulation for the

welfare of transported animals should be minimised and only these persons should be defined in the Regulation.

This amendment will avoid any ambiguity as to whether an organiser when not falling under point (m) (i) needs to have an authorisation.

In order to replace the organiser by the newly defined transporter articles 5.3, 5.4, 13 a ii, 13 b, Annex II 3 and some of the certificates need to be changed accordingly.

Amendment 9
ARTICLE 2 (Q A) (NEW)

(qa) ‘satellite navigation systems’ means the satellite-based infrastructures providing global, continuous and accurate timing and positioning services.

Amendment 10
ARTICLE 3 A (NEW)

Article 3a

Member States may on grounds of public morality prohibit the export of animals of any species destined for slaughter to other Member States or third countries.

Justification

There is substantial evidence that low-value horses, ponies and donkeys, in particular, which are transported for slaughter experience very considerable welfare problems during transport. The culture of some Member States traditionally regard horses, ponies and donkeys as companion animals rather than as food animals. Such Member States should be free to restrict the export of equidae for slaughter from their individual countries on such moral grounds.

Amendment 11
ARTICLE 5, PARAGRAPH 1

1. No person shall contract or subcontract the transport of animals except to transporters authorised in accordance with Article 10(1) or Article 11(1).

1. No person shall contract or subcontract the transport of animals except to transporters, ***whether or not established in a Member State***, authorised in accordance with Article 10(1) or Article 11 (1).

Justification

Stipulates that transporters that are both established in a Member State or non-member state have to be in the possession of an authorisation.

Amendment 12
ARTICLE 6, PARAGRAPH 4

4. Transporters *shall* entrust the handling of the animals *to personnel who have received training* on the relevant provisions *of Annexes I and II*.

4. Transporters, *whether or not established in a Member State, and their personnel to whom they* entrust the handling of the animals *must be competent and, if necessary, trained* on the relevant provisions *mentioned in Annex IV, paragraphs 1 and 2*.

Justification

Personnel handling the animals should not only be competent on the relevant provision of Annexes I and II but also of all other aspects mentioned in Annex IV such as feeding and drinking needs, practical aspects of handling of animals, with the exception of impact of driving behaviour on the welfare of animals.

Furthermore, training is not only useful for attendants, drivers of road vehicles and staff of approved assembly centres. The person in charge of the planning of the journey and signing section I of the journey log will also benefit from having received the same training.

Transporters established outside the EU that transport animals (from) within the EU should have personnel that is sufficiently trained

Amendment 13
ARTICLE 6, PARAGRAPH 6

6. Transporters shall ensure that an attendant accompanies any consignment of animals *except in the following cases*:

6. Transporters shall ensure that an attendant accompanies any consignment of animals *and that animals are transported in containers which are secured, adequately ventilated and, where necessary but in any case when they are transported over 150 km, contain enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated journey time. In exceptional cases the driver may perform the function of attendant if he is trained as an attendant in accordance with this Regulation.*

(a) where animals are transported in containers which are secured, adequately ventilated and, where necessary, contain enough food and water, in dispensers which cannot be tipped over, for a journey of twice the anticipated journey time;

(b) where the driver performs the functions of attendant.

Justification

Care of the animals during transport and appropriate equipment of the vehicles is particularly important.

Amendment 14 ARTICLE 7, PARAGRAPH 1

1. No person shall transport animals by road over long-distance journeys unless the means of transport has been inspected and approved under Article 17(1).

1. No person shall transport animals by road ***over more than 50 km from the place of departure*** unless the means of transport has been inspected and approved under Article 17(1).

Justification

The draft Regulation only provides for the approval of vehicle used for the long-distance transport of animals. But the vast majority of animals are transported for less than this period and the vehicles on which they travel would fall outside the approval procedures. Furthermore, the same vehicle can be used in one journey for long-distance transport and in the next journey for not long-distance transport. All livestock vehicles, other than those likely to be used by farmers for the transport of their own animals over short distances, should be subject to inspection and approval by the competent authority. The same 50 km borderline is also used in the European Convention on the protection of animals during international transport adopted in 2003 by the Council of Europe.

Amendment 15 ARTICLE 7, PARAGRAPH 2

2. No person shall transport by sea ***domestic equidae and domestic animals of bovine, ovine, caprine or porcine species*** from a Community port unless the livestock vessel has been inspected and approved under Article 18(1).

2. No person shall transport ***animals*** by sea from a Community port unless the livestock vessel has been inspected and approved under Article 18(1).

Justification

Rather than enumerating the types of animals, it would be more sensible only to talk of 'animals'.

Amendment 16
ARTICLE 9, PARAGRAPH 2, POINT (A)

(a) entrust the handling of animals only to personnel who ***have followed training courses on the relevant technical rules set out in Annex I;***

(a) entrust the handling of animals only to personnel who ***must be competent and, if necessary, be trained on the relevant provisions mentioned in Annex IV, paragraph 1 and 2;***

Justification

Personnel handling the animals should not only be competent on the relevant provision of Annexes I and II but also of all other aspects mentioned in Annex IV such as feeding and drinking needs, practical aspects of handling of animals, with the exception of impact of driving behaviour on the welfare of animals.

Furthermore, training is not only useful for attendants, drivers of road vehicles and staff of approved assembly centres. The person in charge of the planning of the journey and signing section I of the journey log will also benefit from have received the same training.

