GENERAL REPORT OF
A SERIES OF MISSIONS CARRIED OUT IN 2007
TO EVALUATE CONTROLS OF
ANIMAL WELFARE
DURING TRANSPORT OF EQUIDAE
DESTINED FOR SLAUGHTER
EXECUTIVE SUMMARY

The Food and Veterinary Office of the European Commission's Health and Consumer Directorate General carried out missions to Romania, Poland, Hungary, Lithuania and Italy between April and November 2007 to evaluate the controls of animal welfare during the transport of Equidae destined for slaughter.

The objective of these missions was to evaluate the implementation of requirements for animal welfare during transport laid down in Council Regulation (EC) No 1/2005/EC with regard to equidae destined for slaughter and how these checks had been integrated with the requirements for official controls laid down in Regulation (EC) No 882/2004 of the European Parliament and of the Council. The report presents an overview of the controls in this area and identifies aspects which influence the effectiveness of these controls.

There has been progress in some important areas which have a major impact on the welfare of horses during transport. Notably the fitness of horses has been made a priority and training has been organised for persons working with the transport of animals. Otherwise the effectiveness of checks and corrective actions at various locations during the journey has not significantly improved and certain non-compliant transport practices remain. The lack of compliance with journey times and space allowances is a particular concern as these requirements have been applicable within the EU since 1996.

Many elements of Regulation (EC) No 1/2005 which were aimed at bringing about further improvements in transport conditions have not been satisfactorily implemented. As a result, vehicles have been approved which do not provide appropriate watering equipment nor appropriate individual stalls.

Communication between Member States following the detection of animal welfare infringements has shown limited improvements. The contact points foreseen in Regulation (EC) No 1/2005 for mutual assistance between Member States have not been fully utilised in this regard.

Actions envisaged by the Commission Services are proposed for both better implementation of Regulation (EC) No 1/2005 and for consideration when reviewing the legislation regarding the transport of Equidae destined for slaughter.
# TABLE OF CONTENTS

1. INTRODUCTION...........................................................................................................2

2. BACKGROUND.............................................................................................................2

3. OVERVIEW OF THE MAIN FINDINGS AND CONCLUSIONS OF THE SERIES.........3
   3.1. Authorisation of transporters.................................................................................3
   3.2. Organisation of inspections.....................................................................................4
   3.3. Checks of assembly centres....................................................................................5
   3.4. Checks at time of departure.....................................................................................6
   3.5. Checks during transport..........................................................................................7
   3.6. Checks at places of destination..............................................................................7
   3.7. Reporting of checks................................................................................................8
   3.8. Verification of the effectiveness of checks and internal audits...............................8
   3.9. Enforcement Measures and Penalties.................................................................9
   3.10. Mutual assistance between Member States......................................................9
   3.11. Overall conclusion..............................................................................................10

4. ACTION BY COMMISSION SERVICES......................................................................10

ANNEX I – LEGAL BASIS FOR MISSIONS AND OTHER RELEVANT LEGISLATION.....11
ANNEX II - INDIVIDUAL MISSIONS..............................................................................12
1. **INTRODUCTION**

The Food and Veterinary Office (FVO) carried out missions to five Member States (MS) between April and November 2007 to evaluate the controls of animal welfare during transport of equidae destined for slaughter. Italy, Romania, Poland and Lithuania were chosen because of the volume of trade in live horses for slaughter. In Hungary an assembly centre for horses was visited in the context of a wider mission on animal transport. The objective was to evaluate the measures taken to ensure the implementation of the requirements for animal welfare during transport of equidae destined for slaughter laid down in Council Regulation (EC) No 1/2005 and how checks had been integrated with the requirements for official controls laid down in Regulation (EC) No 882/2004 of the European Parliament and of the Council. References for the legislation referred to in this report are given in Annex I.

