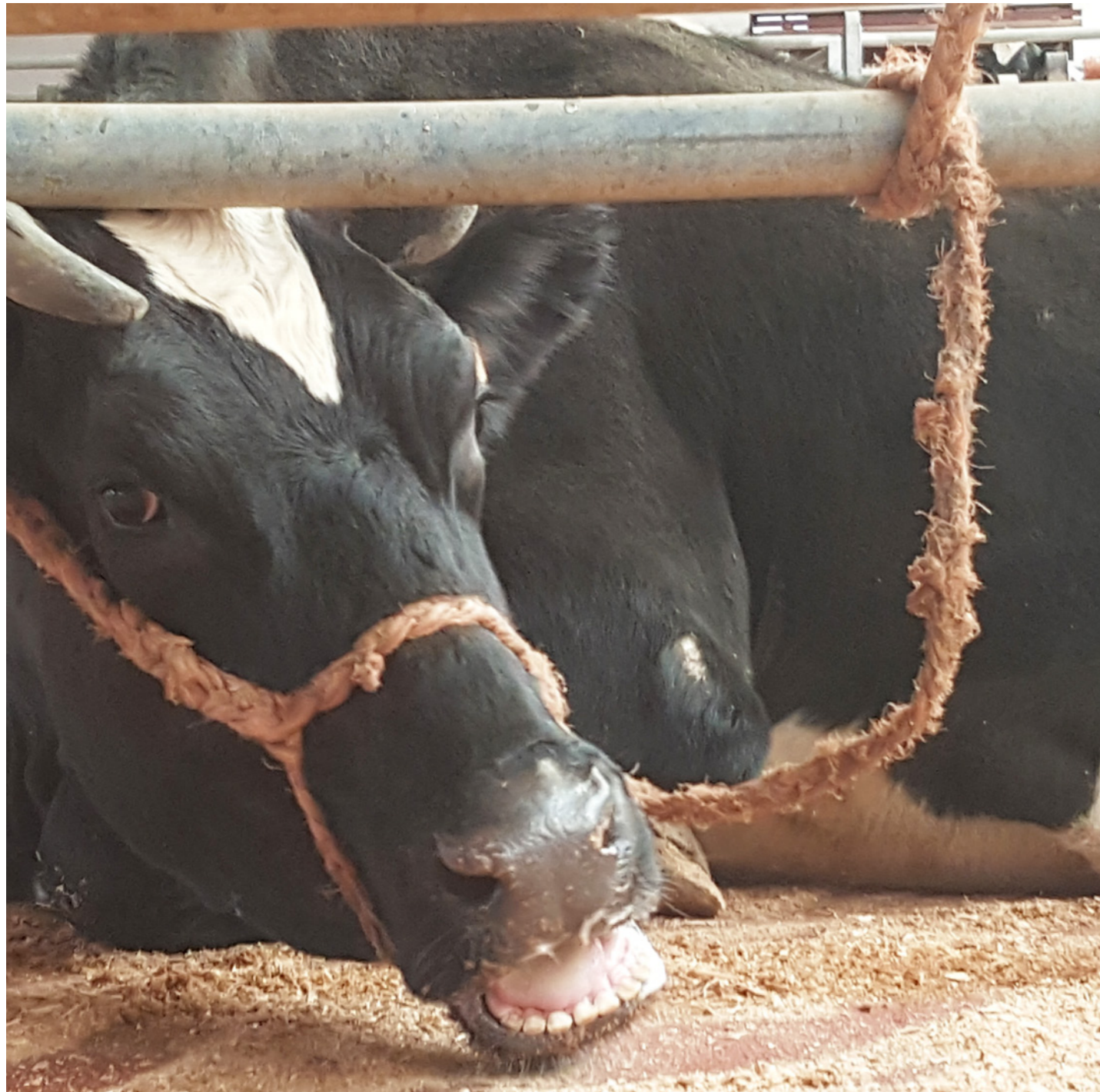


# Transport of 'Cull Dairy' Cows for Slaughter: Animal Welfare, Ethics & Law versus Economic Interests

A dossier by Animals' Angels





Clodia, Santiago de Compostela market, 12.06.2019

Cover picture: Ines and Rebeca, Santiago de Compostela Market, 12.06.2019

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## I. The Problem

20.1 million 'dairy' cows were kept in the European Union (EU) in 2022<sup>1</sup>. Based on an annual slaughter rate of 25–30%<sup>2</sup>, it must be assumed that every year more than five million 'dairy' cows in the EU are transported for slaughter<sup>3</sup>.

'Dairy' cows are usually submitted to a second career as 'beef' cattle, once they are no longer viable for dairy production. This means that unlike cattle raised for meat, 'dairy' cows are sent to slaughter when their productivity decreases. This often includes signs of weakness, fatigue and various causes of health problems. The relevant report of the European Food Safety Authority (EFSA), published in 2022<sup>4</sup>, states: '*Health issues such as lameness, injury and disease are major causes for culling dairy cows*'. The scientific report further points out that, among others, major health reasons for selling 'dairy' cows for slaughter include mastitis, injury to the udder, and conditions such as milk fever, pneumonia and displaced abomasum. When selecting cows for sale to slaughter, farmers must consider economic, legal, ethical and animal welfare aspects. The considerations must include the way the animal is marketed. This means deciding whether to sell the cow to a nearby slaughterhouse or via a market or assembly centre or – often the easiest option for the farmer – to an animal trader. The trader most likely will commercialize the cow via an assembly centre (including market or auction) being interested in reselling the animal to the highest bidder.

