

Transport of Farm Animals¹ and Horses

SUMMARY

The EU Council Regulation on the protection of animals during transport and related operations came into force on 5 January 2007. The Regulation applies to all those who transport animals as part of a business or trade. The Regulation sets out the general conditions for the transport of all vertebrate species, and outlines the specific provisions for the transport of farm animals and horses. The requirements also vary according to the length of journey. The documentation required for journeys under 65km, over 65km and up to eight hours, and over eight hours are discussed. From 5 January 2008 drivers and attendants transporting farm animals and horses on journeys over 65km will also require a certificate of competence issued by an independent assessor.

All those involved in the transport of animals, and related operations, need to be familiar with the requirements of the new Regulation.

Introduction

This leaflet provides guidance on the EU Council Regulation² on the protection of animals during transport and related operations, and on implementing national legislation for England, Scotland, Wales and Northern Ireland³. The Regulation came into force on 5 January 2007, with a requirement for a certificate of competence by 5 January 2008 and satellite navigation systems for road vehicles from 1 January 2009.

The Regulation concerns all those who transport animals in connection with an economic activity and will include: farmers; livestock hauliers; those moving horses for professional riding, livery and stabling; those involved in commercial pet breeding or racing; and those moving animals for films, zoos and leisure parks. The Regulation does not provide a definition of economic activity but the Department for Environment Food and Rural Affairs (Defra) has interpreted it to mean that if you transport animals as part of a business or trade then the Regulation's provisions will apply.

The Regulation does **not** cover the transport of animals:

- a) if it is not for a commercial purpose;
- b) to or from a veterinary practice or clinic under veterinary advice;
- c) if it is a single animal accompanied by its owner or other responsible person;
- d) if it is a pet animal accompanied by its owner on a journey;
- e) by farmers transporting their own animals, in their own vehicles, less than 50km (only limited parts of the regulation apply).

The Regulation includes a general requirement applying to the transport of all animals. This states that no person should transport animals in a way likely to cause injury or undue suffering.

¹ In this context 'farm animals' refers to cattle, sheep, pigs and goats (only the Regulation's general requirements apply to the transport of other farmed species eg deer, ostriches, etc).

² Council Regulation (EC) No. 1/2005 of 22 December 2004

³ SI 2006, No. 3260, *The Welfare of Animals (Transport) (England) Order 2006*;

SI 2006, No. 606, *The Welfare of Animals (Transport) (Scotland) Order 2006*;

SI 2006, No. 538, *The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006*;

SI 2007, No. 32, *The Welfare of Animals (Transport) (Amendment) Regulations (Northern Ireland) 2007*;

Welsh SI 2007, No. 1047, *The Welfare of Animals (Transport) (Wales) Order 2007*.





Requirements of the regulation

The following general conditions for transport (Article 3) apply to all vertebrate species:

Protection during transport

Anyone engaged in the handling and transport of animals must be trained or competent to do so in a way that does not, or is not likely to, cause unnecessary fear, injury or suffering. All necessary arrangements should be made in advance to minimise the length of the journey and meet the animals' needs during the journey. Animals must be fit for the journey.

Means of transport

The means of transport used must be designed, constructed, maintained and operated so as to avoid injury and suffering, and ensure the safety of the animals. This includes requirements for cleaning and disinfecting, and the provision of anti-slip floors and adequate lighting.

Space allowances

Sufficient floor space and height must be provided for the animals appropriate to their height and the intended journey.

Duties of transporters

The welfare of the animals must not be compromised by insufficient coordination of the different parts of the journey, and weather conditions must be taken into account. For journeys over 65km a qualified attendant (ie one holding a certificate of competence) must accompany any consignment of animals, except:

- a) where the animals are transported in suitable containers with enough food and water (in dispensers which cannot be tipped over), for a journey of twice the anticipated journey time; and
- b) where the driver performs the functions of an attendant (the driver must hold a certificate of competence).

Feed, water and rest periods

Water, feed and rest must be offered to the animals at suitable intervals and must be appropriate in quality and quantity with regard to the animals' species, age and size.

Treatment of sick animals

When animals fall ill or are injured during transportation, action should be taken to prevent further suffering. They should, where possible, be separated from other animals and be provided with adequate space and bedding to lie down. They should either be given appropriate veterinary treatment as soon as possible or, if treatment is inappropriate, undergo emergency slaughter or killing in a way that does not cause them any unnecessary suffering.

