



Europe-wide laws

In January 2007, revised EU legislation on the protection of animals during transport came into effect. The law – *Council Regulation (EC) No 1/2005 on the protection of animals during transport and related practices*¹ – covers all vertebrate animals during transport within the European Union, though most of the rules are only applicable to those being transported in the course of trade or business. It covers transport by road, rail, sea and air. Although the Regulations update and expand on the previous Directive in some areas such as the welfare-related competency of livestock hauliers, and specifications for horse transport, they fail to make much-needed improvements to key provisions highly relevant to farm animal welfare, such as journey times and space allowances. In addition, there are concerns about enforcement of the new laws across EU members states. Enforcement of live transport legislation in the past has been highly variable and in some countries, extremely poor.

UK Rules

The UK implemented the rules by bringing in the Welfare of Animals (Transport) Order 2006². Under the EU Regulations, and hence, the UK law, the length of time for which animals can be transported varies according to the conditions provided within the transporter, and the species being transported.

How long are the journey times?

In 'basic' vehicles, journey times for any animal must not be longer than 8 hours. In vehicles which meet additional requirements, journey times can be extended. However, in a number of areas, these requirements are wholly inadequate in terms of safeguarding animal welfare on long journeys. For example, even in so-called higher specification vehicles, livestock can be transported on extended journeys (over eight hours) in temperatures of up to 35 degrees. The UK has, in a number of areas, also taken advantage of the option (permitted under the EU Regulations) to allow derogations from some of these requirements for journeys lasting for as long as 12 hours, despite concerns voiced by the RSPCA that such a decision would add further risk to welfare.

The permitted 'long journey' times vary with species, as follows:

1. **Unweaned calves** (above 14 days of age), **lambs, kids, foals and piglets** (heavier than 10kg) may be subject to nine hours travel, at least one hour rest (on lorry) plus water (and food if necessary), then a further nine hours travel.
2. **Adult pigs** – 24 hours travel without stopping, providing they have continuous access to water on board.
3. **Adult cattle and sheep** – 14 hours travel, at least one hour rest (on lorry) plus water (and food if necessary), then a further 14 hours travel.
4. **Adult horses** – 24 hours travel, with provision of water (and feed if deemed necessary) every eight hours. On these longer journeys (i.e. over eight hours), the new Regulations require that horses must be transported in individual stalls (except that mares and their foals will be able to travel in the same compartment). The new Regulations have also introduced a welcome prohibition on the long distance transport of unbroken horses, the maximum permitted journey time for such animals now being eight hours.

There is no maximum journey time set for poultry, though there is a requirement to provide them with suitable food and water if journeys last more than 12 hours. Similarly, dogs and cats being transported for commercial purposes can travel for unlimited periods, as long as they are fed every 24 hours, given water every eight hours, and are at least eight weeks of age.

These 'long journey' times may, in particular circumstances, be extended by a further two hours; for example, if vehicles are in close proximity to their destination point at the end of the allotted journey time.

After each journey, animals must be unloaded, fed, watered and rested for a period of at least 24 hours before any further travel can be considered. This represents the effective end of a particular journey.

Which animals are permitted to travel and under what conditions?

There are various rules relating to whether an animal can be deemed 'fit' to travel. These include the age of the animal, the nature and severity of any injuries and the stage of pregnancy of pregnant females. Some special provisions (such as bedding material) must be given to very young animals, and the slopes of ramps used for loading and unloading must not exceed certain species-specific figures.

How are the laws enforced?

This new Regulation has replaced the previous Directive. A Regulation is more binding than a Directive, so in theory at least, there should be less leeway for countries to 'interpret' it subjectively, which ought to help with consistency across the EU.

Anyone transporting animals for commercial purposes has to carry with them documentation stating the animals' origin, ownership, place of departure, intended destination and the expected duration of the journey. All transporters must also hold either a 'short journey' (for travel of eight hours or less) or 'long journey' authorisation to transport animals, issued by a competent authority if certain criteria are satisfied. Also, from January 2008, all those transporting animals must hold a valid certificate of competence, attained only after assessment of various welfare-focused competencies by an independent body. This new requirement is much to be welcomed, in view of the considerable influence of the driver/handler on the welfare of animals in transit. If operators break the rules, Member States are theoretically able to apply penalties including withdrawal of their authorisation that will prevent continuation of trading.

Any vehicle used to transport animals on long journeys must be inspected and granted 'approval' by the authorities before it can be used. All Member States are expected to carry out checks on vehicles and animals in transit and at the end of journeys. The European Commission is meant to supervise this, and requires all Member States to report on their checking operations.

Effective enforcement of live transport laws has over the years been sadly lacking in many EU Member States. Checks carried out by the European Commission's own inspection body, the Food and Veterinary Office³, as well as trails of livestock journeys undertaken by the RSPCA, have shown that the authorities in a number of countries are failing to enforce the rules effectively, so leading to more risk of animal suffering.

What are the RSPCA's views on the live transport law?

The RSPCA believes that all animals should be slaughtered close to the point of production, and is calling for a replacement of long-distance transportation of livestock for slaughter with a 'carcass only' trade. Certainly, no animal should travel for longer than eight hours to slaughter or for the purposes of further fattening.

The RSPCA believes that the new live transport Regulation represents a 'step forward' in some areas, including the introduction of new provisions setting:

- eight hour maximum journey time for 'unbroken' horses
- stricter rules on whether animals are deemed fit to travel
- compulsory, welfare-focused training and competency testing for long-distance livestock hauliers (from January 2008)
- the introduction of global positioning systems on long distance vehicles (though with a phase-in period)
- a ban on the commercial transport of puppies and kittens under eight weeks of age (unless travelling with their mother).

However, very disappointingly, the new laws still fail to address key welfare issues including journey times and space allowances during journeys. Although there is a commitment in the Regulation to review these issues, the timescale is long i.e. four years after the Regulation came into effect. The RSPCA will continue to press for further improvements in conditions and, crucially, enforcement in the UK and EU.

How can you help?

- ➔ If you eat meat, eggs or dairy products and are concerned about welfare, then please look out for products carrying the RSPCA's Freedom Food logo. Freedom Food is the RSPCA's farm assurance and food labelling scheme that aims to ensure that animals are reared, handled, transported and slaughtered according to strict RSPCA welfare standards developed and monitored by the RSPCA. The RSPCA welfare standards include sections of requirements, based on scientific evidence and practical experience, to ensure humane handling and transportation of farm animals. If you can't find Freedom Food labelled food then look for free-range or organic.

If more consumers insist on higher welfare products, more supermarkets will want to stock them, which will encourage more farmers to improve their farming practices and ultimately more farm animals will benefit.

- ➔ Take part in the RSPCA's campaigns for farm animals by visiting www.rspca.org.uk/campaigns/farm.

References

1. http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/L_003/L_00320050105en00010044.pdf
2. http://www.opsi.gov.uk/si/si2006/uksi_20063260_en.pdf
3. http://ec.europa.eu/food/fvo/index_en.htm