This report presents an overview of the implementation of EU requirements in this area and identifies aspects which influence the effectiveness of controls. The missions on which the report is based are indicated in Annex II to this report. The individual reports are available under their reference number on the website of the European Commission's Directorate General for Health and Consumers. The actions taken or planned by the Central Competent Authorities (CCA) in response to the recommendations in these reports have also been published on the same site: [http://ec.europa.eu/food/fvo/index_en.htm](http://ec.europa.eu/food/fvo/index_en.htm).

2. **BACKGROUND**

Consignments of horses for slaughter from Central and Eastern Europe are principally destined for Italy. A report from the Commission to the Council and Parliament in 2000 indicated that during such transport horses were insufficiently rested, poorly watered and not fed. Vehicles were often not appropriate for long-distance transport, overloaded and minimum welfare requirements disregarded. This report indicated that additional measures for the protection of horses during transport were necessary. In particular to secure the welfare of live horses they should be transported only in individual stalls or boxes designed to protect them against jolts. The maximum number of horses to be transported per road vehicle should also be defined on the basis of scientific evidence. The full text of this report is available at:


A previous FVO overview report on a series of missions carried out in 2003 concerning animal welfare during transport and at the time of slaughter was published on the website of the European Commission's Directorate General for Health and Consumers (ref: DG (SANCO)/8506/2004 – GR), and can be consulted at the following website: [http://ec.europa.eu/food/fvo/specialreports/index_en.htm](http://ec.europa.eu/food/fvo/specialreports/index_en.htm)

This report concluded that there has been progress in those countries where the competent authorities (CAs) have provided guidance and further developed their administrative procedures: by strengthening the requirements for transport of particularly vulnerable animals; by carrying out well planned and targeted roadside checks and by ensuring closer and more systematic checks of repeat offenders. However where the CA does not set targets, analyse the results of inspections or establish a clear enforcement policy there are persistent areas of non-compliance.
The Regulation (EC) No 882/2004 became applicable from 1.1.2006 and has meant that animal welfare checks are now subject to the same requirements as other official controls and entails that adequate training is provided to officials, that checks are based on documented procedures, that checks are verified to ensure their effectiveness and that they are subsequently audited.

The Regulation (EC) No 1/2005 which became applicable from 5.1.2007 has introduced more detailed requirements for the transport of horses and has also introduced important changes in the system of control. Although journey times and space allowances have not changed from those previously required by Directive 91/628/EEC, route plans have been replaced by journey logs which require more information to be provided to the CA and individual stalls within trucks are required where equidae are transported for more than eight hours.

3. **OVERVIEW OF THE MAIN FINDINGS AND CONCLUSIONS OF THE SERIES**

3.1. **Authorisation of transporters**

Articles 10 and 11 of Regulation (EC) No 1/2005 require that in order to be authorised after 5.1.2007, transporters must demonstrate that they have appropriate staff, equipment and operational procedures and that they have not committed any serious animal welfare infringements in the previous three years. Additionally, those involved in long journeys must provide certificates for the approval of the vehicles used, procedures to trace the vehicles, contingency plans in the event of emergencies and, from 5.1.2008, certificates of competence for drivers and attendants.

**Main findings**

- The CAs were late in adapting the procedures for authorising transporters which existed prior to 5.1.2007 to comply with Regulation (EC) No 1/2005. This partly arose as several elements which were necessary for the authorisation had to be implemented at the same time. As a result none of the CAs had arrangements to check that applicants were not guilty of previous infringements of animal welfare legislation and vehicle approval did not include the requirements introduced by Regulation (EC) No 1/2005.

- Due to the failure of the CAs to adequately clarify requirements in a timely way for their officials, vehicles were approved for long journeys which did not comply with the requirements of Regulation (EC) No 1/2005 in particular regarding individual stalls, temperature and ventilation monitoring systems and access to water.