Transport distance

The requirements also vary according to the length of journey. Anyone transporting animals on any length of journey must ensure that the animals are fit to travel and will remain in a fit state throughout the journey. The means of transport and transport practices must comply with the requirements of the Regulation. On all journeys (except export journeys involving farm animals and unregistered horses) animals must be accompanied by an **Animal Transport Certificate (ATC)**, which must contain information on:

- origin and ownership of the animals;
- place of departure and destination;
- date and time of departure; and
- expected duration of the journey.

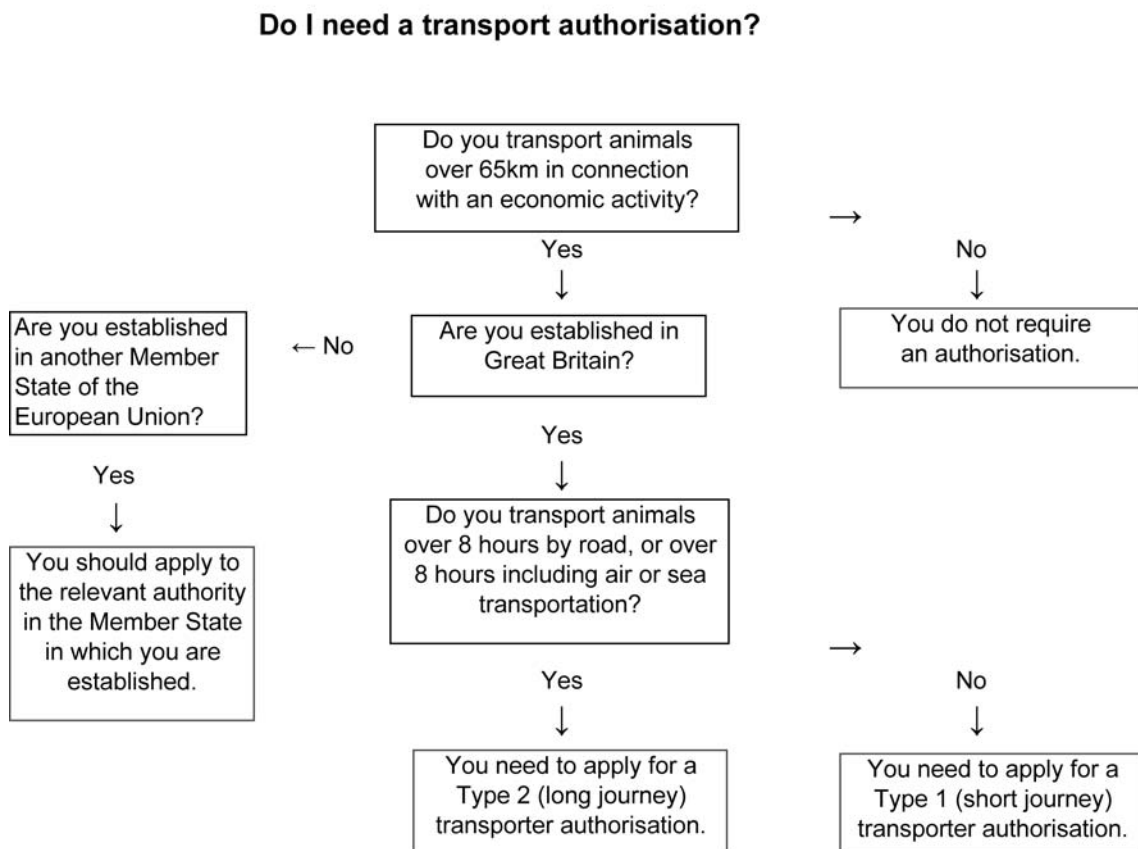


There is no prescribed format for an ATC. Provided the above points are met, the information does not have to be on a single piece of paper. Other documentation carrying this information, such as an Animal Movement Licence, will suffice.

Farmers transporting their own animals, in their own vehicles, less than 50km need only comply with the general conditions set out in Article 3 of the Regulation. One of these general conditions is that animals are fit to travel. Fitness to travel rules do not normally allow the transport of heavily pregnant animals (past 90% gestation), new-born mammals in which the navel has not completely healed or animals that have given birth within the previous seven days. However, it is permitted for a farmer (or a haulier if appointed) to transport these animals short distances under 50km (eg between or within farm premises) if the journey is for the purposes of improving conditions of birth, or following birth. Such journeys must not cause unnecessary pain or suffering.