Amendment 17
ARTICLE 10, TITLE

Authorisations for transporters operating long-distance journeys

Authorisations for transporters ***transporting animals over a distance of more than 50 km from the place of departure to destination***

Justification

The vast majority of animals are transported for a short distance and therefore also many infringements can be seen during these short distance journeys. Furthermore, the same transporter can do one day a long-distance transport, the other day a short distance transport. Therefore it is more logical to have the same certificate of authorisation for all transport more than 50 km with the same period of validity (2 years).

Amendment 18
ARTICLE 10, PARAGRAPH 1, POINT (D)

(d) the applicants or persons acting on their behalf have no record of serious

(d) the applicants or persons acting on their behalf have no record of serious

infringements of Community legislation on the protection of animals ***in the five years preceding the date of the application.***

infringements of Community legislation on the protection of animals.

Justification

A strict and simple rule that says if you have committed serious infringements of Community legislation on the protection of animals, you can no longer get a permit.

Amendment 19
ARTICLE 10, PARAGRAPH 1, POINT (E A) (NEW)

(ea) where the applicants are not established in the Community, they have to apply for authorisation in the Member State where they intend to transport the animals from.

Amendment 20
ARTICLE 11

Authorisations for transporters not operating long-distance journeys

deleted

1. The competent authority shall grant authorisations to transporters not operating long-distance journeys upon application, provided that they comply with points (a) to (d) of Article 10(1).

2. The competent authority shall issue such authorisations in accordance with the specimen set out in Chapter II of Annex III and valid for not more than five years from the date of issue.

Justification

By changing article 10 to “Authorisations for transporters transporting animals over a distance of more than 50 km from the place of departure to destination”, article 11 is not anymore necessary.

Amendment 21
ARTICLE 12, PARAGRAPH 4

4. The competent authority shall record authorisations issued pursuant to Article 10(1) in an electronic database. Data referred to in the specimen set out in

4. The competent authority shall record authorisations issued pursuant to Article 10(1) in an electronic database. Data referred to in the specimen set out in

Chapter I of Annex III shall be made publicly and permanently available. The database shall also include decisions notified under Article 25(4)(c) and Article 25(6) and (7).

Chapter I of Annex III shall be made publicly and permanently available. The database shall also include ***certificates of approval for means of transport issued pursuant to Article 17 and Article 18 (3) and*** decisions notified under Article 25(4)(c) and Article 25(6) and (7).

Justification

Not only authorisations for transporters, but also approval certificates for vehicles should be available to the competent authorities of all Member States via an electronic database. This way, any competent authority can immediately check whether a certain vehicle is approved or not.

Amendment 22
ARTICLE 14

The competent authority shall carry out at any stage ***of the long-distance journey*** appropriate checks on a random or targeted basis to verify that declared journey times are credible and comply with this Regulation. In particular the competent authority shall verify that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.

The competent authority shall carry out at any stage appropriate checks on a random or targeted basis to verify that declared journey times are credible and ***that the journey complies*** with this Regulation. In particular the competent authority shall verify that travel times and rest periods have complied with the limits set out in Chapter V of Annex I. ***The number of animals checked and checks carried out shall cover at least 20 % of journeys, of which at least 10 % shall be in the form of a spot check on the road. Member States shall ensure that the relevant inspection authorities have at their disposal sufficient staff to carry out the checks mentioned above. Satellite positioning and mobile communications technologies shall be used for carrying out these checks.***

Justification

The best animal transport law is pointless if the provisions it contains are not checked.

Amendment 23
ARTICLE 16, PARAGRAPH 2 A (NEW)

2a. Staff must attend further training courses at regular intervals.

Justification

A high standard of staff training is absolutely essential.

Amendment 24

ARTICLE 17, PARAGRAPH 1, INTRODUCTION

1. The competent authority or body designated by Member State shall grant a certificate of approval for means of transport by road used for **long-distance** journeys upon application provided that the means of transport:

1. The competent authority or body designated by Member State shall grant a certificate of approval for means of transport by road used for journeys **more than 50 km from the place of departure to destination** upon application provided that the means of transport:

Justification

The draft Regulation only provides for the approval of vehicles used for the long-distance transport of animals. But the vast majority of animals are transported for less than this period and the vehicles on which they travel would fall outside the approval procedures. Furthermore, the same vehicle can be used in one journey for long-distance transport and in the next journey for not long-distance transport. All livestock vehicles, other than those likely to be used by farmers for the transport of their own animals over short distances, should be subject to inspection and approval by the competent authority. The same 50 km borderline is also used in the European Convention on the protection of animals during international transport adopted in 2003 by the Council of Europe.

Amendment 25

ARTICLE 18, PARAGRAPH 1, POINT A)

(a) **regularly** operated from the Member State where the application is made;

(a) operated from the Member State where the application is made;

Amendment 26

ARTICLE 18, PARAGRAPH 2

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community. Certificates shall not be valid for a period of more than five years from the date of issue and shall be **renewed any**

2. The competent authority or body designated by Member State shall issue each certificate with a number unique in the Member State. The certificate shall be drawn up in at least one of the official languages of the Member State of issue and two other official languages of the Community. Certificates shall not be valid for a period of more than 5 years from the date of issue and shall be **subject to an annual survey in line and harmonised with statutory/class certificates. Renewal**

time the livestock vessel is modified or refitted.

of the certificate shall be required each time the livestock vessel is modified or refitted or in cases where the ISM operator who has responsibility for the operation of the ship changes.