- A person transporting horses must offer them water every eight hours and in appropriate quality and quantity (Article 3 (h) and point 1.4 (c), Chapter V, Annex I of Regulation (EC) No 1/2005). Point 2.1 of Chapter VI of Annex I to this Regulation requires that the means of transport shall be equipped with a water supply that makes it possible for the attendant to provide water instantly whenever it is necessary during the journey, so that each animal has access to water. The vehicles seen carried 3 or 4 plastic nose bags which would each hold 3 or 4 litres of water. These would be attached to the outside of the vehicle allowing 3 or 4 horses at any one time to have access to 3 or 4 litres each, and would have to be moved around the other horses during a mid journey rest. With such a
watering system, it is likely that horses receive insufficient water during the planned one hour stops during the journey as, according to the EU Scientific Committee on Animal Health and Animal Welfare\(^{(1)}\), stabled adult horses drink about 36 litres each day, which would be difficult to supply through the above arrangement.

- Article 3 of Regulation (EC) No 1/2005 requires that no person shall cause animals to be transported in a way likely to cause injury or undue suffering. Point 1.7 of Chapter VI of Annex I to that Regulation requires the means of transport to be fitted with partitions so that separate compartments may be created and point 1.6 requires equidae, except mares with foals, to be transported in individual stalls. The type of partitions used, made up of rubber mats suspended by chains, did not create separate individual stalls and led to cases where horses, which lay down during the journey, were stepped on by other horses.

- A system of approval should give the CA an opportunity for a more complete assessment than would be possible when inspecting vehicles in use. However, inadequate arrangements had been made to evaluate the capacity of the ventilation systems or the temperature monitoring system, contrary to points 3.1, 3.2 and 3.3 of Chapter VI of Annex I to Regulation (EC) No 1/2005.

- Approved vehicles were also seen which had inadequate ramps; those without lateral protection or where the floor of the ramp was in a poor state of repair and which could cause injuries to the horses.

- Training courses for staff of transporters were organised and arrangements had been made for certificates of competence to be delivered to those who passed the tests in 2008.

**Conclusions**

The organisation of training for persons transporting animals has been a positive development, however other elements necessary for the authorisation of transporters were incomplete; vehicles for long journeys had been approved but did not meet the requirements of Regulation (EC) No 1/2005. As a result not only were the technical requirements for ventilation and temperature overlooked, but vehicles were allowed to operate with inadequate arrangements for watering the animals and for providing appropriate individual stalls.

**3.2. Organisation of inspections**

Article 6 of Regulation (EC) No 882/2004 requires that CA staff receive appropriate training to carry out controls and Article 8(1) of Regulation (EC) No 882/2004 requires that official controls are carried out in accordance with documented procedures. In addition, Article 16 of Regulation (EC) No 1/2005 indicates that CA staff must be duly trained and equipped to check data recorded by recording equipment such as drivers' record sheets (tachographs) and navigation systems.

- MS had organised training courses and were updating their documented procedures. However, the updating of the training and procedures were frequently

\(^{(1)}\) Report of the Scientific Committee on Animal Health and Animal Welfare of 11.3.2002 on the welfare of animals during transport (details for horses, pigs, sheep and cattle)

CA staff had not received any training on how to check drivers' record sheets contrary to Article 16 of Regulation (EC) No 1/2005. The CAs had not understood that the main function of this was to be able to cross check such records with journey logs whenever these were returned as foreseen in point 8 of Annex II to Regulation (EC) No 1/2005. Instead they had linked the issue of checking drivers' records with road side checks and had argued that officials did not have the legal power to check these documents and such checks could only be performed by staff belonging to other authorities such as the Police or Road Transport Authorities.

Article 3.1 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency and Article 27 (1) of Regulation (EC) No 1/2005 requires that CA carry out non-discriminatory inspections of animals, means of transport and accompanying documents on an adequate proportion of animals transported each year.

Checks at assembly centres and at slaughterhouses are mainly based on the presence of officials to carry out certification or to perform ante mortem inspections. The CAs had not defined what they considered "an adequate proportion of animals transported each year" and several indicated that it was difficult to have an adequate figure for the number of animals transported each year due to delays in getting information from TRACES (Trade Control and Expert System).

