



ANIMAL SUFFERING IS INHERENT IN LONG DISTANCE TRANSPORTS

Lisbon Treaty necessitates ban of Long Distance Transports

A Report by Christine Hafner and Julia Havenstein

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Animals' Angels has been monitoring animal transports for many years. Animals' Angels has been there with the animals on the road. This report is a co-operative effort of field inspectors, office team and donors. Animals' Angels' work is financed by private donations only.

N.B. While working on this report Animals' Angels was concerned by the following issue: Do we have the right to use pictures of animals in distress without their consent? Or are we violating their dignity? We have come to the conclusion that as an exception it is justifiable in this case.

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I. Introduction

The Treaty on the Functioning of the European Union (TFEU¹), based on the Lisbon Treaty, came into force on 1st December 2009 after having been ratified by all twenty-seven Member States. It is one of two Treaties that primarily determine the European Union.

According to **ARTICLE 13 TFEU, ANIMALS ARE SENTIENT BEINGS THAT MUST BE RESPECTED IN THE EU DECISION MAKING PROCESS** and full regard has to be paid to their welfare requirements. The Lisbon Treaty re-affirms the European Union's commitment to animal welfare and creates an explicit duty regarding animal welfare under EU law. This means that the EU and its Member States have to pay full regard to animal welfare in policies relating, inter alia, to transport, agriculture and internal market.

Nevertheless, this avowed goal of broad animal protection and welfare is still not reflected in the European legislation on the protection of "farm" animals. Some fields, where unsatisfactory animal welfare conditions are prevalent, are not regulated at all. Beyond that, in numerous cases, existing EU legislation does not even ensure the very basic needs of the animals. What is more, **EU LEGISLATION ON THE PROTECTION OF "FARM" ANIMALS REGULARLY DISREGARDS THE SO-CALLED "FIVE FREEDOMS"** which are considered as the basis of EU animal welfare policy:

- Freedom from Hunger and Thirst
- Freedom from Discomfort
- Freedom from Pain, Injury or Disease
- Freedom to Express Normal Behaviour
- Freedom from Fear and Distress

The possibly most debated example in this regard and an issue about which the European Citizens are most concerned, is the EU-legislation on the **PROTECTION OF ANIMALS DURING TRANSPORT. THIS EUROPEAN REGULATION STILL PERMITS COMMERCIAL TRANSPORTS OF LIVE ANIMALS OVER LONG AND VERY LONG DISTANCES ACROSS ALL OF EUROPE AND TO THIRD COUNTRIES**. This is in spite of the fact that scientific research and empirical investigations give persuasive evidence that animals do suffer on long journeys and moreover prove that animal suffering is unavoidable in long journeys.

The European Parliament has already called for a limitation of transport times to a maximum of 8 hours in 2001, as well as in 2003. **WITH THE LISBON TREATY COMING INTO FORCE, THE STRICT LIMITATION OF THE TRANSPORT TIME TO 8 HOURS FOR COMMERCIAL TRANSPORTS OF LIVE ANIMALS CAN NO LONGER BE BLOCKED.** The producers involved have the possibility of adapting their production to the requirements of the modern society and the European legislators have to follow the principles of the European Treaties:

**Further Maintenance of commercial
Long Distance Transports of Live Animals in Europe
would be a Breach of Article 13 TFEU.**

Once again, the present report provides evidence from scientific research and through examples of empirical investigations that **ANIMAL SUFFERING IS INHERENT IN LONG DISTANCE TRANSPORT.**

¹ Henceforth referred to as TFEU

II. Empirical Investigation and Scientific Research giving Evidence that Animal Suffering is inherent in Long Distance Transports

1. Suffering due to Exhaustion and Transport Stress leading to Death

→ conflicting with

Freedom No 1 “Freedom from Hunger and Thirst”

Freedom No 2 “Freedom from Discomfort”

Freedom No 3 “Freedom from Pain and Injury”

Freedom No 4 “Freedom to Express Normal Behaviour”

Freedom No 5 “Freedom from Fear and Distress”

Scientific research supplies persuasive evidence that animal suffering during transport increases the longer a journey takes.

Regarding animals unaccustomed to loading and transport the **SCIENTIFIC COMMITTEE ON ANIMAL HEALTH AND ANIMAL WELFARE OF THE EUROPEAN COMMISSION (SCAHAW²)** states in the report “The Welfare of Animals during Transport”, published in March 2002: “(...) **AFTER A FEW HOURS OF TRANSPORT WELFARE TENDS TO BECOME POORER AS THE LENGTH OF THE JOURNEY INCREASES. HENCE SUCH ANIMALS SHOULD NOT BE TRANSPORTED IF THIS CAN BE AVOIDED AND JOURNEYS SHOULD BE AS SHORT AS POSSIBLE.**”³ There is no doubt that the vast majority of animals transported commercially for slaughter, breeding and further fattening are unaccustomed to loading and transport.

IF THE TRANSPORT TAKES MORE THAN FOUR OR EVEN EIGHT HOURS, IT HAS TO BE ASSUMED THAT STRESS, PHYSICAL EFFORT AND EXCITEMENT INCREASE AND BECOME SUFFERING. The reason is that animals are only able to partly combat stress and only for a limited time.⁴

Too many animals are not able to stand the stresses and strains associated with long distance transports and **DIE AFTER MANY HOURS OR EVEN DAYS OF IMMENSE SUFFERING.** Typically during long distance transports it is impossible to treat animals that get injured, fall ill or become too exhausted.

In the majority of irregular long-distance animal transports observed by Animals' Angels over the last years suffering was caused to the animals due to various factors such as no or insufficient water supply, limited space, injuries, long journey times, insufficient head room, extremely high or low temperatures, etc. For example in the year 2010 Animals' Angels observed 44 irregular long distance transports within Europe – out of these 43 were found to be carried out in a way likely to cause undue suffering. Given the fact that Animals' Angels can carry out only very few investigations (which are financed by donations only) and nevertheless finds so many irregular transports, it must be concluded that in reality the number of unreported cases of illegal long distance transports within Europe is immensely high.

Empirical investigations carried out by Animals' Angels show that long distance transports often lead to total exhaustion and in some cases even cause the death of the transported animals.⁵ All photos shown were taken after Council Regulation (EC) No 1/2005 came into force, i.e. during the period 2007 – 2010.