Amendment 27

ARTICLE 18, PARAGRAPH 4 A (NEW)

4a. The certificate of approval for a livestock vessel shall cease to be valid if:

(a) the ship's certificate of survey or Safety Convention certificate becomes invalid for any reason – for such period as that certificate remains invalid; or

(b) the survey for annual endorsement of the certificate of approval for the livestock vessel is not satisfactorily completed within three months of its anniversary date – until the annual endorsement is satisfactorily carried out; or

(c) one or more of the construction and equipment requirements for livestock vessels of Chapter IV of Annex I are no longer met – until the same requirements are again met; or

(d) the ISM operator who has responsibility for the operation of the ship changes.

Amendment 28

ARTICLE 19, PARAGRAPH 2 A (NEW)

2a. Prior to the commencement of the loading operations, the transporter shall fully and correctly complete the 'journey plan for livestock vessels' which shall then be presented to the competent authority so as to verify its compliance with this Regulation. The competent authority, at the expense of the transporter, may by all legal means verify the correctness of the presented 'journey plan for livestock vessels'.

Amendment 29
ARTICLE 19 A (NEW)

Article 19a

Owing to their great flexibility and versatility, the application of new satellite positioning and mobile communication technologies to tracking and tracing systems meet the requirements of the new “animal protection during transport” policies planned at Community level. These technologies enable animal transport vehicle to be tracked, traced, monitored, and controlled. With regard to satellite positioning, the Galileo project launched by the European Union in 2002 (Council Regulation (EC) No 876/2002) is scheduled to provide, as of 2008, services which are optimal for these purposes.

Amendment 30
ARTICLE 20, PARAGRAPH 3

3. Where the competent authority considers that animals have been neglected or maltreated during the journey and are therefore not fit to complete their journey, they shall be unloaded, watered, fed and rested.

3. Where the competent authority considers that animals have been neglected or maltreated during the journey and are therefore not fit to complete their journey, they shall be unloaded, watered, fed and rested ***and if necessary, action shall be taken in accordance with Article 22.***

Justification

If animals are found to have been neglected or maltreated during a journey, emergency actions may be necessary as described in article 22.

Amendment 31
ARTICLE 26, PARAGRAPH 1

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of the animals transported each year within each Member State, and may be carried out

1. The competent authority shall check that the requirements of this Regulation have been complied with, by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of the animals transported each year within each Member State, and may be carried out

at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded. The above proportions shall ***be determined in accordance with the procedures referred to in Article 30 (2)***.

at the same time as checks for other purposes. The proportion of inspections shall be increased where it is established that the provisions of this Regulation have been disregarded. The above proportions shall ***cover at least 20 % of journeys, of which at least 10 % shall be in the form of spot checks on the road***.

Justification

The best animal transport law is pointless if the provisions it contains are not checked and if infringements are not penalised.

Amendment 32 ARTICLE 26, PARAGRAPH 2

2. The competent authority shall submit to the Commission by 30 June each year an annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them.

2. The competent authority shall submit to the Commission by 30 June each year an annual report of the previous year on the inspections provided for in paragraph 1. The report shall be accompanied by an analysis of the major deficiencies detected and an action plan to address them ***and documentation on the sanction measures taken by the authorities. The report shall be made available to the European Parliament and the Member States on request***.

Justification

The best animal transport law is pointless if the provisions it contains are not checked and if infringements are not penalised.

Amendment 33 ARTICLE 29, PARAGRAPH 1

1. The Annexes may be amended in accordance with the procedure ***referred to in Article 30(2)***.

1. The Annexes may be amended in accordance with the procedure ***being used to amend the regulation***.

Justification

The annexes contain the different technical provisions which are highly important for animal welfare and politically sensitive (such as e.g. journey times). Given the danger that these provisions could be amended in a – from the welfare viewpoint – negative way, the European

Parliament has to be involved in the legislative procedure as well. Comitology procedure does not appear appropriate regarding the amendment of the annexes.

Amendment 34
ARTICLE 34, SUBPARAGRAPH 3 A (NEW)

No later than five years after entry into force of this regulation the European Commission shall submit to the Council and the European Parliament a report, drawn up on the basis of the reports of the Commission's Food and Veterinary Office, on the evaluation of checks on animals' welfare during transport in the Member States, as well as annual reports provided by Member States in accordance with Chapter IV, Article 26(2). In addition, it shall be accompanied by appropriate proposals taking into account the conclusion of these reports.

Justification

Five years after entry into force of the regulation, the Commission shall draw up a report with regard to the effective implementation of the regulation and propose new legislation if necessary.

Amendment 35
ARTICLE 34 A (NEW)

Article 34a

Reports

1. Member States shall every five years after adoption send to the Commission a report on the activities undertaken in relation to the provisions of Directive 64/432/EC and 93/199/EC and report problems with this Regulation.

2. The Commission shall transmit to the European Parliament and the Council the reports submitted by the Member States on the experience gained in implementing Directive 64/432/EC and 93/199/EC and shall report problems with this Regulation.

Justification

A directive must be checked if it works, Parliament has a role in that.

Amendment 36
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (B)

(b) they present a severe open wound or prolapse;

(b) they present a severe open wound, ***severe haemorrhage, severe system disorder*** or prolapse;

Justification

Animals with a severe haemorrhage or system disorder should also not be transported.