Road side checks are organised by the Police, the Customs or Road Transport Authorities and although the main objective of these checks is not animal welfare, the CAs co-operate with these services so that consignments in transit can be inspected.

Risk analysis for transport checks was being developed by the CAs. In Lithuania 100 % of consignments of horses were being checked at loading at places of departure.

**Conclusions**

Training courses are well established for CA staff, but as these were not updated to take into account the new requirements of Regulation (EC) No 1/2005 the subsequent implementation of these suffered. The same is true for documented procedures for carrying out checks. The organisation of the subsequent checks was based more on the locations where a veterinarian is already present for other purposes rather than on the basis of risk analysis; however, Lithuania was notable in making checks of this sector a high priority.

**3.3. Checks of assembly centres**

Article 2(b) of Regulation (EC) No 1/2005 defines assembly centres as places such as holdings, collection centres and markets at which domestic equidae originating from different holdings are grouped together to form consignments; Article 9 (1) of Regulation (EC) No 1/2005 requires that operators of such assembly centres ensure that equidae are treated in accordance with the technical rules regarding fitness for
transport set out in Chapter I of Annex I and with the transport practices regarding facilities, loading and unloading and handling set out in Chapter III, section I of Annex I.

**Main findings**

- There were systems for approving assembly centres, where there was at least one inspection of the premises prior to approval.
- Controls mostly ensured that facilities were adequate and that horses were rested, watered and accommodated with sufficient bedding before departure; however there were exceptions with some assembly centres in a poor state of repair, or badly cleaned and disinfected. Lack of lighting was also sometimes a problem and horses could not be properly inspected at the time of loading.

**Conclusion**

Assembly centres were largely adequate, although with some notable exceptions.

3.4. Checks at time of departure

For long journeys between MS, Article 14 of Regulation (EC) No 1/2005 requires that the CA of the place of departure carry out checks to ensure that the transporters are authorised, that the means of transport are approved, that the journey logs submitted by the organiser are realistic and that where the outcome of these checks is satisfactory journey logs are stamped; Article 15 of Regulation (EC) No 1/2005 requires that checks for fitness for transport are performed at places of departure before the loading as part of the animal health checks.

**Main findings**

- Several CAs indicated that the more detailed requirements for fitness for transport in Regulation (EC) No 1/2005 have helped to obtain better compliance on this issue and no major problems were seen in this regard.
- As authorisation documents and certificates of vehicle approval are now fully harmonised between all Member States and a copy carried on the vehicle as required, this facilitated the work of officials carrying out checks.
- Checks were generally inadequate regarding transport practices. Regarding space allowances, although the requirement to provide a minimum space of 1.75 m²/adult horse has been applicable since 1996, often twenty one or twenty two horses were accommodated on a means of transport suitable for 19 horses and this had been tolerated by officials. Currently 1.75 m² is required for all adult horses with a maximum variation of 10% depending on aspects other than their weight. Horses destined for slaughter are usually weighed before departure but the allowed variation is invariably used to increase the stocking rate not to provide more space for heavier type horses. The use of inappropriate halters for tying horses was also seen.
- Journey times were not being complied with even though the requirements have been unchanged since 1996. The checks performed on journey logs by the CA were insufficient and journeys carried out on a regular basis exceeded the times allowed. The CA had not provided appropriate tools, such as computer software,
to check the journey times provided by transporters, or carried out any other verification using information such as that provided by drivers’ records such as tachographs. In addition the journey to the assembly centre, which should be assessed in order to consider the assembly centre as a place of departure, was not always including when assessing journey times.

**Conclusions**

Checks at departure have ensured that horses were fit for transport. However, certain non-compliant transport practices remain and are tolerated by the CAs including the use of inappropriate halters and insufficient space allowances. The lack of compliance with journey times and space allowances is a particular concern as these requirements have been applicable within the EU since 1996.