² Henceforth referred to as SCAHAW

³ SCAHAW Report "The Welfare of Animals during Transport", March 2002, p. 95

⁴ see Fikuart in: Sambras/Steiger p. 496, 497, TVT – Nachrichten 2/2001, p. 8

⁵ Background information or corresponding reports to all photographs taken by Animals' Angels can be requested at info@animals-angels.de

Animals suffering from Exhaustion during Long Distance Transports:



Exhausted Donkey Bella during Long Distance
Transport **AUGUST 2008**



Exhausted Pig Luisa during Long Distance
Transport **JULY 2010**



Exhausted Bull Hercule during Long Distance
Transport **JULY 2010**



Exhausted Sheep Mirta during Long Distance
Transport **AUGUST 2008**



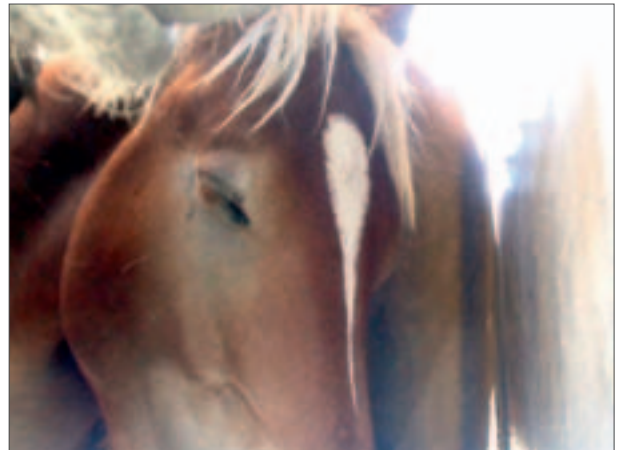
Exhausted Calf Jeronimo during Long Distance Transport **OCTOBER 2009**



Exhausted Horse Gaia during Long Distance Transport **AUGUST 2008**



Exhausted Horse Miguel during Long Distance Transport **APRIL 2008**



Exhausted Horse Rita during Long Distance Transport **JULY 2007**



Exhausted Lamb during Long Distance Transport **2007** (© Dr. Alexander Rabitsch)



Exhausted Horse Esteban during Long Distance Transport **JULY 2007**

Long Distance Transports causing the Death of Animals



Dead Sheep Clara – Long Distance Transport
OCTOBER 2010



Dead Pig Emma – Long Distance Transport
APRIL 2010



90 dead Pigs after Long Distance Transport
AUGUST 2010⁶



Dead Sheep Mihaela – Long Distance Transport
AUGUST 2010



Dead Lamb Claudia – Long Distance Transport
AUGUST 2010



Dead Lamb Andi – Long Distance Transport
AUGUST 2010



Dead Sheep – Long Distance Transport
AUGUST 2010



Celia und Amalia – a dead and a moribund Sheep
after Long Distance Transport **JULY 2010**



Dead Calf – Long Distance Transport
OCTOBER 2009



Dead Piglet on Long Distance Transport **2008**
(© Dr. Alexander Rabitsch)

⁶ GEA PRESS, 26.08.2010 (Photo: Polizia Stradale - Questura Cagliari)

As the transport time increases, the animals' suffering increases because the effects of thirst, heat and cold, stress, limited space, fighting, injuries and exhaustion become increasingly serious.

The Lisbon Treaty recognises animals as Sentient Beings. The Lisbon Treaty, therefore, requires animal welfare to be fully respected in the EU decision-making process. The Lisbon Treaty was ratified by all 27 Member States and came into force in 2009.

HOW CAN THE EUROPEAN UNION AND ITS MEMBER STATES STILL SEND THESE SENTIENT BEINGS ON LONG DISTANCE TRANSPORTS DESPITE THE INEVITABLE SEVERE SUFFERING?

2. Suffering due to Injuries and Pain

→ conflicting with

Freedom No 2 "Freedom from Discomfort"

Freedom No 3 "Freedom from Pain and Injury"

Freedom No 4 "Freedom to Express Normal Behaviour"

Freedom No 5 "Freedom from Fear and Distress"

It regularly happens that animals get injured during long distance transports. This has multiple causes:

- animals get stuck with their legs between the sides of the vehicle and the floor of the decks
- animals get stuck between the dividers and the bottom of the lorry
- cattle get stuck with their horns between the ventilation openings
- animals that are lying down are trampled on and injured by other animals standing above them
- animals get injured when stress leads to fights as often happens with pigs or horses
- animals lose balance in the moving vehicle (due to braking, curves, mountains etc.)
- etc.

In the majority of the cases, treatment is not possible during transport and often the injury remains undetected until arrival at the final destination.

The following photos taken during empirical investigations carried out by Animals' Angels show that animals regularly get injured, trapped or trampled down during long distance transports. All photos were taken after Council Regulation (EC) No 1/2005 came into force, i.e. during the period 2007-2010.



Injured horse – Long Distance Transport
SEPTEMBER 2007



Bull Louis with broken horn – Long Distance Transport
OCTOBER 2009



Trampled Bull – Long Distance Transport
JULY 2010



Horse being trampled – Long Distance Transport
JULY 2007



Horse Peter with eye injury – Long Distance Transport
JULY 2007



Sheep Brigitte with injured eye – Long Distance Transport
OCTOBER 2009



Lamb whose leg is trapped between the floor of the loading deck and the tailgate door. Long Distance Transport **AUGUST 2010**



Sheep whose leg is trapped between floor of the loading deck and ventilation openings – Long Distance Transport **AUGUST 2008**



Injured Sheep Gabriela after Long Distance Transport **OCTOBER 2010**



Young cattle Toni with broken horn during Long Distance Transport **OCTOBER 2010**



Bull with blood dripping down on his face. The blood originates from another Bull on board who was injured during Long Distance Transport **OCTOBER 2009**



Sick and injured Sheep Perla during long Distance Transport **OCTOBER 2010**



Calf John being trampled on during Long Distance Transport **OCTOBER 2009**



Calf Didier stuck under divider – Long Distance Transport **SEPTEMBER 2007**



Calf Daniel trapped above divider in Long Distance Transport **SEPTEMBER 2008**



Dead pig Annette crushed between divider and ceiling. This transport was probably a short distance transport; however, the vehicle used appeared to be of long-distance-standard
APRIL 2010



Horse injured during Long Distance Transport **JULY 2007**



Trampled young Bull Francis in Long Distance Transport **JUNE 2007**

The longer the transport takes, the longer the animals have to suffer from injuries, from being trapped and trampled on, and the longer the animals have to endure the transport without first aid assistance or treatment.

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HOW CAN THE EUROPEAN UNION AND ITS MEMBER STATES STILL SEND THESE SENTIENT BEINGS ON LONG DISTANCE TRANSPORTS DESPITE THE INEVITABLE SEVERE SUFFERING?

