



European Commission

SANCO-ANIMAL-TRANSPORT@ec.europa.eu

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SUBJECT: *Opinion on the revision of Regulation No 1/2005 on the protection of animals during transport and related operations, which has been included in the national Legislation on the Protection of Animals during Transport and Related Operations*

Dear Sirs,

We would like to express our opinion on the revision of Regulation No 1/2005, which concerns the protection of animals during transport and related operations, included in the national *Legislation on the Protection of Animals during Transport and Related Operations*.

1) We consider it important to emphasize our standpoint about the **maximum duration of animal transport being limited to 8 hours for all animal species and for all ages of ADULT animals (age in which animals are no longer depending on their mother - our standpoint about transportation of cubs will be emphasized furthermore), with no exceptions or variations in any case for any species of animals.**

2) As one of our priorities, we emphasize the need to secure **the highest possible level of comfort in the vehicle used for transporting animals, which implies the alteration and improvement of existing standards** (i.e. the present standard practice).

We would also like to emphasize the essential problem of controlling the implementation and following of these regulations. We are of the opinion that, apart from the specific and comprehensive legal regulation, there should also be a **satisfactory level of control over their implementation in practice and we believe that the solution of this problem should be a priority.**

TECHNICAL RULES

(as referred to in Article 6(3), Article 8(1), Article 9(1) and (2)(a))

CHAPTER I

FITNESS FOR TRANSPORT

2. Animals that are injured or that present physiological weaknesses or pathological processes shall not be considered fit for transport and in particular if:

e) they are pigs of less than three weeks, lambs of less than one week and calves of less than ten days of age, unless they are transported less than 100 km;

- We are of the opinion that animals of such young age **should not be transported at all**, since that exposes them to various stress factors, especially in cases when animals show signs of injuries or physical weakness pointing to a pathological process, however small these signs may be.

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

(a) slightly injured or ill and transport would not cause additional suffering; in cases of doubt, veterinary advice shall be sought;

- We are of the opinion that this legal regulation is unacceptable, since it leaves endless room for personal estimation of the animal's health condition on the side of the person in charge of transportation. The term „doubt,, cannot be legally regulated and leaves too much room for personal estimation. Wrong estimation, be it deliberate or unwilling, may cause additional suffering to the sick or injured animal.
- Transportation as such involves numerous stress factors for the animal, which cause additional suffering. This formulation should be either removed or revised to the point of emphasizing that **transportation is not allowed in any case of injury or sickness.**

CHAPTER II

MEANS OF TRANSPORT

1. Provisions for all means of transport

1.5. Piglets of less than 10 kgs, lambs of less than 20 kgs, calves of less than six months and foals of less than four months of age shall be provided with appropriate bedding material or equivalent material which guarantees their comfort appropriate to the species, the number of animals being transported, the journey time, and the weather. This material has to ensure adequate absorption of urine and faeces.

- We are of the opinion that **all vehicles used for transporting living animals, regardless of their age or species, should satisfy the mentioned propositions.**

CHAPTER III

TRANSPORT PRACTICES

1. Loading, unloading and handling

Handling

1.8. It shall be prohibited to:

- (a) strike or kick the animals;
- (b) apply pressure to any particularly sensitive part of the body in such a way as to cause them unnecessary pain or suffering;
- (c) suspend the animals themselves by mechanical means;
- (d) lift or drag the animals by head, ears, horns, legs, tail or fleece, or handle them in such a way as to cause them unnecessary pain or suffering;
- (e) use prods or other implements with pointed ends;
- (f) knowingly obstruct any animal which is being driven or led through any part where animals are handled.

1.9. The use of instruments which administer electric shocks shall be avoided as far as possible. In any case, these instruments shall only be used for adult bovine animals and adult pigs which refuse to move and only when they have room ahead of them in which to move. The shocks shall last no longer than one second, be adequately spaced and shall only be applied to the muscles of the hindquarters. Shocks shall not be used repeatedly if the animal fails to respond.

- We are of the opinion that most formulations in this paragraph leave too much space for actions that could be classified as animal abuse.

We are generally of the opinion that use of electroshocks should be banned along with other procedures mentioned in the same paragraph. We should also point out the **entirely vague and inadequate formulation of the entire paragraph 1.9.**, which regulates the use of electroshocks:

1. We consider the specific clause that **“The use of electroshock equipment is to be avoided whenever possible”** completely unacceptable, since such formulation defines the use of electroshocks in an entirely

inadequate way, leaving the use of the mentioned procedure entirely **to the choice and subjective estimation of the person in direct contact with the animals.**

2. With respect to that, the formulation that “**Electroshock equipment should be used only on adult cattle and pigs that refuse to move and only when these animals have enough space to move forward**” is entirely unacceptable, since there is no way for the person who is in contact with the animal to form a clear idea of whether it REFUSES to move. **This formulation again facilitates subjective interpretation of animal behaviour, as well as completely subjective estimation of the “necessity” of using the electroshock equipment.** Moreover, treating animals according to the formulation that “**An electroshock should last no longer than a second, should be administered in adequate time spans, and used only on hind muscles. Electroshocks should not be administered repeatedly if the animal fails to react**” implies the need of permanent control over the described procedure, which is impossible to secure efficiently in practice. Moreover, the “adequate time spans” are not defined with precision, which means that, unfortunately, the formulation is equally subject to subjective estimation, making space for using electroshock equipment for animal abuse.