For all animals transported over 65km and up to eight hours, in addition to the above requirements, the transporter must hold a valid Type 1 (or short journey) **Transporter Authorisation** (see Figure 1) which in England, Scotland and Wales is issued by Animal Health (formerly the State Veterinary Service)⁴. To obtain an authorisation the transporter must be established in Great Britain; have the appropriate equipment and operation procedures in place; all staff involved in transporting animals must be trained and competent; and anyone involved in the transport of animals must not have been convicted of a serious animal welfare offence in the three years preceding the submission of an application. Authorisations will permit transporters to carry all species, but authorisations may be made species-specific if deemed necessary.

Figure 1



Source: Defra



Those transporting all animals over eight hours require a Type 2 (or long journey) **Transporter Authorisation**⁵. Additionally, those transporting cattle, sheep, pigs, goats and horses require a **Vehicle Approval Certificate**. The technical rules for obtaining a certificate are set out in Annex 1 of the Regulation. In England, the following organisations have been designated by Defra to inspect vehicles and issue approval certificates: Freight Transport Association, EFSIS Agriculture and CMI Certification. In Scotland, Scottish Food Quality Certification has been designated by Scottish Executive Environment and Rural Affairs Department (SEERAD) as a certifying body. Inspection and approval of the vehicle is **not required** for animals other than those listed above or where animals are carried in containers within the vehicle.

Farm animals and horses being transported for over eight hours to another EU member state or to a third country, must be accompanied by a **Journey Log** which must include: a journey plan; a section to be completed before departure; a section to be completed at the final destination; a section to be completed during the journey to record the actual journey made, rather than the journey planned; and a section in which any non-compliances at any stage during the journey are recorded. However, registered horses transported for competition, races, cultural events or breeding are exempt from the need for Journey Logs and the requirements in relation to watering and feeding intervals, journey times and rest periods. This is because it is expected that higher standards will be provided for their transportation than those set by the EU for the movement of horses as food animals. All other provisions laid down in the Regulation apply to registered horses⁶. Contingency plans in case of emergencies are required for all journeys over eight hours.

When planning the transport of animals it is important to remember that the journey consists of the period from the loading of the first animal to the unloading of the last animal at the final destination, and journey times should be planned accordingly. A journey may be broken at an approved control post where a 24 hour rest is taken.

Training and Certificate of Competance

The Regulation requires that from **5 January 2007** transporters of vertebrate animals in connection with an economic activity, together with market and assembly centre staff handling animals, are trained in the relevant technical provisions of the Regulation. For transporters this covers: fitness for travel; the means of transport; use of its facilities; loading, unloading and handling; watering and feeding intervals, journey times and rest periods; space allowances; and documentation. For market and assembly centre staff: fitness, handling and separation.

The Regulation additionally requires that from **5 January 2008**, transporters and attendants transporting cattle, sheep, goats, pigs, horses and poultry by road on journeys over 65km in connection with an economic activity must be independently assessed as to their competence and, if successful, awarded a certificate of competence.

The precise format and who may provide training is not specified in the Regulation. Training may be by means of 'on-the-job' training combined with practical experience or by formal methods such as those leading to standards equivalent to qualifications accredited to National Qualifications Framework at levels 2 and 3. These are provided by industry, agricultural colleges, transport businesses and commercial providers.

⁴ Applicants based in Northern Ireland should apply to the NI Department of Agriculture and Rural Development.

⁵ A valid long journey authorisation also covers short journeys.

⁶ Registered horses are those registered for the purposes of EU zootechnic legislation (Directive 90/426/EEC and Directive 90/427/EEC) with a recognised breed society or companies like the British Horse Database at Wetherby's. In addition a horse which travels under a passport issued by the Fédération Equestre Internationale, or the International Equestrian Federation, are considered to be registered for the purposes of the Regulation, as are horses transported for show-jumping, polo, etc. These latter categories will require proof of their registered status (eg with the British Show Jumping Association) to accompany the animals during transport, and to be made available to an inspector on demand. The onus is on the owner to provide proof of registration.



The certificates of competence will be issued by an independent body/bodies nominated by Defra, National Assembly for Wales (NAW), SEERAD or Northern Ireland Department of Agriculture and Rural Development (DARD). The certificate must specify the role of driver, attendant (or driver/attendant), the length of the journey to be undertaken and the species to be transported.

If the journey is over 65km and less than eight hours, the assessment for the Certificate of Competence may be carried out by means of a theory test. If the journey is over eight hours the assessment must also include a practical component which will include driving and animal handling skills. After 5 January 2008, the Certificate of Competence will need to be submitted with applications for Type 2 transporter authorisations for long journeys, and made available to the enforcement authorities on request.

Although no 'grandfather rights' are permitted under the Regulation, those holding certain qualifications (see Note 1) may be issued with Certificates of Competence by the original awarding body under certain conditions.