3. Suffering due to Insufficient Water and Feed Supply

→ conflicting with

Freedom No 1 “Freedom from Hunger and Thirst”

Freedom No 5 “Freedom from Fear and Distress”

a. Thirst and Dehydration inherent in Long Distance Transports

Council Regulation (EC) No 1/2005 requires that the means of transport used for journeys exceeding 8 hours must be equipped with a water system and watering devices appropriately designed and positioned for the animal species transported. The aim of this legal requirement is to ensure that the animals’ minimum need of water during transport is met. However, it regularly happens that the watering devices used during long distance transports are not in good working order. During the investigations on the road Animals’ Angels teams regularly observe watering systems which are

- simply not functioning
- out of the reach for the animals
- dirty in a way that the animals cannot use them
- not usable by the animals because the animals are not used to the system and don’t know how to operate it
- insufficient with regard to the number of drinking devices in relation to the number of animals transported
- frozen during periods of very low temperatures
- connected to water tanks whose capacity is too low to satisfy the increased need for water of the animals during periods of high temperatures
- inaccessible by a large number of the animals due to the limited space on the vehicle and the associated limited possibilities of movement (additionally, as far as sheep and pigs are concerned, watering devices are usually positioned only along one side of the vehicle, which makes access even more difficult)
- not connected to water devices installed inside the animals’ compartment (this concerns most of the transports of horses)

Insufficient water supply leads to severe suffering during long distance transport. The Technical Report “Project to develop Animal Welfare Risk Assessment Guidelines on Transport”, submitted to EFSA in November 2009, confirms Animals’ Angels experience in the field: **“PROLONGED THIRST CAUSES STRESS AND, IF LONG-LASTING OR SEVERE, MAY LEAD TO DEBILITATION, LOSS OF BODY CONDITION AND DISEASE. (...) During long transports, thirst can occur if animals are given water of poor quality or which is dirty, when access to water is difficult, either because there is an insufficient number of drinking troughs for the number of animals being transported or the supply system is not properly designed and constructed. Thirst can also occur when unsuitable drinking troughs are being used for the species or categories of animals being transported and/or when the animals are not used to the water devices.”**⁷

Severe problems also occur in the transport of cows in the period of lactation as these animals have a very high need of water and their needs can never be satisfied during long distance transports.

“DEHYDRATION IS MOST COMMON IN ANIMALS THAT ARE TRANSPORTED LONG DISTANCES, during dry hot weather and when airflow through the moving truck is high. The ability to cope with dehydration varies between species and upon age”.⁸

In 2010 Animals’ Angels found that in 40,91% of the observed irregular long distance transports the water system was either not adequately designed or positioned for the species transported, broken or missing.

The following photos taken during empirical investigations carried out by Animals’ Angels show the insufficient water supply during long distance transports. All photos were taken after Council Regulation (EC) No 1/2005 came into force, i.e. during the period 2007-2010.

⁷ Page 12

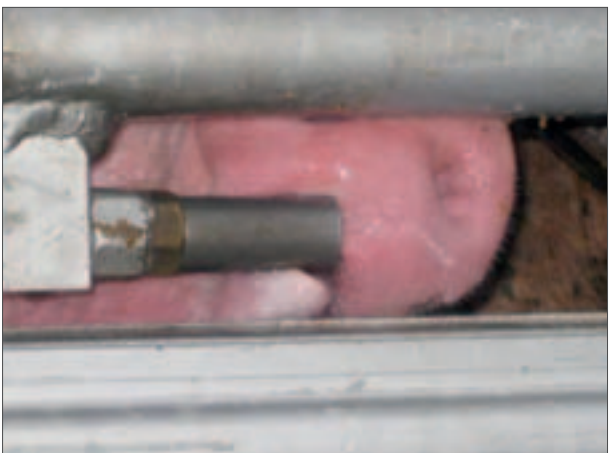
⁸ Gregory, 1998



Thirsty young cattle during long distance transport. Watering system for pigs used, unsuitable for cattle **JULY 2007**



Frozen water system – Long Distance Transport
FEBRUARY 2007



Long Distance Transport with inadequately positioned watering devices. The pigs cannot take the devices into their mouth due to the insufficient space between the bars of the truck. Consequently, the thirsty pigs are licking up water dripping down the side walls of the truck. **AUGUST 2008**



Watering device for sheep dirty with excrement and thus not usable for the animals. Long Distance Transport **OCTOBER 2009**



Thirsty sheep during Long Distance Transport. Several sheep try to drink from only one water device **AUGUST 2010**



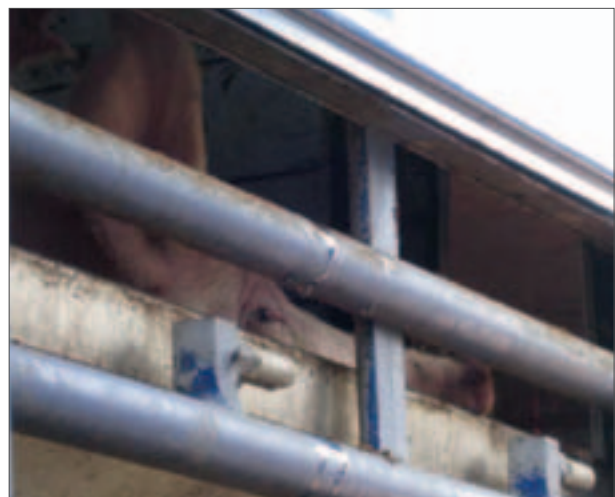
Water system used for bovines. Trough is closed by a moveable flap, which has to be pushed by the animals themselves in order to drink. Difficult to use for animals unaccustomed to this system since they cannot see the water. Inadequate, but commonly used in Long Distance Transports **OCTOBER 2010**



Unsuitable watering system used in many Long Distance Transports⁹ **JULY 2010**



Watering devices out of reach for the pigs – Long Distance Transport **AUGUST 2008**



Watering devices out of reach for the pigs – Long Distance Transport **FEBRUARY 2009**



Watering devices out of reach for the pigs – Long Distance Transport **FEBRUARY 2010**



Thirsty Pig Lola on Long Distance Transport **JULY 2010**

⁹ See also Dr. med. Vet. A. Rabitsch, Comment on inquiry about suitability of spray taps for pigs, 2010

The longer the transport takes,
the longer the animals have to suffer
from thirst and dehydration.

The Lisbon Treaty recognises animals as Sentient Beings. The Lisbon Treaty, therefore, requires animal welfare to be fully respected in the EU decision-making process. The Lisbon Treaty was ratified by all 27 Member States and came into force in 2009.