Amendment 37
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (D)

(d) they are new-born mammals in which the navel has not completely healed;

(d) they are new-born mammals in which the navel has not completely healed, ***with the exception of a foal transported with the mare for mating;***

Justification

Animals with a severe haemorrhage or system disorder should also not be transported. Neither should very young animals. A farmer transporting his lambs to the prairie will not fall under this Regulation, as this is not commercial transport.

Amendment 38
ANNEX I, CHAPTER I, PARAGRAPH 2, POINT (E)

(e) they are pigs of less than four weeks, lambs of less than one week and calves of less than two weeks of age unless they are transported less than 100 km.

(e) animals less than four weeks of age.

Justification

For calves and lambs the navel is healed after 4 weeks. Furthermore, says the Pig Directive, in respect to small piglets the weaning period is 4 weeks. Animals which are younger than 4 weeks are not suitable for transport.

Amendment 39
ANNEX I, CHAPTER I, PARAGRAPH 3, INTRODUCTION

3. However, ill or injured animals may be considered fit for transport if they are:

3. However, ill or injured animals may be considered fit for **transporting for short distances** if they are:

Justification

Ill and injured animals should not be transported at all over long distances.

Amendment 40
ANNEX I, CHAPTER I, PARAGRAPH 3, POINT (A)

(a) slightly injured or ill whose transport would not cause unnecessary suffering;

(a) slightly injured or ill whose transport would not cause unnecessary suffering; **if an animal is slightly injured or ill, its transportability must be checked by a veterinarian;**

Justification

The term 'slightly' is too imprecise and is not comprehensible.

Amendment 41
ANNEX I, CHAPTER I, PARAGRAPH 4

4. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.

4. When animals fall ill or are injured during transport, they shall be separated from the others and, **if necessary, unloaded and** receive first-aid treatment as soon as possible. They shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.

Justification

In some cases, unloading will be necessary to give the animal first-aid treatment or to care for the animal.

Amendment 42
ANNEX I, CHAPTER I, PARAGRAPH 6 A (NEW)

6a. Where there is any doubt about the animal's fitness for transport, a veterinary opinion should be sought.

Justification

Inspection for fitness to travel demands skills and clinical judgement e. g. to detect a severe system disorder and therefore can only be carried out by a veterinarian. As mentioned in the recently adopted new European Convention on the protection of animals during transport in Article 10(1) “Before animals are loaded for international transport they shall be inspected by an authorised veterinarian of the country where the journey starts, who shall ensure that they are fit for the journey.”

Currently in the Regulation the keeper is responsible for the fitness of travel, however, no training requirements are asked from him, and in addition it will be difficult for the competent authority to act in case of an infringement.

Amendment 43

ANNEX I, CHAPTER II, PARAGRAPH 1, POINT 1.1 (H A) (NEW)

(ha) be equipped with the appropriate satellite navigation equipment, allowing for recording and transmission of positioning information to the competent authorities.

Amendment 44

ANNEX I, CHAPTER II, PARAGRAPH 1, POINT 1.5

1.5. Piglets of less than 10 kg, lambs of less than 20 kg, calves of less than six months and foals of less than four months of age shall be provided with appropriate bedding material. It shall be sufficient to allow the animals to lie down without being in direct contact with the floor.

1.5. ***All animals*** shall be provided with ***adequate and*** appropriate bedding material. It shall be sufficient to allow the animals to lie down without being in direct contact with the floor.

Justification

Not only very young animals but all animals transported should be provided with adequate amounts of appropriate bedding material.

Amendment 45

ANNEX I, CHAPTER II, SECTION 2, POINT 2.1

2.1 Vehicles in which animals are transported shall be clearly and visibly marked indicating the presence of live animals.

2.1 Vehicles in which animals are transported shall be clearly and visibly marked, ***either at the rear or on the side***, indicating the presence of live animals. ***The marking in accordance with international standards must contain information on the species, net loading***

area and maximum permissible load authorised for the vehicle as equipped. Notices must have a minimum size of 250 by 250 millimetres.

Justification

There is a need to require strict and precise identification of vehicles. This also makes inspections easier for the authorities. The proposed size of notices follows the specifications for notices in existing Community law for the transport of hazardous goods.

Amendment 46

ANNEX I, CHAPTER III, PARAGRAPH 1, POINT 1.1 A (NEW)

1.1a The fitness of every animal to travel must be checked by a veterinarian immediately before loading in cases where the place of loading is more than 150 km from the final place of unloading. Additionally the condition of every animal must be checked by a veterinarian when unloading at the final place of destination.

Justification

In order to ensure that animals are physically suited for transportation all animals must be checked by a veterinary before departure in cases where the distance from the place of loading is more than 150 km from the final place of unloading. Additionally, all animals must also be checked by a veterinary upon arrival to ensure that the transportation has been appropriate and that the animals are suited for slaughtering.

Amendment 47

ANNEX I, CHAPTER III, PARAGRAPH 1, POINT 1.4

1.4. Ramps shall not be steeper than 33,3 % on the horizontal level for **pigs, calves and horses and than 50 % for sheep and cattle other than calves provided that ramps** are equipped with cleats with intervals at a maximum of 30 centimetres.

1.4 Ramps shall not be steeper than 33.3 % on the horizontal level for **all animals. Ramps shall be** equipped with cleats with intervals at a maximum of 30 centimetres.