Technical requirements

Technical requirements for the transport of animals are set out in Annex I of the Regulation. These include specific provisions for the transport of farm animals and horses on long journeys.

1. The Regulation sets out specific requirements for the transport of all animals, including feed and water supply, journey times, rest periods and space allowances. In addition, specific rules governing the use of halters, ropes, tethers, etc, are included.
2. The Regulation also sets out detailed requirements for vehicles undertaking long journeys of over eight hours carrying farm animals and horses. These include requirements for an insulated roof, mechanical ventilation, temperature and data monitoring equipment and satellite navigation (from 1 January 2009). However, the UK competent authorities have derogated from these requirements for road vehicles making journeys of up to twelve hours **within the UK only**. These requirements will apply to vehicles undertaking journeys through other Member States if the relevant Member States require them.
3. There are specific requirements for vehicle ramp angles depending on the animals being transported. For pigs, calves and horses the ramp may not be steeper than 20 degrees (36%). For sheep and cattle the angle should be no more than 26 degrees 34 minutes (50%). Where the slope is more than 10 degrees the ramp must be fitted with foot battens, or other aids, to ensure the animal can ascend or descend without difficulty. In the case of vehicles with more than one floor and lifting platforms, safety barriers must be fitted to prevent animals falling or escaping during loading and unloading. Vehicles and trailers built and in use before 5 January 2007, which comply with ramp angle requirements set out in the previous legislation, may continue to be used **within the UK** until 4 January 2012 if it is impractical or uneconomic to convert or alter to comply with the new rules.
4. The UK competent authorities have also derogated from other requirements for road vehicles making journeys of up to twelve hours **within the UK only**. These requirements will apply to vehicles undertaking journeys through other Member States if the relevant Member States require them. Specifically, it is not required that pigs have continuous access to water throughout the journey, but they must be offered water at appropriate intervals and afforded an adequate opportunity to drink; and temperatures on vehicles may fall below 0°C prior to the departure of the vehicle and during loading/unloading at intermediate points in the journey. However, adequate quantities of appropriate bedding material must be provided for young animals. Additionally, pigs up to 30kg must be provided with bedding when undertaking long journeys of between eight and twelve hours.
5. All ship operators carrying vertebrate animals (excluding farmed fish) should apply for a long journey authorisation as they may carry animals on journeys where the total duration (including the



sea leg) may exceed eight hours. Operators of livestock vessels where animals are kept in pens with bedding, food and water provided, must have their vessels inspected and approved. There is no requirement for Roll-on Roll-off vessels to be approved.

6. Aircraft operators should apply for a long journey authorisation as they carry animals on journeys where the total duration, including the air leg, may exceed eight hours. There is no requirement for aircraft to be inspected and approved.

Note: 1

Those holding the following qualifications may be issued with certificates of competence by the original awarding body if all aspects of the framework of competences have been covered.

- Certificates issued by independent bodies approved by Ministers such as the National Proficiency Test Council part of the City and Guilds Group (NPTC), or the Road Haulage Association (RHA).
- Qualifications currently approved by Ministers:
S/NVQ Level 2 in 'Transporting of Goods by Road' (within the context of livestock haulage), Units 5, 6 and 7
S/NVQ Level 3 in 'Racehorse Care and Management' - maintain the health and well being of horses during transportation, Unit 3.04
S/NVQ Level 3 in 'Horse Care and Management' – maintain the health and well being of horses during transportation, Unit 3.04

Further details

1. Council Regulation (EC) No. 1/2005, of 22 December 2004, Official Journal of the European Union, 5/1/005.
2. Statutory Instrument 2006 No. 3260, *The Welfare of Animals (Transport) (England) Order 2006*, The Stationery Office Ltd, ISBN 0110754379.
Statutory Instrument 2006 No. 606, *The Welfare of Animals (Transport) (Scotland) Order 2006*; The Stationery Office Ltd, ISBN 0110714288
Statutory Rule 2006 No. 538, *The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006*; The Stationery Office Ltd, ISBN 0337967873
Statutory Rule 2007 No. 32, *The Welfare of Animals (Transport) (Amendment) Regulations (Northern Ireland) 2007*; The Stationery Office Ltd, ISBN 9780337968181
Welsh Statutory Instrument 2007, No. 1047, *The Welfare of Animals (Transport) (Wales) Order 2007*, The Stationery Office Ltd, ISBN 9780110915678
3. Guidance Notes, *Welfare of Animals During Transport*, Defra 2006
e-mail: aw-transport@defra.gsi.gov.uk and at:
www.defra.gov.uk/animalh/welfare/farmed/transport/eu-transportreg

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