



## INTERGROUP ON THE WELFARE & CONSERVATION OF ANIMALS

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Established in 1983

# Report of the 271<sup>st</sup> Session

Wednesday 4 May 2011, 16.00 - 18.00 hrs

Room ASP A5E-2 – European Parliament, Brussels

## ENFORCEMENT OF THE EU ANIMAL TRANSPORT REGULATION

These minutes are almost entirely based on a summary prepared by  
Dods EU Briefing, [www.dods.eu](http://www.dods.eu)

### 1. The positive aspects of the implementation of Regulation (EC) 1/2005

**Piet Thijsse**, Vice-President, European Livestock and Meat Trading Union (UECBV), spoke about the positive aspects of the implementation of Regulation (EC) 1/2005. He opened the debate by saying that the 2005 Regulation introduced a lot of improvements regarding animal transportation. He added that the change is going in the right direction. He then said that 2005 Regulation is the fifth in the field of animal transport.

The transport movements are bigger and bigger, he said. Slaughterhouses are closing down.

In terms of developments, he said that the obligation to have welfare rules was set up. It is possible to feed and water animals during transportation. In terms of other developments, he said that there are authorized transporters and authorized drivers. Almost all drivers have had training. He added that the operator is held responsible.

With regards to means of transport, he noted that there is an improvement in terms of loading and unloading platforms, temperature monitoring, drinking facilities, forced ventilation and ventilation shelters.

Slaughterhouses and Assembly centers train personnel and ensure that welfare rules are monitored and enforced. He then elaborated on positive findings of the FVO reports. Fines are increasing. He added that the level of them depends on the economic profit of the member state in question. There has been an increase in control. There have been developments on farm slaughtering of un-fit animals. Training of drivers is taking place in all Member States. There is authorization of transporters and means of transport. Training of authorities is taking place especially veterinarians.

He concluded by saying that the enforcement of the 2005 Regulation is going in the right direction. He added that the focus should be on those who are not respecting the Regulation and not on those who are respecting it. The Regulation is enforced in the majority of cases, he stressed.

### 2. How can better enforcement contribute to higher quality transports

**Marc Billiet**, Head-EU Goods Transport, International Road Transport Union, talked about how better enforcement can contribute to higher quality transport. He began by saying that better enforcement is needed to improve the quality of animal transport. He said that the International Road Transport Union is working with other stakeholders at the EU level to make it happen.

The Regulation has been in place since 2007. This piece of EU legislation allows too much flexibility for Member States to deviate from the rules. He added that the Regulation should be properly enforced.

Problems with enforcement of the Regulation should be tackled. Transporters should not always be blamed. There is lack of clarity on rules. Regulation is not clear on who decides on the transportability of animals. He said that in terms of provision related to the space in a vehicle, national transport rules are different to international ones. Rules relating to live animal transport are not compatible with the general transport rules.

The result is that the legal framework is too complicated. Transport operators do not know what to do. Enforcement officers do not necessarily understand rules. Rules are interpreted in different ways. Unjustified penalties are taking place.

He then suggested some actions. He noted that guidelines for interpretation of the 2005 Regulation are needed. Enforcement offices should receive better training, not only in relation to live animal transport, but also with regards to general transport rules. Closer cooperation between enforcement agencies at the national and EU level should take place. Exchange of practice and views is desirable. He added that how matters could be improved under the current situation should be looked at.

## Questions and Answers

**Anna Rosbach (ECR, DK)** noted that livestock farmers should be able to slaughter their animals on the farm. This would avoid the transportation and would have beneficial effects for the welfare of the animals;

**Piet Thijsse** responded by saying that mobile slaughterhouses should be a option for the farmers.

**A member from the audience** added that he have never heard about farmers deciding on slaughterhouses. The question is what to do with the disposal from slaughterhouses.

**Anna Rosbach** added that new efforts should be made to develop mobile slaughterhouses which are compatible with the EU hygiene legislation.

**Piet Thijsse** responded by saying that he was neither in favour nor against the idea. He added that the organization that he is representing is dealing with live animals and not with their slaughter.

## 3. The veterinary role in the proper enforcement to prevent disease risks

**Nancy de Bryne, Deputy Executive Director, Federation of Veterinarians of Europe (FVE)** talked about the veterinary role in the proper enforcement to prevent disease risks. She said that the protection of animals on transport is high on the FVE's agenda. She then noted that slaughtering should take place close to the rearing place. She added that transportation causes certain degree of stress to animals. Immune systems get suppressed and animal get sick. Some transport leads not only to animal health problems, but could also be a risk to the public health.

She then said that there is a lack of compliance with journey and resting times. Strict enforcement is urgently needed concerning these aspects. There are also still major problems concerning journey logs as well as navigation and temperature monitoring systems. TRACES, the Commission's IT system designed to improve the management of animal movements both from outside the EU and within the EU in order to prevent the spread of animal diseases lacks very often the required data due to a lack of knowledge about how to use the system.