**HOW CAN THE EUROPEAN UNION AND ITS MEMBER STATES
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TRANSPORTS DESPITE THE INEVITABLE SEVERE SUFFERING?**

b. Hunger: Unweaned animals cannot be supplied with adequate liquid on board the vehicle

Council Regulation (EC) No 1/2005 requires that unweaned animals are given adequate liquid in between two transport periods of 9 hours each. This concerns mainly unweaned calves as these animals are transported in large numbers over long distances. It is, however, impossible to feed unweaned calves adequately on board the truck: these animals cannot adequately use the drinking devices (bite nipples) commonly installed on trucks; it is not possible to work the commonly used drinking systems with the liquid necessary for unweaned calves; heating up the liquid – as it would be necessary for this category of animals - is also not possible on regular road vehicles; above all, however, in order to guarantee that each animal drinks and that each animal drinks the correct amount of liquid, it would be necessary to feed them by hand one by one – this, however, is not feasible on board the truck. **CONSEQUENTLY UNWEANED ANIMALS DO REGULARLY SUFFER FROM FEED/LIQUID DEPRIVATION DURING LONG-DISTANCE TRANSPORTS¹⁰.**

The Technical Report “Project to develop animal welfare risk assessment guidelines on transport” submitted to **EFSA (2009)** provides the scientific basis for this by stating: **“DURING TRANSPORT IT IS TECHNICALLY IMPOSSIBLE TO FEED CALVES ON BOARD OF THE VEHICLE** with milk or milk replacer”.¹¹

Consequently in **ALL TRANSPORTS** of unweaned calves found by Animals’ Angels during empirical investigations, where **THE VEHICLE’S SYSTEM OF PROVIDING LIQUID** was checked, it turned out to be **INADEQUATE FOR UNWEANED CALVES**.

ANIMALS’ ANGELS FINDINGS ARE ALSO CONFIRMED BY VERY RECENT FVO MISSION REPORTS (2010).¹²

¹⁰ For details please see Animals’ Angels’ compilation report “Long distance transports of unweaned animals, August 2008”

¹¹ Page 30, Technical Report “Project to develop animal welfare risk assessment guidelines on transport” submitted to EFSA (2009)

¹² DG(SANCO) 2010-8387-MR FINAL (Specific audit carried out in Poland from 23.02.- 04.03.2010), p. 19
DG(SANCO) 2010-8384-MR FINAL (Specific audit carried out in the Czech Republic from 01.-10.06.2010), p. 19



Hungry calf Stefan on long distance transport
SEPTEMBER 2007



Hungry calf Michael on long distance transport
JULY 2007



Calf Milo licking up the rain drops dripping
down the side walls of the truck – Long Distance
Transport **JULY 2007**



Hungry unweaned calves on Long Distance
transport **OCTOBER 2009**



Hungry unweaned calf Janos on Long Distance Transport **OCTOBER 2009**

The longer the transport takes,
the longer unweaned calves have to suffer
from not being supplied
with adequate liquid at appropriate intervals.

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4. Suffering due to Heat and Cold Stress

→ conflicting with

Freedom No 2 “Freedom from Discomfort”

Freedom No 5 “Freedom from Fear and Distress”

Significant temperature fluctuations are part of long distance transport: Pigs are transported from Northern Europe to Southern Europe, small ruminants and horses are transported from Eastern Europe to the South, heifers and “dairy” cows are transported from Northern Europe to Africa, pigs are transported from Central Europe to Russia, etc.. It is self-evident that during these long journeys large-scale and extreme temperature fluctuations are unavoidable. Temperature fluctuations are a major stress factor for the animals during transport.

“TEMPERATURES WHICH ARE TOO LOW OR TOO HIGH CAUSE STRESS, WHICH CAN LEAD TO DISEASE AND EVEN DEATH IF IT IS SEVERE OR PROLONGED”.¹³

In animal transport vehicles fans are commonly the only forced, i.e. mechanical ventilation system. These systems are not capable of reducing or increasing the temperature. Therefore, heat suffering cannot be remedied during long distance transport. In cases of very low temperatures in addition to the suffering from cold stress, generally the water supply is not working due to frozen water systems. Furthermore, there is a danger of frostbite when the animals come in touch with the frozen sides of the truck.

In none of the long distance transports observed by Animals’ Angels since 2007 were the vehicles used equipped with a ventilation system capable of maintaining a moderate temperature range.

Practice shows that animal suffering due to high or very low temperatures cannot be avoided during long distance transport.

The following photos taken during empirical investigations carried out by Animals’ Angels show that animals regularly suffer from heat stress during long distance transports. All photos were taken after Council Regulation (EC) No 1/2005 came into force, i.e. during the period 2007-2010.



Pig Suffering from Heat Stress during Long Distance Transport – Photo taken after 4,5 hours of transport at a temperature of 35°C **JULY 2010**



Piglet Josep suffering from heat stress during Long Distance Transport **JULY 2008**



Pigs suffering from Heat Stress during Long Distance Transport at 31°C external temperature and ventilation system working at full capacity **AUGUST 2010**



Pig suffering from heat stress during Long Distance Transport – Photo taken after approx. 12 hours of transport and 8 hours still ahead. Temperature inside animals' compartment: 30,2°C **AUGUST 2008**



Pig suffering due to high temperatures even though the water and ventilation system are turned on **JULY 2007**

¹³ Technical report "Project to develop Animal Welfare Risk Assessment Guidelines on Transport, submitted to EFSA in November 2009, p. 13

The longer the transport takes,
the longer the animals have to suffer
from high or low temperatures.
With a limitation of the maximum transport time
to eight hours significant temperature fluctuation
would be avoided and thus animal suffering
would be reduced.

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5. Suffering due to Insufficient Ceiling Height

→ conflicting with

Freedom No 2 “Freedom from Discomfort”

Freedom No 3 “Freedom from Pain and Injury”

Freedom No 4 “Freedom to Express Normal Behaviour”

Freedom No 5 “Freedom from Fear and Distress”

Insufficient headroom above the animals during transport is a frequent problem and a major factor causing severe animal suffering. The Technical report submitted to EFSA confirms Animals' Angels observations and states that, **“TOO LOW DECK HEIGHT” CAN CAUSE PROLONGED THIRST, THERMAL DISCOMFORT, LOCOMOTION PROBLEMS, INJURIES, DISEASE AND BEHAVIOURAL DISORDERS IN MAMMALS**¹⁴.