2. During transport

2.7. 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. If not otherwise specified, Mammals and Birds shall be fed at least every 24 hours and watered at least every 12 hours. The water and feed shall be of good quality and presented to the animals in a way which minimises contamination. Due regard shall be paid to the need of animals to become accustomed to the mode of feeding and watering.

- We are of the opinion that a considerably lower time limit should be set, especially taking into account the last clause, which draws attention to the *need of animals to get used to the specific way of administering food and water.* Regarding the expressed problem of feeding animals during transportation, which points to the fact that, in practice, animals sometimes do not eat and drink sufficiently (or not at all) because of their failure to recognize the source or unwillingness to feed in an unfamiliar way (or on unfamiliar food if they are offered substitutes that they do not know), determining shorter time spans would help them get used to the specific way of food and water administration. The same regulation would also improve the general physical state of the transported animals. **We are of the opinion that the time limit for mammals and birds should be entirely linked to our primary requirement of setting the maximum duration of transport to 8 hours.**

CHAPTER V

WATERING AND FEEDING INTERVAL, JOURNEY TIMES AND RESTING PERIODS

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

(a) Unweaned calves, lambs, kids and foals which are still on a milk diet and unweaned piglets must, after nine hours of travel, be given a rest period of at least one hour sufficient in particular for them to be given liquid and if necessary fed. After this rest period, they may be transported for a further nine hours;

- We are of the opinion that it is completely unethical and **unacceptable regarding animal welfare to transport young animals of any species of mammals or birds, given the long duration of transport. Taking into account the unquestionable fact of close physical and emotional ties between animal mothers and children (young animals), we wish to emphasize that their separation and transportation of animals at such young age poses a serious ethical problem, owing to an unimaginable degree of stress and suffering caused by that very act.**

(b) Pigs may be transported for a maximum period of 24 hours. During the journey, they must have continuous access to water;

- We are of the opinion that this time limit is completely unacceptable. Scientific research has shown that in pigs, physical and mental stress can be particularly intense owing to the fact that they can suffer from the so-called “motion sickness” (caused by the high level of sensitivity to noise, movement, environmental changes, etc.), which is manifested in excessive drooling, vomiting, diarrhoea, raised bodily temperature, and apathy. As in our opinion to *Section 2: Procedures during Transportation*, we insist that the **time limit should by all means be set according to our primary**

position on the maximum transport duration of 8 hours (with permanent access to water in the vehicle) with no exceptions or variations in any case.

(d) All other animals of the species referred to in point 1.1. must, after 14 hours of travel, be given a rest period of at least one hour sufficient for them in particular to be given liquid and if necessary fed. After this rest period, they may be transported for a further 14 hours.

- We are of the opinion that the time limit should again be set lower; because of the fact that animals lose considerable weight when travelling (owing to the exhaustion linked to their behaviour and functioning during transportation, as well as more frequent bowel movements as a direct somatic reaction to stress) it is beyond doubt that animal transport should be of shorter duration and that they should be offered food and water more frequently. Moreover, we think that the formulation of administering food “when necessary” is unacceptable, since it involves the factor of subjective estimation by the person accompanying (or driving) the animals. **In this case also, the time should by all means be set according to our primary position on the maximum transport duration of 8 hours with no exceptions or variations in any case.**

2. Other species

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 disregarding loading and unloading time; or

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

- We are of the opinion that it is likewise an entirely unacceptable time limit, especially if we take into account that birds have the highest mortality rate of all animals during transportation. Factors that determine that fact commonly include the extremely constrained conditions and the standard cruelty and neglect during their loading and unloading, but definitely also **these unacceptably long time periods they have to survive without food or water**. We insist that the **time limit for the transport of mammals and birds should be set to the maximum of 8 hours with no exceptions or variations in any case .**

Our expressed opinion, formed not only on the basis of our personal ethical positions, but also on objective indicators, is that transportation of any living animals (especially for slaughtering purposes) is an **entirely unnecessary and cruel practice that brings no real benefits to either animals or humans**. The Internet sources of statistical data published by the European Commission (*EUROPA WEBSITE*) and the European statistical source – *EUROSTAT* show that **only 13% of farm animals raised for food are transported alive**, while others are transported as meat after they are slaughtered. Furthermore, the EU statistics show that, in the total of import and export, **transportation of living animals is only 10%**. These figures indicate that the transportation of meat is not only a sustainable, but also preferable option in most cases. **Therefore, we would also like to emphasize our opinion that transportation of living animals is an unnecessary practice that should be completely banned.**

Yours sincerely,

Luka Oman

President of Animal Friends Croatia