Justification

It is better to have one standard for all animals to keep it simple. Anything higher than 33,3% will only add to the already existing stress that exists for animals during loading and unloading.

Amendment 48
ANNEX I, CHAPTER III, PARAGRAPH 1, POINT 1.11 (F A) NEW

(fa) Sexually mature male and female animals;

Justification

Mixing of sexually male and females stresses the animals even if they look calm from the outside.

Amendment 49
ANNEX I, CHAPTER III, PARAGRAPH 1, POINT 1.12 A (NEW)

1.12a The number of animals per group according to the European Convention for the protection of animals during international transport shall be determined as follows:

- max. 8 cattle;***
- 10 young cattle;***
- 15 calves;***
- 5 sows;***
- 15 slaughter pigs and gilts up to 100 kg;***
- 32-35 piglets up to 30 kg;***
- 50 piglets up to 25 kg;***
- 60-75 piglets up to 10 kg;***
- 25-32 sheep or goats;***
- 105 one-day-old chicks;***
- 40 one-day-old geese or turkeys;***
- small groups of older water poultry.***

Justification

The number of animals per group should be determined according to the European Convention for the protection of animals during international transport.

Amendment 50
ANNEX I, CHAPTER III, PARAGRAPH 2, POINT 2.3

2.3. ***Sufficient*** ventilation shall be provided to ensure that the needs of the animals are fully met taking into account in particular

2.3. ***Forced*** ventilation shall be provided to ensure that the needs of the animals are fully met taking into account in particular

the number and type of the animals to be transported and the expected weather conditions during the journey. Containers shall be stowed in a way which does not impede their ventilation.

the number and type of the animals to be transported and the expected weather conditions during the journey. Containers shall be stowed in a way which does not impede their ventilation.

Justification

There is only one way to ensure proper ventilation and a constant temperature in all climates and that is by forced ventilation.

Amendment 51

ANNEX I, CHAPTER IV, PARAGRAPH 2 A (NEW)

2a. A livestock vessel shall not be allowed to carry livestock from a Community port unless a valid certificate of approval has been issued. The certificate of approval is not to be issued, renewed or reissued in respect of any ship unless the following conditions are met:

1. The ship shall only be classified by a classification society that is a full member of the International Association of Classification Societies (IACS).

2. There shall be in force, in respect of the ship, certification under the International Safety Management (ISM) Code, or a full member of the IACS shall provide a declaration that the ship complies with the International Safety Management (ISM) Code.

3. The livestock structure of a ship, its connections to the hull, its fittings and equipment, and all items provided for the needs of livestock outside the livestock structure must be constructed and maintained to a standard no less than that which would be applicable to similar structures, connections, fittings, equipment and items surveyed by the ship's classification society.

4. The livestock vessel shall be fitted with a secondary source of power that must meet the following:

(a) the secondary source of power shall be located in a space that is not contiguous with any space containing the main source of power or part thereof, and be independent of any services provided from or through any such space;

(b) the primary source of power shall be capable of being started readily by an effective arrangement powered by an independent source of energy;

(c) the secondary source of power shall at all times be maintained in a condition acceptable to the ship's classification society;

(d) the secondary source of power, all associated ancillaries and electrical systems associated with livestock services shall comply with Regulation 45 of Chapter II-1 of SOLAS and meet the requirements of the ship's classification society for electrical systems.

5. The ship to be used for the carriage of livestock shall be provided with durable fittings so manufactured, assembled or positioned as to protect the livestock from injury, avoidable suffering and exposure to weather and sea.

6. The ship shall not carry livestock unless contained in pens or stalls and shall be fitted with systems and equipment that ensure the maintenance of livestock services at a level necessary for the welfare of the livestock.

7. The feed for the livestock shall not be placed on the floor of a pen or stall.

8. Each pen or stall shall be provided with receptacles for feeding and watering of livestock, unless the fodder or water is provided by an automatic system. A feeding receptacle shall not be required for a pen or stall containing livestock, provided the pen or stall adjoins a passageway and the livestock can conveniently consume hay distributed on the floor of the passageway and the urine, faeces and water used in washing any pen is prevented from fouling the passageway. Any space inside the pen used for feeding and watering receptacles shall be deducted from the space available for livestock within the pen.

Amendment 52

ANNEX I, CHAPTER IV, PARAGRAPH 4

4. *Fresh* water system shall be capable of supplying *freshwater* continuously in each livestock area and sufficient receptacles shall be available to ensure that all animals

4. *The fresh* water system shall be capable of supplying *fresh water* continuously in each livestock area and sufficient receptacles shall be available to ensure that

have easy and constant access to fresh water. Alternative pumping equipment shall be available to ensure water supply in the event of failure of the primary pumping system.

all animals have easy and constant access to fresh water. Alternative pumping equipment shall be available to ensure water supply in the event of failure of the primary pumping system. ***The animals being transported must be familiar with the fresh water system in the transport mode.***

Justification

Experience shows that animals must be familiar with the watering system to ensure they do use it.

Amendment 53

ANNEX I, CHAPTER IV, PARAGRAPH 9 A (NEW)

9a. A satellite navigation system shall be provided to record on a continuous basis journey positioning information, as well as transmission of such data on request to the competent authorities.