### 3.5. Checks during transport

Article 15 of Regulation (EC) No 1/2005 requires that the CA carry out appropriate checks at any stage of the long journey. Article 23 of Regulation (EC) No 1/2005 requires the CA or the person responsible for the animals to take any necessary action to safeguard the welfare of the animals. Article 23 (2) (e) also indicates that such action may include unloading the animals and providing them with appropriate care until the problem is resolved.

**Main findings**

- The participation of several CAs in roadside checks, organised by the Police, has often been ineffective due to inadequate arrangements to unload horses in the vicinity. This was due to the lack of sufficient planning by both the transporter, in relation to a contingency plan including an appropriate alternative means of transport, and by those carrying out such checks to ensure the availability of a nearby place to unload the animals. As a result transporters are allowed to continue to their final destination without corrective actions being taken, even when the welfare of the horses was clearly at risk.

**Conclusion**

Although checks during transport have resulted in the detection of significant deficiencies, the effectiveness of this to improve animal welfare is undermined by the lack of arrangements to allow corrective actions to be taken.

### 3.6. Checks at places of destination

Article 15 checks are also carried out at slaughterhouses where they are performed as part of the inspections required by Regulation (EC) No 854/2004.

**Main findings**

- The transport conditions of horses are randomly checked by OVs at slaughterhouses as part of their animal welfare controls.

- Section 3 ("place of destination") of the journey log is only completed for a small percentage of cases. Nevertheless, some major incidents detected at slaughterhouses, such as injured horses or overstocking had been reported to the CA of departure using this format.
Contact points for mutual assistance between Member States have not been fully utilised in communicating such incidents or in providing further details of the infringements or actions taken.

**Conclusion**

Although, on occasion, significant problems have been identified at destination and there has been progress with ensuring that these are notified to the CA in the Member State of departure, the lack of follow-up communication to provide details of actions taken means that there has been limited efforts to avoid repeat problems.

### 3.7. Reporting of checks

Article 27 (2) of Regulation (EC) No 1/2005 requires that Member States submit to the Commission each year an annual report for the previous year on the inspections carried out accompanied by an analysis of the major deficiencies detected and an action plan to address them.

**Main findings**

- Regulation (EC) No 1/2005 does not define a format for drawing up the required report on the outcome of checks and Member States are using the same tables for reporting as had been used for the report required by Directive 91/628/EEC.

- The data are not always complete as the checks performed by other Services such as the Police or Road Transport Authorities are often not included.

**Conclusion**

Reporting the outcome of inspections is too often seen as a bureaucratic exercise and the CAs had not yet analysed the data as required or used this as a basis for supervising those carrying out the checks and to better plan future inspections.

### 3.8. Verification of the effectiveness of checks and internal audits

Article 8 (3) (a) of Regulation (EC) No 882/2004 requires that CA have procedures in place to verify the effectiveness of the official controls they carry out and to ensure that corrective action is taken when needed.

Article 4(6) of Regulation (EC) No 882/2004 requires that the CA carries out internal audits or may have external audits carried out on their control activities.

**Main findings**

- The only supervisory activity carried out by some CAs was to assess whether targets for number of checks had been met. There were no procedures to evaluate the quality of checks carried out, which contributed to the unsatisfactory picture of many of the controls.

- Member States have a general system of audits but only Lithuania had specifically planned to carry out an audit on controls of the welfare of horses during transport.
Conclusion

Supervision of the local CA has not been sufficient to allow the CA to identify the weaknesses in their control system and improve the quality of the checks carried out.

3.9. Enforcement Measures and Penalties

Article 25 of Regulation (EC) No 1/2005 requires that Member States lay down the rules on penalties. The penalties provided must be effective, proportionate and dissuasive. Article 26 of Regulation (EC) No 1/2005 requires that the CA shall take specific measures to correct non-compliances such as requiring corrective actions from the concerned transporters and/or subjecting them to additional checks, suspending or withdrawing their authorisation or the certificate of approval of non-compliant means of transport.