Another problem is that there is no harmonised system of sanctions and penalties. She added that penalties should be higher. Coordination within and between the Member States is important. She then said that little progress has been made on the legal competences to collect fines on the spot.

She suggested that the implementation and enforcement of the Regulation should be more uniform and accurate. Sanctions should be effective, proportionate and harmonised. Good communication is needed. There is also a need for requirements regarding the monitoring of temperature systems. She called for the competent authorities to play a role in the enforcement of the Regulation by setting up regular meetings between enforcement agencies. Training, education and a code of good practice are important as well.

## 4. FVO findings on enforcement of the Transport Regulation

**Terence Cassidy, Head of Sector Animal Welfare at the, European Food and Veterinary Office - FVO,** gave a presentation on FVO findings regarding the enforcement of the Transport Regulation. The FVO has been carrying out missions across and outside Europe. She noted that difficulties with enforcing the Regulation have already been mentioned.

Lately, the FVO has carried out missions in Italy and Romania. He added that the Member States are responsible for ensuring that the EU requirements are met.

Before departure, detailed plans have to be submitted by the transporters for the journey log. However, there is no 100% control. He added that the changes introduced to the Regulation have helped. Veterinary advice is taking place, vehicle approval is another improvement, and there is a more specific definition of times for transport. However, journey logs have not been a great success. There is a high level of non-compliance in that respect.

The other development is that checks take place during transport. Certain Competent Authorities – (CA) have the right to stop vehicles. Others need to work closely with authorities though. Some important trade routes within Europe are still left without control.

As for the destination, he said that it is difficult to have control at the destination point. Regarding penalties, he noted that good cooperation with the Member States is needed. Sharing information between Competent Authorities is a priority. Good cooperation with regard to contact points within and between the Member States is needed.

He concluded that, the new Regulation provides better framework for controls and stressed that sharing information between Competent Authorities is essential as well as retrospective checks and better enforcement strategies.

### Questions and Answers

**Dan Jorgensen (S&D, DK) Chair**, asked what happens when cases of non-compliance are found during a mission.

**Terence Cassidy** responded by saying that some time for reaction is given, an assessment is performed, then the organization looks at instructions and the training that has been received for inspections in the country. The authorities are asked to provide an action plan. Hopefully, progress has been made, but it is a slow process.

**Dan Jorgensen (S&D, DK)** asked if inspections could lead to court cases.

**Terence Cassidy** confirmed that continued non-compliance with the EU legislation leads sometimes to court cases and he gave the example of Greece regarding insufficient controls on transport. The country was fined for breaching the Directive.

**Michel Courat** noted that enforcement of the Regulation is weak and suggested that the number of inspections should be increased. He added that resources should be balanced.

**A representative from the audience** agreed that controls are difficult for authorities but checking a country every three years is not enough. She added that more resources are needed.

**Terence Cassidy** responded by saying that the European Food and Veterinary Office carried out at least one check per country. She added that it is better to have higher political attention on the issue. The use of political structures helps to achieve more.

**A representative from the audience** added that transport concerns not only animals destined for slaughter. Animals for further fattening are transported in great numbers and therefore checks should be carried out as well on the points on the arrival points .

**Terence Cassidy** responded by saying that it is difficult for competent authorities to track animals at their arrival point.

**Another representative from the audience** asked how it is made sure in the case of large countries that the results of inspections are representative.

Terence Cassidy responded by saying that the FVO assesses what training has been given to transporters. Reports from the Member States could be used as well. The regional input is incorporated. It could be seen that some regions do not carry out any checks.

## 5. The principal welfare problems arising from poor enforcement of the Transport Regulation'

Peter Stevenson, Chief Policy Advisor, Compassion in World Farming, gave an overview on official Member States reports and poor enforcement of the transport regulation. He said that the Regulation came into force in 2007, but there has been a similar EU legislation for the last 20 years. He then said that the key part of the Regulation is that animals have to be unloaded, given food and water during transport. He stressed that authorities accept unrealistic journey logs. He added that animals are not provided water, food or rest during journeys. Animals suffer from the combination of dehydration, hunger and exhaustion. Inadequate drinking devices are another serious problem. Transport of un-fit animals is prohibited, but happens far too often.

With regards to penalties, he said that they have to be efficient, proportionate and dissuasive. Penalties did not improve in many cases. Better enforcement is desperately needed. The Regulation is a good framework but better enforcement is needed. There is not enough progress, so far. The creation of enforcement initiative by the EU institutions might be needed. He expressed his hope that the Intergroup would decide on some sort of action.