Amendment 54

ANNEX I, CHAPTER V, PARAGRAPH (A)

(a) 'rest period' means an uninterrupted period in the course of a journey during which animals are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on-roll-off vessel, time spent on the vessel shall be considered as ***a period when animal are not being moved in a means of transport and allowed to rest.***

(a) 'rest period' means an uninterrupted period in the course of a journey during which animals are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on roll-off vessel, time spent on the vessel shall be considered as ***part of the travel time.***

Justification

The existing Directive counts time spent on a roll-on roll-off vessel as part of the travel time. The Commission's proposal counts it as rest. There is no reason to assume that time spent on a roll-on roll-off vessel is less stressful or tiring than road transport, particularly if there is overcrowding, inadequate ventilation, lack of water or poor sea conditions.

Amendment 55
ANNEX I, CHAPTER V, PARAGRAPH (A)

(a) ‘rest period’ means an uninterrupted period in the course of a journey during which animals are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on-roll-off vessel, time spent on the vessel shall be considered as a period when animal are not being moved in a means of transport and allowed to rest.

(a) ‘rest period’ means an uninterrupted period in the course of a journey during which animals are watered and fed, without being moved in a means of transport and allowed to rest. Where vehicles or wagons are loaded onto a roll-on-roll-off vessel, time spent on the vessel shall **for a maximum of 6 hours** be considered as a rest period when animals are not being moved in a means of transport and allowed to rest.

Justification

Feeding, watering and resting the animals during a ‘long-distance journey’ on the vehicle are far from optimal for the animals. Therefore this should give enough time to drink, eat and rest somewhat, but should not lengthen the time spent on the vehicle too much. A maximum on the hours counted as resting time also helps to prevent that, due to time spent on a vessel, the total journey can be extended endlessly.

Amendment 56
ANNEX I, CHAPTER V, PARAGRAPH (B A) (NEW)

Domestic equidae and domestic animals of bovine, ovine, caprine and porcine species destined for slaughter or further fattening shall not be transported for more than 8 hours or 500 km. This travel time or distance cannot be repeated during a journey. In order to take account of remote agricultural areas, where the distance from the place of rearing to the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport exceeds 8 hours or 500 km, the competent authority may grant a licence authorising animals to be transported in excess of 8 hours or 500 km. provided that the place of destination is the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport.

Justification

The European Parliament demanded in a resolution in 2001 a general maximum of 8 hours for animal for slaughtering purposes or a 500 km distance. There is absolutely no reason to reverse this demand.

Amendment 57

ANNEX I, CHAPTER V, PARAGRAPH 1 - TITLE

1. Domestic equidae, domestic animals of bovine, ovine, caprine and porcine species

1. Long-distance transport of animals intended for breeding

Justification

A clear distinction between animals intended for slaughter or further fattening and animals intended for breeding has to be drawn.

Amendment 58

ANNEX I, CHAPTER V, POINT 1.1, INTRODUCTORY SENTENCE

1.1. Long-distance journeys are only permitted for **domestic equidae and domestic animals of bovine, ovine, caprine and porcine species** if:

1.1. Long-distance journeys are only permitted for **animals intended for breeding** if:

Justification

A clear distinction between animals intended for slaughter or further fattening and animals intended for breeding has to be drawn.

Amendment 59

ANNEX I, CHAPTER V, PARAGRAPH 1, POINT 1.1 (A)

(a) domestic equidae are more than four months of age and in the case of pigs weigh more than 10 kg;

(a) domestic equidae are more than four months of age and in the case of pigs weigh more than 10 kg; **and all animals should at least be 4 weeks old;**

Justification

One standard in accordance with the earlier amendment to avoid confusion.

Amendment 60

ANNEX I, CHAPTER V, PARAGRAPH 1, POINT 1.1 (D)

(d) for transport by road, travel times do not exceed **9 hours** and rest periods are at least of 12 hours. The **9 hours** of travel

(d) for transport by road, travel times do not exceed **8 hours** and rest periods are at least of 12 hours. The **8 hours** of travel

time do not include the 45 minutes of driver rest during which the vehicle is stationary. Sequences of travel times may be repeated during a journey. Member States may apply shorter transport periods for transport within their own territory;

time do not include the 45 minutes of driver rest during which the vehicle is stationary. Sequences of travel times may be repeated during a journey. Member States may apply shorter transport periods for transport within their own territory;

Justification

Animals intended for slaughter or further fattening must not be transported for more than 8 hours or 500 km. Animals intended for breeding may be subject to long-distance transports exceeding 8 hours. However, such long-distance journeys for breeding animals are only permitted under specific conditions.

Amendment 61

ANNEX I, CHAPTER V, PARAGRAPH 1, POINT 1.1 (D) A (NEW)

(d) a. domestic equidae and domestic animals of bovine, ovine, caprine and porcine species destined for slaughter or further fattening shall not be transported for more than 9 hours. This travel time or distance may not be repeated during a journey. In order to take account of remote agricultural areas, where the distance from the place of rearing to the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport exceeds 9 hours, the competent authority may grant a licence authorising animals to be transported in excess of 9 hours, provided that the place of destination is the nearest slaughterhouse or fattening establishment which handles the type and quantity of animals intended for transport.

Justification

The European Parliament, in a proposal by Albert Jan Maat the rapporteur for Animal Transport, has in 2001 already proposed a maximum travel time for slaughter and fattening animals of 8 hours. This is also in accordance with report of the Scientific Veterinary Committee of the EU and animal rights groups. The hour extra corresponds to the maximum driving time for a driver.