The unnatural and stooped posture caused by insufficient ceiling height prevents the animals from maintaining their balance; the risk of falling down during transport and thus the risk of injuries and also of having trouble standing up again increases. **IF THE ANIMALS ARE FORCED TO REMAIN IN AN UNNATURAL POSTURE FOR MANY HOURS, GENERAL PAIN AS WELL AS EXHAUSTION AND MUSCLE FATIGUE, WHICH MAY CAUSE THE ANIMALS TO FALL DOWN, FREQUENTLY OCCURS AND INJURIES OR WOUNDS ON THEIR HEADS OR BACKS ARE NOT RARE.** Furthermore, the disease susceptibility increases significantly.

An insufficient height above the animals' backs and heads also prevents effective ventilation, in particular for adequate temperature regulation and removal of ammonia gases. The presence of strong ammonia gases and dense air conditions leads to respiratory disorders which provoke inquietude and fear¹⁵, leads to coughing and increases the susceptibility to illness and disease. Moreover, animals may not be able to reach feeding and drinking devices during long journeys since changes of position may be impossible or painful when the animals' backs are grazing on the ceiling. Where ceiling heights are too low an **ADEQUATE INSPECTION OF THE ANIMALS IS MADE IMPOSSIBLE**.¹⁶

In 2010 Animals' Angels found that in 10 out of 15 irregular ovine animal transports observed the ceiling height was insufficient – this corresponds to 66,67%. Furthermore in 9 out of 30 irregular transports of adult bovine animals the ceiling height was found to be insufficient – this corresponds to 30%. That the **LACK OF HEAD SPACE IS A PREVALENT, UNSOLVED PROBLEM** in animal transports is also **EVIDENT FROM THE FVO MISSION REPORTS** from the last years.¹⁷

¹⁴ TECHNICAL REPORT “Project to develop Animal Welfare Risk Assessment Guidelines on Transport”. submitted to EFSA, November 2009, p. 80, 78, 11

¹⁵ Karl Fikuart, Karen von Holleben, Gerhard Kuhn, Hygiene der Tiertransporte, 1995, p. 65

¹⁶ Opinion of the Scientific Panel on Animal Health and Welfare on a request from the Commission related to the welfare of animals during transport, 30th March 2004, The EFSA Journal (2004) 44), p.11

¹⁷ DG SANCO 2009/8241-MR-Final (Slovenia, insufficient head room sheep, p.12); DG SANCO 2007/7335-MR-Final (Slovenia, insufficient head room sheep, p.16); DG SANCO 2009/8252-MR-Final (Lithuania, insufficient headroom cattle, p.11); DG SANCO 2007/ 7581- MR-Final (Germany, insufficient head room cattle, p.7); DG SANCO 8042/2006 – MR-Final (Greece, insufficient head room sheep p.6)



Long Distance Transport of Lambs on 4 decks. Insufficient space to keep the head up. Ventilation hindered. The lambs spent more than 13 hours on board the truck **MARCH 2007**



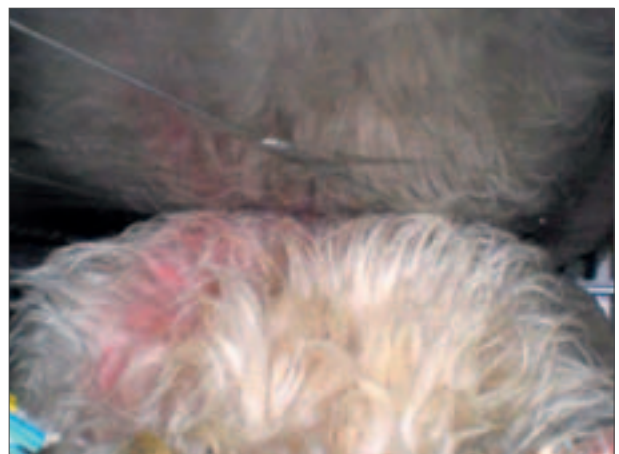
Long Distance Transport of Sheep on 3 decks with insufficient head space. Sheep not able to stand in natural position. Compromised ventilation **SEPTEMBER 2008**



Long Distance Transport of Sheep on 3 decks. Compromised ventilation. Sheep not able to stand in natural position and not able to move comfortably **SEPTEMBER 2008**



Long Distance Transport of Sheep on 3 decks with insufficient head space. Sheep not able to stand in a natural position. Compromised ventilation. The animals spent more than 37 hours on board the truck. **OCTOBER 2009**





Sheep not able to stand in natural position due to insufficient ceiling height – Long Distance Transport **MARCH 2010**



Lambs, loaded on four decks, not able to move adequately due to insufficient ceiling height in Long Distance Transport **MARCH 2010**



Long Distance Transport of Lambs. Some lambs are even touching the ceiling with their backs. Time the animals spent on board the truck: approx. 18 hours **AUGUST 2010**



Unweaned calves on Long Distance Transport unable to stand in a natural position due to insufficient ceiling height. The animals spent at least 41.5 hours on board the truck **FEBRUARY 2010**





Heifers on Long Distance Transport unable to stand in a natural position due to insufficient ceiling height. The animals spent approx. 88 hours on board the truck **MAY 2007**



Cattle on Long Distance Transport touching ceiling with back **NOVEMBER 2008**
(© Dr. Alexander Rabitsch)

Sheep with insufficient head and back space on Long Distance Transport **2008**
(© Dr. Alexander Rabitsch)



Sheep with insufficient head room in Long Distance Transport. Compromised ventilation. **OCTOBER 2010**

Cattle with insufficient back space on Long Distance Transport **NOVEMBER 2009**
(© Dr. Alexander Rabitsch)

The longer the transport takes,
the longer the animals have to suffer
from being forced to stand in an unnatural position
and from insufficient ventilation.

The longer the transport takes,
the more the organizer and transporter will be
interested in reducing the transport costs and will
load the animals on multi-deck vehicles where the
space above the animals is always limited.

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6. Suffering due to Insufficient Space

→ conflicting with

Freedom No 1 “Freedom from Hunger and Thirst”

Freedom No 2 “Freedom from Discomfort”

Freedom No 3 “Freedom from Pain and Injury”

Freedom No 4 “Freedom to Express Normal Behaviour”

Freedom No 5 “Freedom from Fear and Distress”

Council Regulation (EC) No 1/2005 provides tables with minimum space requirements for equines, cattle, sheep and goats and pigs. Practice has shown that the minimum space requirements indicated in the Regulation’s tables are insufficient to allow the animals

- to lie down and rest without being trampled on by other animals
- to stand up again
- to move adequately
- to have access to the watering devices
- to be able to regulate their body temperatures
- to be inspected and cared for

This leads to severe animal suffering and can even lead to injuries, disease and death on long distance journeys.