Main findings

- Penalties for infringements on animal welfare during transport were provided for in national legislation.
- However, the actions taken in case of infringements were insufficient; many were limited to warnings or small fines which were not dissuasive or proportionate.

Conclusions

Enforcement actions were generally not sufficient and the sanctions that were imposed were not dissuasive or proportionate. This strongly undermines the impact of checks carried out by officials and partly explains why horses continued to be transported in unsatisfactory conditions.

3.10. Mutual assistance between Member States

Article 24 of Regulation (EC) No 1/2005 requires that each Member State designates a contact point in order to develop mutual assistance and exchange of information between Member States. Article 26 (6) requires that when a Member State detects repeated or serious infringements it should make use of all the possibilities afforded by mutual assistance and exchange of information. Article 26 (7) requires that all the contact points are notified without delay of decisions taken by the CA, such as suspending/withdrawing authorisation of transporters, certificates of approval of means of transport or certificates of driver competence.

Main findings

- Officials working at central level had been designated as contact points but they did not receive a clear definition of their function. Equally the local CA were not always aware of the existence of this contact point and had not received any instructions on how and in which cases they should inform the contact point.
- The system of notifying infringements was still mostly done through official CVO letters or through embassies which slowed down the exchange of information.
Conclusions

Contact points for mutual assistance between Member States have only been used to a limited extent and have not yet been fully utilised to facilitate better enforcement when infringements occur in Member States outside of those where the transporter is authorised or different from the place of departure.

3.11. Overall conclusion

There has been progress in some important areas which have a major impact on the welfare of horses during transport. Notably the fitness of horses has been made a priority and training has been organised for persons working with the transport of animals. Otherwise the effectiveness of checks and corrective actions at various locations during the journey has not significantly improved and certain non-compliant transport practices remain. The lack of compliance with journey times and space allowances is a particular concern as these requirements have been applicable within the EU since 1996.

Many elements of Regulation (EC) No 1/2005 which were aimed at bringing about further improvements in transport conditions have not been satisfactorily implemented. As a result, vehicles have been approved which do not provide appropriate watering equipment nor appropriate individual stalls.

Communication between Member States following the detection of animal welfare infringements has shown limited improvements but the contact points foreseen in Regulation (EC) No 1/2005 for mutual assistance between Member States have not been fully utilised in this regard.

4. Action by Commission Services

The relevant Commission Services in DG SANCO will consider the conclusions arising from this report in the context of a proposal for a revision of space allowances and journey times, in particular so that space allowances are based on the weight of each animal and that journey times match more closely to drivers’ hours.
ANNEX I – LEGAL BASIS FOR MISSIONS AND OTHER RELEVANT LEGISLATION

The missions were carried out under the general provision of Community legislation and, in particular:

- Article 45 of Regulation (EC) No 882/2004;
- Commission Decision 98/139/EC.

Full references to the acts quoted in this report are given in the following table:

<table>
<thead>
<tr>
<th>Full Title</th>
<th>O.J. publication details</th>
</tr>
</thead>
</table>
### FVO missions concerning welfare of horses during transport in 2007

<table>
<thead>
<tr>
<th>Member State</th>
<th>Dates of mission</th>
<th>Report reference number</th>
</tr>
</thead>
<tbody>
<tr>
<td>HUNGARY</td>
<td>23 to 27 APRIL 2007</td>
<td>2007/7331</td>
</tr>
<tr>
<td>ROMANIA</td>
<td>1 to 5 OCTOBER 2007</td>
<td>2007/7339</td>
</tr>
<tr>
<td>LITHUANIA</td>
<td>15 to 19 OCTOBER 2007</td>
<td>2007/7333</td>
</tr>
<tr>
<td>ITALY</td>
<td>26 to 30 NOVEMBER 2007</td>
<td>2007/7332</td>
</tr>
<tr>
<td>POLAND</td>
<td>22 to 26 OCTOBER 2007</td>
<td>2007/7334</td>
</tr>
</tbody>
</table>