

**Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97**

**Annual report by the Federal Republic of Germany, in accordance with Article 27(2) of Regulation (EC) No 1/2005, on inspections of animal transport performed**

*Annex: three tables*

Under Article 27(2) of Regulation (EC) No 1/2005 the Member States are required to submit an annual report to the European Commission on inspections of animal transport carried out the previous year, together with an analysis of the major deficiencies detected and an action plan to address them.

The report on the inspections of animal transport carried out in the Federal Republic of Germany in 2015 is set out in three tables in the annex. The data on cattle include all animals of the bovine family kept as domestic animals, including bison, wisent (European bison) and water buffalo. Equidae comprise all domestic equine animals (horses and ponies), asses, mules and hinnies. The data on poultry include ducks, pheasants, geese, chickens, ratites (ratitae), guinea fowl, partridges, pigeons, turkeys and quail. Other species were e.g. dogs, cats, zoo animals, laboratory animals, small domestic animals such as guinea pigs and rabbits, ferrets, fallow deer, alpacas, ornamental birds, birds of prey, reptiles and amphibians.

**Analysis of the major deficiencies detected and measures to address them**

Inspections

A total of 168 409 inspections were carried out at the place of departure in the case of long cross-border journeys and also inspections after the animals were unloaded at the slaughterhouse (after all means of transport) (type 1 inspections). The transport inspected carried 221 851 631 animals, plus 38 694 tonnes of fish. During these inspections 148 078 means of transport and 151 641 accompanying documents were checked.

Secondly, 153 049 inspections were carried out during transportation; these included inspections at the slaughterhouse before and during unloading (type 2 inspections). The transport inspected carried 252 977 765 animals, plus 5 977 tonnes of fish, and 146 167 means of transport and 139 765 accompanying documents were checked.

In addition, 59 719 inspections of accompanying documents were carried out after completion of transport without the animals or means of transport being examined (type 3 inspections).

At first sight the number of inspections appears in some cases to be substantially lower than in the previous year. This is probably attributable to the tighter definition of inspections which had to be reported. This is also suggested by the marked increase in the number of animals covered by the inspections.

Most of the transport inspections entailed a check on the means of transport and on accompanying documents. There were exceptions, such as when poultry transportation was cleared the day before loading when the means of transport was not yet available for inspection. In the case of one inspection at the destination (equidae) the means of transport could to some extent also no longer be inspected. The lowest percentage of inspections of accompanying documents, at 65 %, was for type 1 inspections of poultry transport.

### Infringements

The inspections of animal transport carried out in Germany detected a total of 5 394 infringements in infringement categories 1-6; it was possible for several categories to be detected during one inspection. Forty-one per cent of the infringements were detected during type 1 inspections, 52 % emerged from type 2 inspections and 7 % from type 3 inspections. If the infringements are considered in relation to the inspections carried out, it can be seen that type 2 inspections detected the most infringements and the inspection of accompanying documents after completion of transport without the animals or means of transport being examined (type 3) the least. Type 1 inspections were between the two (proportion of infringements detected by each type of inspection, as a percentage of all infringements, compared with the proportion of inspections of the same type, as a percentage of all inspections).

With regard to cattle transport inspections, as in the previous year by far the greatest number of infringements concerned the animals' fitness for transport. The most frequent reasons for infringements of the rules on fitness for transport were sick/injured cattle and cows heavily in calf ( $\geq 90\%$ ). Infringements in other categories were markedly less frequent. Within infringement category 2, frequently detected causes were problems with loading density, separation/tethering and height. Most of the infringements in category 3 were shortcomings regarding bedding, followed by navigation system deficiencies. Most of the category 4 infringements related to the rules on journey time, and those in category 5 to the journey log requirements. Other infringements (category 6) included, in particular, improper animal identification and rough handling of animals when driving and loading them.

With regard to the transport of pigs, the main infringements were those of the rules on fitness for transport (particularly sick/injured animals) and of the rules on transport practices, space allowances and height (particularly overloading). Most of the category 3 infringements related to shortcomings regarding bedding, followed by deficiencies in cleaning and disinfecting the means of transport and the lack of a water gauge in the vehicle. In category 4 most of the infringements concerned the rules on journey time and watering, and in category 5 related to the journey log requirements. Other infringements (category 6) included, in particular, rough handling of animals (e.g. hitting them or using prohibited driving aids) and identification shortcomings and weals.

With the transport of sheep and goats, most of the infringements detected by the inspections concerning inadequate space allowances.

The main problems arising from inspection of the transport of horses were sick/injured animals and transport documents.