Furthermore, Council Regulation (EC) No 1/2005 contains contradictory requirements: it requires young horses to be able to lie down during long journeys, but at the same it grants the horses only stalls with a width of 60 cm. It is evident, that horses cannot lie down when the width of the stall is only 60 cm.

Empirical investigations carried out by Animals’ Angels show that the space allowances for animals provided by the tables of the current legislation are insufficient and especially during long distance transports lead to discomfort, behavioural disorders, and suffering and in many cases to injuries. In practice these space allowances are even exceeded in numerous cases.



The space on this Long Distance Transport is insufficient for the animals to stand up again once they have fallen or lain down – even though the loading density appeared to be **IN ACCORDANCE WITH THE MINIMUM SPACE** required by the tables of the current legislation on animal welfare during transport **SEPTEMBER 2007**



Bull Pierre

Bull Cedric

Insufficient space for animals to lie down and rest comfortably during Long Distance Transport. They risk being trampled on by their companions and not being able to stand up again - even though loading density **CORRESPONDS TO THE MINIMUM SPACE** required by tables of current legislation on animal welfare during transport **SEPTEMBER 2010**



Bull Alejandro

Insufficient space on Long Distance Transport of Cattle. Animals cannot rest without risk of being trampled on by their companions – even though loading density **CORRESPONDS TO THE MINIMUM SPACE** required by the tables of the current legislation **JULY 2010**



Insufficient space on Long Distance Transport of lambs. Resting lambs are being trampled on by their companions **AUGUST 2010**



Young horses transported in single stalls. Some stalls had a width of 60 cm (minimum width legally required) and some had a width of 48 cm. In both cases it is impossible for the young horses to lie down as legally required for Long Distance Transports **OCTOBER 2010**



Young horse Emil transported in single stall. The width of this stall is in line with the legal minimum requirement. However, it is not possible for the young horse to lie down and rest during this Long Distance Transport **OCTOBER 2009**



APRIL 2007

Long Distance Transports. Insufficient space to reach the watering devices, to lie down and rest without being trampled on and insufficient to allow the inspection and care of the animals – even though the space allowance is **IN ACCORDANCE WITH THE MINIMUM SPACE** required by the tables of the current legislation on animal welfare during transport.



MARCH 2007

The longer the transport takes,
the longer the animals have to suffer
from insufficient space.

The Lisbon Treaty recognises animals as Sentient Beings.
The Lisbon Treaty, therefore, requires animal welfare
to be fully respected in the EU decision-making process.
The Lisbon Treaty was ratified by all 27 Member States
and came into force in 2009.

**HOW CAN THE EUROPEAN UNION AND ITS MEMBER STATES
STILL SEND THESE SENTIENT BEINGS ON LONG DISTANCE
TRANSPORTS DESPITE THE INEVITABLE SEVERE SUFFERING?**

7. Suffering during Transport due to other Unavoidable Reasons

There are various further circumstances, which occur all too often and which increase the animals' suffering during transport:

- Sudden braking or acceleration or over-rapid cornering – leading to animals collapsing onto the floor of the truck where they are in danger of being trampled on by their companions.
- Poor road conditions, such as bumpy road surfaces, winding roads, roads leading through hills and mountains.
- Traffic jams, accidents or break-downs of the trucks – leading to the animals being forced to endure additional hours on board the truck; these situations become fatal at high temperatures during summer, as the trucks are stationary without the possibility of parking in the shade. (As observed by Animals' Angels, for example in July 2010, when a truck loaded with pigs broke down on the motorway and with an outside temperature of 35°C, there was no possibility of parking the vehicle in the shade. For more than two hours the vehicle was stuck on the road; the pigs suffered immensely from the increasing heat inside the compartments. One animal nearly collapsed, but fortunately was given water by hand by Animals' Angels.)
- Waiting times, for instance, in ports before embarkation; often the trucks are exposed to direct sunlight leading to a rapid and serious increase of temperature inside the truck. (As observed by Animals' Angels in cattle transports going from Central Europe to Morocco via the Spanish harbour of Algeciras: Due to inevitable administrative procedures, all these transports have to be in the harbour at least six hours before embarking. However, within the harbour area there is no place for animal transports to park in the shade. This circumstance leads, especially in summer when the temperatures are extremely high, to severe animal suffering.)
- Many hours of delay between arrival and unloading of the animals at the place of destination; this considerably prolongs the transport time, often without any authority noticing it (as observed by Animals' Angels, for instance, in August 2010, when lambs were only unloaded after nearly 10 hours after their arrival at the place of destination.)

These practical problems cannot be avoided by legislation as they are inherent in animal transport. They can only be helped by considerably reducing the currently allowed transport times.

8. Lack of Infrastructure for Cases of Emergency

Council Regulation (EC) No 1/2005 requires the **COMPETENT AUTHORITIES OF THE MEMBER STATES TO TAKE MEASURES IN THE EVENT OF EMERGENCY** to safeguard the welfare of animals during transport. As one necessary measure the Regulation requires: **“UNLOADING THE ANIMALS AND HOLDING THEM IN SUITABLE ACCOMMODATION WITH APPROPRIATE CARE UNTIL THE PROBLEM IS RESOLVED”**. This action becomes particularly inevitable **IN CASES WHEN SEVERELY SICK OR INJURED ANIMALS ARE FOUND ON BOARD DURING TRANSPORT** and the places of departure and destination are too far away to send the animals back or let them continue, when water supply is impossible, the loading density is severely exceeded or when the animals suffer from severe heat or cold stress, etc.

On many occasions in the past years Animals' Angels teams faced situations in which checks on road transport of live animals resulted in the urgent need to unload the animals from the vehicle. Especially when such emergency situations occur during night-time and at weekends it often turns out to be very difficult, or impossible to carry out the necessary unloading. In the cases when emergency unloading is carried out it often takes many hours, which prolongs the animals' suffering.

The reasons can be varied:

- On several occasions, when an animal transport was checked by police forces after the intervention of Animals' Angels, the official veterinary service was not reachable by police authorities. (As experienced by Animals' Angels in April 2004 when the team called the police to check on a truck loaded with cattle and horses on two decks and when there was a immobile animal among the horses. The controlling police officers needed veterinary advice but could not reach the veterinary service. Since the officers did not see any possibility of solving the problem, they were forced to let the illegal transport continue with the sick animal on board without taking any measures. That the situation has not changed during the last six years is shown by an example from the same transport route in July 2010, when Animals' Angels called police after detecting a immobile bull on a long distance transport. The alerted officers sought veterinary advice but could not reach any official veterinarian. Since it was night-time, they also could not reach any control post. Once again the officers were forced to let the transport continue with an unfit animal on board.)
- No emergency unloading facility available.