## 6. Official Members States reports and poor enforcement of the transport regulation

Dr. Michel Courat, Policy Officer Farm Animals, Eurogroup for Animals, gave a presentation about the official Member States reports and poor enforcement of the Animal Transport Regulation. He said that article 27 of the Regulation states that Member States need to monitor implementation of the Regulation regarding transport and welfare of animals. Then the Member States should submit each year a report to the Commission from the previous year. Deadlines for submitting reports are not respected and they are published by the Commission with even greater delay. In addition, there is lack of analysis and action programmes, which is in fact compulsory. Some Member States do not have a proper action programme. He added that it happens sometimes that the data provided in the report are confusing. The data could be very unreadable. Inspections are taking place in inappropriate places.

In conclusion, he said that very little attention has been given to the documents. There is some confusion and inconsistency in the data provided, so it is difficult to do comparisons between Member States. Reports are not scrutinized at the member state and Commission levels. He added that there is an absence of improvements and that the system is not working. He called on the Commission to act imminently. He said that art 27 should be included in FVO inspections. The Eurogroup for Animals also called on the Member States to take inspections seriously.

## 7. Checking compliance with Regulation (EC) 1/2005 on German roads: options and problems in the practical work of an official veterinarian

Claudia Eggert, Official Veterinarian, Unit for Animal Health, Lahn-Dill-Kreis, Germany, gave a presentation on checking compliance with Regulation (EC) 1/2005 on German roads: options and problems in the practical work of an official veterinarian. She said that there is a special monitoring point for animal transport in the region she was representing. The most important checks take place on the road. This is the most difficult and it is not carried out across Germany. Trips under 8 hours are not checked enough. The greatest number of shortcomings takes place there.

There is a lack of training for police and veterinarians. Unloading provisions are not checked properly. Emergency measures only work when they are explained in advance. She then elaborated on situations when provisions cannot be implemented. In that situation, national transport violations are dealt through administrative and criminal proceedings only when there are included in national transportation. If this is related to a third country the situation gets more complicated. She noted that two-tier transport problems have been seen for the last 20 years.

## Questions and Answers

Piet Thijsse asked why Peter Stevenson always addresses situations that are going wrong. In the majority of cases, transportation of animals is going well.

Peter Stevenson responded by saying that reports from NGOs indicate that mentioned problems are common. He added that EU institutions have to come together to get a better level of enforcement.

François Saint Lager, Breiz Europe, said that it is not fair to say that nothing has changed during the last 20 years. It was positive to point out that there are problems with training. Information provided by NGOs is needed, so people could comply with the Regulation. Infringement is more frequent because more checks are taking place. It was said that if everyone works together then the progress could be done. It was added that NGOs in France are involved in training people.

Julie Girling (ECR, UK) said that the Intergroup is not getting terribly far when it comes to putting pressure on the Commission. She noted that the Intergroup should turn its work to consumer behaviour. The Intergroup should make consumers more aware. Certifying of processed food could be looked at. She stressed that the Commission is certainly not committed. She added that rewarding and not demonising should be the strategy to apply.

Dan Jorgensen (S&D, DK) agreed that a lot of transporters comply with the Regulation, but the Intergroup focuses on problems. The role of the Parliament and the Intergroup is to apply pressure. This has been put on the Commission during years in order to get better legislation. The Commission has not kept its promises.

### 8. Closing remarks

In its closing remarks the Chairman announced that the Intergroup would send a letter to Commissioner Dalli stressing on the urgent need to ensure a better enforcement of the current Animal Transport Regulation.

Next Intergroup meeting:

**Dr. Jane Goodall, DBE**

Founder of the Jane Goodall Institute & UN Messenger of Peace

**“Reason for Hope”**

Linking Welfare of People, Animals & the Environment

**Tuesday 24 May 2011  
from 13:00 to 14:30 hrs**

**European Parliament in Brussels / Room JAN 4Q2**

This extraordinary event is hosted by  
Dan JØRGENSEN MEP (S&D, DK)

## ATTENDANCE

## Members of the European Parliament (7)

Girling, Julie	ECR	UK
Jørgensen, Dan (Vice-President)	S&D	DK
Lichtenberger, Eva	Greens/EFA	AU
Liotard, Kartika Tamara (Vice-President)	EUL/NGL	NL
Paulsen, Marit (Honorary Secretary)	ALDE	SE
Rosbach, Anna	EFD	DK
Schlyter, Carl (President)	Greens/EFA	SE