Amendment 62
ANNEX I, CHAPTER V, PARAGRAPH 1, POINT 1.1 (F A) (NEW)

(fa) Animals arriving from third countries should have a compulsory resting period of 24 hours near the border on EU territory. Derogation from this may only be allowed if the Commission sees that legislation regarding the transport of live animals is implemented and respected in both countries of origin and countries of transit.

Justification

Long-distance journeys frequently start outside the European Union and animals are at present reaching the border of the Union after having travelled for long periods of time. Enforcement of the Regulation in Third Countries proves difficult. Therefore, the FVE considers that animals on long-distance journeys arriving from Third Countries should have a compulsory resting period of 24 hours with unloading near the border on the territory of the European Union. Derogations from the requirement to rest animals for 24 hours on arrival at the external borders of the EU could be considered by the Commission where they were satisfied that the legislation regarding transport of live animals was implemented and respected in both the country of export and any countries of transit, such as when all those are signatories to, and have fully implemented, the provisions of the Convention on the Protection of Animals during Transport.

Amendment 63
ANNEX I, CHAPTER VI - TITLE

Additional provisions for ***long-distance*** journeys of ***domestic equidae and domestic animals of bovine, ovine, caprine and porcine species***

Additional provisions for journeys of ***breeding animals exceeding 8 hours***

Justification

Instead of transport of live animals intended to be slaughtered, priority should always be given to the transport of meat. However, transport of live animals must be limited to a maximum of eight hours. Exceptions can be granted in those cases where, due to geographic restraints, it is impossible to adhere to the time limit as well as for those cases where permission has been granted by the proper authorities for the transport of breeding animals. Breeding animals may be subject to long-distance transports exceeding 8 hours. However, such long-distance journeys for breeding animals are only permitted under specific conditions.

Amendment 64
ANNEX I, CHAPTER VI, PARAGRAPH 1, POINT 1.1

1.1 Animals shall be provided with appropriate bedding material. It shall be sufficient that animals can lie down without being in direct contact with the floor.

1.1 Animals shall be provided with appropriate bedding material. It shall be sufficient that **all the** animals can lie down **at the same time** without being in direct contact with the floor.

Justification

Particular care is needed here to ensure that all the animals can lie down at the same time.

Amendment 65
ANNEX I, CHAPTER VI, PARAGRAPH 1, POINT 1.2

1.2 Equidae shall have **permanent** access to hay.

1.2 Equidae shall have access to hay **every 8 hours**.

Justification

Providing equidae with a permanent access to hay can induce shipping fever, depending on the quality of the hay and the method of serving it (net, on the floor). More beneficial for the horse is to provide it access to food and water in view of the resting periods, e.g. every 8 hours.

Amendment 66
ANNEX I, CHAPTER VI, PARAGRAPH 1, POINT 1.6

1.6 Equidae shall be transported in individual stalls or boxes except mares travelling with their foals.

1.6 Equidae shall be transported in individual stalls or boxes except mares travelling with their foals. **Equidae older than 6 months should wear a halter, with the exception of unbroken equidae.**

Amendment 67
ANNEX I, CHAPTER VI, PARAGRAPH 2, POINT 2.1

2.1 The vehicle shall be equipped with a water supply system self-operated by the animals, that makes it possible for the attendant to provide water instantly anytime it is necessary during the journey, so that each animal has access to water.

2.1 The vehicle shall be equipped with a water supply system self-operated by the animals that makes it possible for the attendant to provide water instantly any time it is necessary during the journey, so that each animal has access to water. **The animals must be familiar with the supply system.**

Justification

Experience shows that animals that don't know the system don't drink.

Amendment 68
ANNEX I, CHAPTER VI, PARAGRAPH 2, POINT 2.2

2.2 The watering devices shall be in good working order and be appropriately designed and positioned for the categories of animals to be watered on board the vehicle.

2.2 The watering devices shall be in good working order and be appropriately designed and positioned for the categories of animals to be watered on board the vehicle. ***Their operational capacity must particularly be guaranteed even when outside temperatures are around freezing point.***

Amendment 69
ANNEX I, CHAPTER VI, PARAGRAPH 3, POINT 3.4 A (NEW)

3.4a Ventilation systems on vehicles shall be with forced ventilation or air-conditioned and the temperature shall not exceed 25° Celsius.

Justification

The report is not clear about the ways to ventilate road vehicles. The only way to ensure proper ventilation is with forced ventilation or air-conditioning. The scientific committee proposes a maximum of 25°.

Amendment 70
ANNEX I, CHAPTER VI, 3 TABLE 1, MAXIMUM TEMPERATURE °C

< 95%	= or >95%	< 95%	= or >95%
32	29	20	17
32	29	20	17
< 80%	= or >80%	< 80%	= or >80%
30	27	25	22
30	27	25	22
28	25	25	22
32	29	28	25
30	27	28	25

Justification

It is important to prevent problems with too high or too low temperatures during transportation. Correct ventilation and temperatures can in combination with other measures ensure acceptable transport conditions. The Commission proposes higher temperatures compared to the upper critical limit, where the animals no longer can adjust to the high temperatures. Therefore they must be reduced.

Amendment 71 ANNEX I, CHAPTER VI, PARAGRAPH 4 A (NEW)

4a. STAGING POINTS

Special staging points shall be appointed throughout Europe where there will be special facilities for electric power for the vehicles, water and food for the animals. Also a veterinarian shall be present at every staging point to assist in animal health-related matters.