- No control post located at a reasonable distance. (As observed by Animals' Angels in October 2010 when during a road check of a long distance sheep truck the official veterinarian ordered the urgent unloading of the sheep, but the nearest possible place for unloading was reached only after 9 more hours of transport.) Please note: **10 OF THE EUROPEAN MEMBER STATES DO NOT HAVE CONTROL POSTS AT ALL**; another 6 Member States only have 1 or 2 official control posts¹⁸.
- Control posts (claiming to be) fully booked and therefore not capable of accepting the animals.
- Control posts not equipped to accommodate the particular species transported. (For example: the 5 official control posts in Spain are authorised only for cattle.)
- The European legislation does not oblige the approved control posts to be reachable 24 hours a day for emergency cases (please see recent example of July 2010 mentioned under the first bullet point).
- "Many of the addresses of the control posts appearing on the EU list of approved control posts were incorrect or insufficient."¹⁹ This makes it even more difficult to contact the control posts in cases of emergency.

In 2010 Animals' Angels sent a request to all 27 European Member States asking whether the approved control posts are obliged to be reachable by the authorities at all times (24 hours per day, including weekends). Answers were received only from 13 Member States by the beginning of 2011. Out of these 13 Member States, 5 do not have control posts, 4 confirmed the availability of control posts and 3 Member States pointed out that there is no legal obligation for the control posts to be available at all times – it depends therefore on the individual control post, whether it is available or not. The remaining one Member State who replied did not answer the question.

Furthermore, Animals' Angels asked whether there are emergency unloading facilities available (aside from the officially approved control posts), how many there are and where they are located. Again answers were received from only 13 of the Member States: some Member States pointed out that they do not have emergency unloading facilities and provided no further explanation; some Member States gave unclear answers and some Member States pointed out that in a given situation the animals could be unloaded at a slaughterhouse, farm or assembly centre. None of these 13 Member States, however, provided a list of available emergency unloading facilities.

Council Regulation (EC) No 1/2005 requires in Article 11 that all transporters carrying out long distance transports are provided with a **CONTINGENCY PLAN FOR CASES OF EMERGENCY**. Practice has shown that often these emergency provisions are not taken seriously by transport companies and drivers which leads to the fact that

- long distance transports are often carried out without considering any emergency provisions
- contingency plans are not useful since they do not give any detailed advice such as emergency phone numbers for the scheduled route etc... (As observed by Animals' Angels in October 2010 in a case of emergency of a long distance transport of sheep: the existing contingency plan gave only general advice for cases of emergency (e.g. "in case of injured animals, call a vet.") and no phone number or other detailed instruction. Moreover, the drivers had no knowledge of the existence of the emergency plan.)
- contingency plans are ignored by the drivers

¹⁸ List of approved control posts (updated 17.11.2010)

¹⁹ Final Report, Part I, on the „Evaluation of the feasibility of a certification scheme for high quality control posts“, Girma Gebresenbet, Willy Baltussen, Piet Sterrenburg, Kees De Roest, Karina Engstrom Nielsen, May 2010, p. 8

9. Enforcement failures in Long Distance Transports

Being a commercial activity, long distance transports of live animals have to be worthwhile from a business point of view. The commercial efficiency is often contrary to the requirements of animal protection. Higher loading densities allow transportation of more animals in one vehicle, reducing headroom for the animals enables the animals to be loaded on multi-deck vehicles, not carrying food for the animals means saving loading-space, planning journeys with unrealistic journey times on purpose may save the trouble of unloading the animals at a control post, etc. An endless list of examples could be provided in which saving money in long distance transports compromises the welfare of the animals. In practice, the discrepancy between financial advantage and animal protection leads to severe animal suffering during long distance transports. While the majority of the problems of animal protection and welfare are inherent to long distance transports and cannot be remedied by better and stricter enforcement, a number of problems could be avoided by efficient on-the-spot-checks by the veterinary authorities at the places of departure. But the veterinary services are not legally obliged to check the loading conditions of long distance transports. Even if there was a legal obligation, due to the **PERMANENT LACK OF PERSONNEL AT THE VETERINARY AUTHORITIES** in many Member States, the veterinarians would not be able to cover all necessary checks.

But this is not the only problem leading to enforcement deficiencies when dealing with long distance transport; it must also be taken into consideration that official **VETERINARIANS** responsible for transport checks regularly have to satisfy **OPPOSING INTERESTS**: On the one hand, as veterinarians they should see themselves as animal protectors and as mediators between humans and animals. On the other hand, their position as officials of Ministries that serve the agriculture industry makes them act as service providers for the agriculture industry. This contradiction makes the official veterinarians in many cases act to the detriment of the ones who cannot complain – the animals.

Also **ROAD CHECKS** of animal transports in transit are **NOT CARRIED OUT EVENLY AND SUFFICIENTLY** in the Member States. The reasons are the lack of trained police forces and again the lack of staff at the veterinary services on the one hand. On the other hand, practice has shown that road checks of long distance transports very often have the result that the animals should be unloaded as soon as possible. Situations which require emergency unloading emerge when there are sick, injured or dead animals on board the truck, water supply is impossible, the loading density is severely exceeded, etc. Also when the maximum or minimum temperatures are not respected emergency measures must be taken.²⁰ These situations often cause severe problems for the controlling bodies because often it is impossible to find a place to unload the animals (see point 8). Therefore in many regions – even on the most important transit routes – road checks of long distance transports are avoided by the authorities.

The Technical Report submitted to EFSA (2009) states that there are more than 100 hazards endangering the welfare of mammals during transport²¹. It is not realistic to believe that enforcement could ever be improved in such a way as to eliminate all these hazards.

The longer the transport takes,
the more requirements have to be observed
by the transporter and the organizer of the journey
and the more authorities are involved.
Therefore, longer transports result in more breaches
of legal requirements and less efficient enforcement.

²⁰ European Commission, Health and Consumers Directorate-General, August 2010

²¹ TECHNICAL REPORT "Project to develop Animal Welfare Risk Assessment Guidelines on Transport".
submitted to EFSA, November 2009, p. 78 - 83

III. Photographic Comparison – Situation before and after Entry-into-Force of Reg. (EC) No 1/2005

Sheep who died during Long Distance Transport



Sheep Renée 2002



Sheep Maria and Carina 2010

...AND 8 YEARS LATER...THE SAME SITUATION....

Pigs who died during Long Distance Transport



2004 © Dr. Alexander Rabitsch



2010

...AND 6 YEARS LATER...THE SAME SITUATION....