The main infringements relating to the transport of poultry were those against the rules on transport practices, space allowances and height (particularly overloading) and infringements of the rules on fitness for transport (particularly sick/injured animals and those dying from overheating or hypothermia). In category 3 most of the infringements related to dirty vehicles,

containers and/or conveyor belts. In category 4 the main concern was journey time, while transport documents and qualifications were primarily at issue in category 5.

Inspections of the transport of fish detected mostly category 1 infringements (poor water quality causing harm to the fish, resulting in death in some cases). A second cluster was seen in infringement category 5 (primarily transport documents).

Infringements concerning other animal species were detected primarily when inspections of the transport of dogs took place: eight out of 16 *Länder* reported such infringements (especially with regard to documents). Complaints relating to the transport of other animals (such as cats, zoo animals and laboratory animals) were markedly less frequent.

### Measures

In total 4 986 measures in categories A and B were taken, with several measures arising from one inspection being possible. Seventy-eight per cent of the measures were penalties and 22 % were enforcement measures and the exchange of information. Forty-two per cent of the measures were taken as a result of type 1 inspections, 52 % as a result of type 2 inspections and 6 % as a result of type 3 inspections. This roughly matches the proportion of infringements detected by the different types of inspection.

Most of the penalties (approx. 62 %) were recommendations and cautions. Non-compliance procedures with and without fines were also initiated (approx. 30 %). Significantly less use was made of administrative orders. Criminal proceedings were used the least, as a result of 39 inspections (including 17 type 2 inspections of cattle transport).

Among category B measures, the frequency with which enforcement, on the one hand, and the exchange of information, on the other, were used varied according to animal species. While enforcement measures were used somewhat more frequently than the exchange of information in the case of cattle transport, the direct opposite was the case with the transport of sheep and equidae. In the case of poultry transport the exchange of information was used almost exclusively. The differences were marginal with regard to the other animal species.

### Examples

We set out below a few examples of serious infringements and the measures taken in each case.

An inspection ascertained that cows being transported were in contact with the ceiling and that the height was thus inadequate. Some of them were transferred to another vehicle. A non-compliance procedure was initiated.

An inspection of pigs being transported a long distance ascertained overloading. The animals had insufficient room to lie down. Part of the consignment was transferred, and a non-compliance procedure was also initiated.

In another case, during an inspection at a cattle assembly point two live calves were observed being carried together in the bucket of a wheeled loader. This was also penalised by a non-compliance procedure.

A motorway inspection ascertained the illegal import of dogs and cats into Germany. In addition, the haulier had no relevant authorisation. The animals were placed in quarantine stations and criminal proceedings were initiated against the driver.

### Action plan

The action plan to address the main deficiencies identified varies from one region to another, depending on the infringements detected. The following measures, which go beyond those referred to in the previous section (penalties, enforcement and the exchange of information), are planned:

- continuation of inspections at the place of dispatch, during transport and at the destination in accordance with the previous year's action plan, and adjustment to the new results of analysis;
- priority checks on specific motorway routes (in conjunction with the police) and at slaughterhouses, and stricter inspections at the destination – currently at *Land* level;
- regular priority activities, nationally coordinated and across *Land* boundaries, are also planned for the future;
- closer follow-up of journey logs which have not been returned;
- improved cooperation by the veterinary authorities with the Federal Goods Transport Office and the police;
- refusal of clearance if shortcomings are identified before transport commences;
- consistent application of the provisions of Regulation (EC) No 1/2005 and measures taken on the basis of the seriousness of infringements;
- more non-compliance procedures and administrative orders;
- measures in accordance with Article 23 of Regulation (EC) No 1/2005, such as ordering the transfer or unloading of a consignment or part of a consignment;
- increased exchange of information with other authorities in Germany and via the national contact points in other Member States;
- further training measures particularly for municipal veterinary authorities, the police and haulage workers (for this last group, for instance, by stepping up and standardising the training for farmers relating to animal transport, since animal hauliers often have a farming background);
- highlighting of key issues, e.g. at service meetings of *Land* and municipal veterinary authorities and at in-service training events at *Land* level;
- stricter expert supervisory checks on the authorities' procedures and measures (e.g. through visits to assembly or inspection points, or with regard to journey log entries);
- implementation of the animal transport manual, which was updated in 2015 (it was made available to the veterinary authorities and business associations); and
- drafting of guidelines on the procedure for inspecting the transport of dogs and cats, including their incorporation into the animal transport manual (in addition, European legal requirements are considered necessary in order to punish more effectively the transport of puppies and kittens which breaches animal welfare rules).