Justification

The staging points originally were designed for unloading of animals. Mainly to prevent the spread of diseases and to prevent stress for the animals during loading and unloading, the Commission proposes to abolish staging points. However, special staging points for animal transport are still necessary to prevent rest time stops of vehicles at all sorts of places like hotels, gas stations and rest areas. Also it is not guaranteed that at every place there will be sufficient water and power, let alone food. This means that vehicles must keep engines running when stationary or use their batteries to continue the ventilation. Special places for animal transport vehicles will only add to safe transport and reduce dangerous and unhealthy situations and improve animal health.

Amendment 72 ANNEX I, CHAPTER VII, PARAGRAPH 1, POINT 1.3

1.3 For pigs, compartment heights shall ***comply with the minimum figures H1 with forced ventilation and H2 with passive ventilation as set in Table 3.***

1.3 For pigs, compartment heights shall ***be a minimum of 1.4 metres.***

Justification

For pigs compartment heights must be at least 1.4 metres, which according to SCAHAW is the minimum height required to be able to inspect the animals properly. Also more air and space is needed to safeguard proper ventilation for pigs etc.

Amendment 73
ANNEX I, CHAPTER VII, TABLE 1 – EQUIDAE

Area A1 per animal in m2	Area A1 per animal in m2
0,488	0,585
0,625	0,75
0,763	0,915
0,900	1,08
1,038	1,245
1,175	1,41
1,313	1,575
1,450	1,74
1,588	1,905
1,725	2,07
1,863	2,235
2,000	2,4
2,125	2,55
2,250	2,7
2,375	2,85
2,500	3

Justification

Equidae and bovine animals need up to 20 % more space than contained in the commission proposal.

Amendment 74
ANNEX I, CHAPTER VII, TABLE 1 – BOVINES

Area A1 per animal in m2	Area A2 per animal in m2	Area A1 per animal in m2	Area A2 per animal in m2
0,289	0,439	0,346	0,526
0,459	0,563	0,550	0,675
0,603	0,686	0,723	0,823
0,731	0,810	0,877	0,972
0,849	0,934	1,018	1,120
0,959	1,058	1,150	1,269
1,064	1,181	1,276	1,417

1,163	1,305	1,395	1,56
1,259	1,429	1,510	1,714
1,351	1,553	1,621	1,863
1,440	1,676	1,728	2,011
1,526	1,800	1,831	2,16
1,610	1,913	1,932	2,295
1,692	2,025	2,030	2,43
1,772	2,138	2,126	2,565
1,851	2,250	2,221	2,7

Justification

Equidae and bovine animals need up to 20 % more space than contained in the Commission proposal.

Amendment 75
ANNEX I, CHAPTER VII, TABLE 2 – SHEEP AND GOATS

Area A1 or A2 per animal in m2	Area A1 or A2 per animal in m2
0,240	0,290
0,265	0,320
0,290	0,350
0,315	0,380
0,340	0,410
0,390	0,470
0,440	0,530

Justification

Sheep and goats need up to 20 % more space than contained in the Commission proposal.

Amendment 76
ANNEX I, CHAPTER VII, TABLE 3 – PIGS

Area A 1 per animal in m2	Area A2 per animal in m2	Area A1 per animal in m2	Area A2 per animal in m2
0,143	0,204	0,171	0,244
0,187	0,268	0,224	0,321
0,227	0,324	0,272	0,388
0,264	0,377	0,316	0,452

<i>0,331</i>	<i>0,472</i>	<i>0,397</i>	<i>0,566</i>
<i>0,391</i>	<i>0,559</i>	<i>0,469</i>	<i>0,670</i>
<i>0,420</i>	<i>0,599</i>	<i>0,504</i>	<i>0,718</i>
<i>0,448</i>	<i>0,639</i>	<i>0,537</i>	<i>0,766</i>
<i>0,501</i>	<i>0,715</i>	<i>0,601</i>	<i>0,858</i>
<i>0,551</i>	<i>0,787</i>	<i>0,661</i>	<i>0,944</i>
<i>0,599</i>	<i>0,855</i>	<i>0,718</i>	<i>1,026</i>
<i>0,646</i>	<i>0,922</i>	<i>0,775</i>	<i>1.106</i>
<i>0,691</i>	<i>0,985</i>	<i>0,829</i>	<i>1,182</i>
<i>0,734</i>	<i>1,047</i>	<i>0,880</i>	<i>1,256</i>

Justification

For pigs compartment heights must be at least 1.4 metres, which according to SCAHAW is the minimum height required to be able to inspect the animals properly. Also more air and space is needed to safeguard proper ventilation for pigs etc.

Amendment 77

ANNEX I, CHAPTER VII, PARAGRAPH 2 - POULTRY

Area in cm ² 21 per chick	Area in cm ² 25 per chick
Area in cm ² per kg	Area in cm ² per kg
<i>180</i>	<i>210</i>
<i>160</i>	<i>190</i>
<i>115</i>	<i>135</i>
<i>105</i>	<i>120</i>

Justification

Also poultry needs up to 20 % more space than contained in the Commission proposal.

Amendment 78

ANNEX II, PARAGRAPH 7 A (NEW)

7a. Satellite navigation data records shall be provided to the competent authority upon its request and in the format required by this authority.