Sheep illegally transported in Belly Boxes



2000



2010

...AND 10 YEARS LATER...THE SAME SITUATION....

Sheep with Insufficient Headroom on Long Distance Transports



Sheep Henry, Oliver and Nadia 2003



Sheep Marcel 2010

...AND 7 YEARS LATER...THE SAME SITUATION....

Sheep with trapped Legs during Long Distance Transport



2002



2010

...AND 8 YEARS LATER...THE SAME SITUATION....

Cattle with trapped Horns



Lesley and Bull Gavin 2003



2009

...AND 6 YEARS LATER...THE SAME SITUATION....

Blood dripping down walls of truck



2003



2010

...AND 7 YEARS LATER...THE SAME SITUATION....

Animals suffering from heat stress during Long Distance Transports



Bull Diego 2002



2010

...AND 8 YEARS LATER...THE SAME SITUATION....

Animals born during Long Distance Transports



Lamb Mila, born during Long Distance Transport. Her twin died immediately after birth **2002**



Lamb Mila being fed with a bottle by Animals' Angels. Mila's mother was too ill to feed her lamb. Despite veterinary treatment Mila died **2002**



Lamb Nadine born during Long Distance Transport **2010**



Lamb being fed with a bottle by Animals' Angels. The lamb's mother died during Long Distance Transport **2010**

...AND 8 YEARS LATER...THE SAME SITUATION....

Animals desperate for water on Long Distance Transports



Sheep Marta 1999



Sheep Marina and Victoria 2010

...AND 11 YEARS LATER...THE SAME SITUATION....

Dead cattle after Long Distance Transports



Calf Gloria 2004



2008 © Dr. Alexander Rabitsch

...AND 4 YEARS LATER...THE SAME SITUATION....

Cattle getting injured during Long Distance Transports



Bull Matthias 2001



Bull Tobias 2009

...AND 8 YEARS LATER...THE SAME SITUATION....

Animals being trampled on during Long Distance Transport



Horse Jakob 2004



Bull Sandro 2009

...AND 5 YEARS LATER...THE SAME SITUATION....

Insufficient space in Long Distance Transports of Pigs



2003 © Dr. Alexander Rabitsch



2010

...AND 7 YEARS LATER...THE SAME SITUATION....

Insufficient space in Long Distance Transports of Sheep



2006 © Dr. Alexander Rabitsch



2010

...AND 4 YEARS LATER...THE SAME SITUATION....

IV. Widespread Support for an End to Long Distance Transports

"... AFTER A FEW HOURS OF TRANSPORT WELFARE TENDS TO BECOME POORER AS JOURNEY LENGTH INCREASES."

"HENCE SUCH ANIMALS SHOULD NOT BE TRANSPORTED IF THIS CAN BE AVOIDED AND JOURNEYS SHOULD BE AS SHORT AS POSSIBLE."

Scientific Committee on Animal Health and Animal Welfare (SCAHAW), 2002²²

"... the Commission is conscious that efforts in enforcing the legislation will only achieve limited progress without a new approach to certain provisions in the Regulation and, in particular, on travelling times and space allowances. **THE COMMISSION BELIEVES THAT THE PRESENT TIME LIMITS ARE NOT FULLY IN LINE WITH SCIENTIFIC KNOWLEDGE** and are also inconsistent with the social legislation applicable to drivers, making the overall implementation of transport times difficult.

THEREFORE THE COMMISSION CONSIDERS THE REVISION OF TRAVELLING TIMES AND SPACE ALLOWANCES AS A PRIORITY."

European Commission, 2008²³

"THE AMOUNT OF TIME ANIMALS SPEND ON A JOURNEY SHOULD BE KEPT TO THE MINIMUM."

OIE – World Organisation for Animal Health, 2010²⁴

"In the case of cattle, horses, goats, sheep and pigs not intended for specific breeding and/or sporting purposes, **TRANSPORT SHOULD BE LIMITED TO A MAXIMUM OF EIGHT HOURS' DURATION**, or a distance of 500 km; ..."

European Parliament, 2001²⁵

.....

“... FOR REASONS OF ANIMAL WELFARE THE PERIOD DURING WHICH ANIMALS, INCLUDING ANIMALS FOR SLAUGHTER, ARE TRANSPORTED SHOULD BE REDUCED AS FAR AS POSSIBLE,...”

Council of Europe, 2003²⁶

“... THE (LONG-DISTANCE) TRANSPORT OF LIFE ANIMALS CARRIES SERIOUS RISKS FOR THE WELFARE OF THESE ANIMALS. Since many years already, FVE holds the opinion that fattening of animals should take place within or near the place of birth and ANIMALS SHOULD BE SLAUGHTERED AS NEAR TO THE POINT OF PRODUCTION AS POSSIBLE.”

FVE – Federation of Veterinarians of Europe, 2007²⁷

²² SCAHAW Report “The Welfare of Animals during Transport”, March 2002, p. 95

²³ Letter on behalf of José Manuel Barroso, President of the European Commission, dated 28.11.2008

²⁴ OIE World Organisation for Animal Health, Terrestrial Animal Health Code 2010, Art. 7.3.1

²⁵ European Parliament resolution; text adopted: 13.11.2001, Strasbourg

²⁶ Council of Europe, European Convention for the Protection of Animals during International transport (revised), Official Journal of the European Union, 13.07.2004

²⁷ Community Animal Health Strategy 2007–2013, „Prevention is better than cure“, FVE comments, FVE/07/doc/099

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V. Conclusion

The problems of animal protection and welfare mentioned above occur on a regular basis and are inherent in long distance transports. It is not realistic to assume that they will be resolved in the future. It is evident, extensively documented and confirmed by scientists: As the journey time gets longer the negative consequences for the animals' welfare deteriorate.

Therefore, commercial long distance transports of live animals are no longer legitimate in a European Union whose ethical beliefs include the protection of animals and high animal welfare standards.

THE EUROPEAN AGRICULTURE INDUSTRY WILL FIND WAYS TO REPLACE LONG DISTANCE TRANSPORTS OF LIVE ANIMALS BY OTHER PRODUCTION PATHS AND EUROPE WILL NO LONGER BE RESPONSIBLE FOR THE SUFFERING OF MILLIONS OF ANIMALS.

Animals' Angels calls upon the European Commission, the European Parliament and the European Council to bring Article 13 of the Treaty on the Functioning of the European Union into effect by limiting the transport time for commercial transports of live animals to an absolute maximum of 8 hours.

8 HOURS...



...ARE FAR...



...MORE THAN...



...ENOUGH!



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