## Assistants and Trainees to Members of the European Parliament (19)

Cassen, Toke	Assistant
Chuchla, Anna	Assistant to Mr Wojciechowski, (ECR, PL)
Eder, Simon	Intern to Mrs Lichtenberger (Greens/EFA, AT)
Geertsen, Pelle Christy	Assistant to Mrs Rosabch (ECR, DK)
Gonzalez Gozalbo, Magdalena	Assistant to Mrs García Pérez (S&D, ES)
Grafa, Kinga Maria	Assistant to Mrs Jędrzejewska (EPP, PL)
Hanks, Kiri	Assistant to Mrs McAvan (S&D, UK)
Hjorth, Helge	Intern to Mr Jørgensen (S&D, DK),
Koskenvoima, Pekka	Intern to Mr Schlyter (Greens/EFA, SE)
Johe, Daniel	Assistant to Ms Jeggle (EPP, DE)
Maguire Cearbhall	Assistant to Mrs McGuinness (EPP, IR)
Mercuriadi, Christina	Assistant to Mr Arsenis (S&D, GR)
Mrnková Martina	Assistant to Mr Poc (S&D, CZ)
Rowly, Hannah	Assistant
Sokolowska, Urszula	Assistant to Mr Simpson (S&D, UK)
Tafanel, Emilie	Assistant to Mrs Griesbeck (ALDE, FR)
Uyttersprot, Katrien	Assistant to Mrs Brepoels (Greens/EFA, BE)
Valtanen, Aino	Assistant to Ms Pietikäinen (EPP, FI)
Vuglsang, Niels	Assistant to Mr Jørgensen (S&D, DK)

## Guest Speakers and Observers (53)

Schons, Hans Peter	ADT Director
Rudzite, Guna	ALDE Political Adviser
Moser Eleonora	Animal Behaviourist
Krümpel, Markus	BDT Germany, Krümpel GmbH
Welzel, Dr Alice	BMELV – German Ministry for Agriculture
Saint Lager François	Breiz Europe
Hau, Thierry	Breiz Europe
Stevenson, Peter	Compassion in World Farming
Tyni, Outi	Council Secretariat
Soren, Larsen	EU Danish Transport & Logistics Director
Reddish, Iain	Eurogroup for Animals, EU Co-ordinator
Schmit, Véronique	Eurogroup for Animals, Executive Officer Policy
Courat, Michel	Eurogroup for Animals, Policy Officer Farm Animals
Boucher, Lise	European Association of Consumer Cooperatives
Vassallo, Harry	European Commission Cabinet of Commissioner Dalli,
Gavinelli, Andrea	European Commission, DG SANCO
Timofte, Alina	European Commission, DG SANCO
Norgren, Agneta	European Commission, DG SANCO

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Koželt, Rok	European Parliament DG COMM,
Miczki, Tamara	European Parliament DG PRES,
Steendijk, Margreet	Eyes on Animals
De Bryne, Nancy	Federation of Veterinarians in Europe,
Cantaloube, Alain	FESASS
Cassidy Terence	Food and Veterinary Office - FVO, Head Animal Welfare
Tsapidou, Alexia	Four Paws International
Duthoit, Sopie	Four Paws International
Yarsley, Chris	Freight Transport Association
Ivanovici, Maria Loredana	International Road Transport Union, Assistant
Billet, Marc	International Road Transport Union, Head-EU Goods
Vössing Katharina	Journalist
Surman, Will	NFU- National Farmers Union, Brussels
Davies, Liam	NFU- National Farmers Union, Brussels
Eggert, Claudia	Official veterinarian, Germany
Pichler, Robert	Permanent Representation of Austria to the EU
Pipis, Christodoulos	Permanent Representation of Cyprus to the EU
Jacobson, Søren	Permanent Representation of Denmark to the EU
Korpilo, Berit	Permanent Representation of Finland to the EU
Snell, Hinrich	Permanent Representation of Germany to the EU
Bugeja, Sarah	Permanent Representation of Malta to the EU
Kowalska-Klockiewicz, Anna,	Permanent Representation of Poland to the EU
Jansson, Kerstin	Permanent Representation of Sweden to the EU
Grandmougin, Thomas	PMAF, Communications Manager,
Fischer Lutz	Policy adviser, German Farmers Federation
Vasilias, Dimitra	Schuman Associates, Brussels
Sutorn Stefan	Stefan Sutor GmbH
Kamphof Hans Wilhelmus Theodoor	Transport en Logistiek Netherlands
van den Eijnden Frank Johannes Jozef	Transport en Logistiek Netherlands
Noga, Zeev	Veterinary adviser UECBV
Losacco, Giuseppe	Veterinary Head, Italian Ministry for Health
De Pepe Karlien	Veterinary Officer, Belgium
Thijsse, Piet	Vice-President UECBV
White, Joanne Sarah	World Horse Welfare, Director of Campaigns
Wylie, Daniel	Greens/EFA, Political Adviser

#### Intergroup Secretariat (4)

Erlar, Andreas	Eurogroup for Animals, Political Officer,
Van Tichelen, Sonja	Eurogroup for Animals, Director
Griffiths, Martyn	Eurogroup for Animals, Press Officer
Richard, Julien	Eurogroup for Animals, Information Officer