Before taking the decision on how to market the animal, the farmer must assess if the cow is fit for the intended transport. This means if the cow is in the condition to withstand the stressors she will be exposed to during transport, and if there is no likelihood that her condition will deteriorate en route or during her stay at a market and the subsequent transport, and no undue suffering will be caused to her. Finally, before sending the animal to slaughter, the farmer must consider if the cow is suitable for slaughter or if she should be spared the hardship of transport as she will be rejected by the slaughterhouse anyway because of her compromised health conditions.

The relevant EU animal welfare legislation imposes this obligation on the farmer, the keeper, the transporter and organizer of a journey. Apart from stipulating that animals must be fit for transport, the EU animal welfare legislation makes it clear that no person shall transport animals or have them transported in a way likely to cause injury or undue suffering to them. Weak, sick and injured animals must not be transported and must be euthanised or (emergency) slaughtered or killed on the spot. All necessary steps must be taken to prevent suffering for the animals.

However, in practice, cows still arrive at markets and slaughterhouses in poor and in very poor conditions. Immense suffering is observed in these animals and all too often, the official veterinary authorities find violations of the legal requirements regarding fitness for transport.

The reason for these wrong decisions seems to be primarily of an economic nature. Treatment and corresponding waiting times, respectively euthanasia and disposal of the dead body, are costly and represent an economic loss to the farmers. On-farm slaughter is not well established throughout the EU and might also be too costly. As mentioned above, it is easier and far more economically attractive to, for example, sell the cow to a trader. He or she, in turn sells the animal to the best-bidding slaughterhouse and not only the farmer, the trader and

the slaughterhouse operator make a profit. This way of marketing an 'end of career' cow also may include profit for one or several transporters and the operator of an assembly centre.

Knowledge gaps are also a reason for taking the wrong decision when sending a cow to slaughter. Often the assessment of transportability is incorrect, i.e. not in line with EU animal welfare regulations. This includes the assessment done by official veterinary authorities, private veterinarians, keepers, farmers, traders, transporters as well as organisers.

Finally, the lack of stringent and consistent enforcement of the EU animal welfare rules is one reason why 'cull dairy' cows are still too often subjected to undue suffering when sent to slaughter.

There have always been alternatives to taking them to the slaughterhouse. These include mobile slaughter, for which the EU rules have recently extended the possibilities for farmers<sup>5</sup>, emergency slaughter and euthanasia. Insurance options have also always been available to help farmers absorb financial losses.

But there has also been the easier way, ignoring the suffering of the animals and the legal requirements giving priority to financial aspects. Animal welfare should always take precedence over economic considerations. Apart from ethical concerns, this is – theoretically – out of the discussion due to the existing EU animal welfare regulations. However, in practice, the situation for the 'dairy' cows when they are sent to slaughter continues to be alarming.

There is no doubt that the problem is well known. Despite action taken at EU level, at national level by various Member States, by stakeholders and NGOs, the problem is not yet solved.

Therefore, with the present short dossier, Animals' Angels aims at – once again – shedding light on the severe animal welfare concerns related to the transport of 'cull dairy' cows to slaughter.

We would like to emphasize that very similar problems arise in relation to the transport for slaughter of discarded sows, 'cull' ewes and 'laying' hens<sup>6</sup>. However, based on the data and case studies available to us, this dossier focuses only on cows.

## II. The legal framework in the EU

Anchored in Article 3, the general conditions for animal transport laid down in Council Regulation EC 1/2005 on the protection of animals during transport and related operations<sup>7</sup> state that no person may transport or cause animals to be transported if the animals could suffer injury or if unnecessary suffering could be inflicted on the animals due to the transport operation. Correspondingly, Article 3 requires that the animals must be fit for transport. Annex I Chapter I of the Regulation reiterates the requirement that the animals must be fit for the intended journey and that it must be ensured that the transportation will not inflict injury or unnecessary suffering to them. Among others, animals considered unfit for transport are injured animals and animals with physiological weaknesses or pathological conditions and, animals who cannot move without pain or without assistance. The conditions listed in the Regulation (Annex I Chapter I) are to be understood as examples.

The fitness of an animal for transport must be assessed in view of the intended journey. It is therefore important not only that the animal is healthy and not injured at the start of the

<sup>1</sup> According to Eurostat

<sup>2</sup> Nor NM, Steeneveld W, Hogeveen H. The average culling rate of Dutch dairy herds over the years 2007 to 2010 and its association with herd reproduction, performance and health. *Journal of Dairy Research*. 2014;81(1):1-8.

<sup>3</sup> See also EFSA report: EFSA AHAW Panel (EFSA Panel on Animal Health and Welfare), Nielsen SS, Alvarez J, Bicot DJ, Calistri P, Canali E, Drewe JA, Garin-Bastuji B, Gonzales Rojas JL, Gortázar Schmidt C, Michel V, Miranda Chueca MA, Padalino B, Pasquali P, Roberts HC, Spooler H, Stahl K, Velarde A, Viltrop A, Winckler C, Earley B, Edwards S, Faucitano L, Marti S, de La Lama GCM, Costa LN, Thomsen PT, Ashe S, Mur L, Van der Stede Y and Herskin M, 2022. Welfare of cattle during transport. *EFSA Journal* 2022; 20(9):7442, 121 pp. <https://doi.org/10.2903/j.efsa.2022.7442>

<sup>4</sup> See footnote no. 3

<sup>5</sup> <https://ec.europa.eu/newsroom/sante/items/827262/en>

<sup>6</sup> See e.g.: Cecilie Kobek-Kjeldager, Line D. Jensen, Leslie Foldager, Louisa M. Gould, Karen Thodberg, Dorte Lene Schröder-Petersen, Mette S. Herskin, Behaviour of cull sows during transport to slaughter – Effects of journey duration, a stationary period and temperature, *Applied Animal Behaviour Science*, Volume 271, 2024, 106174, <https://doi.org/10.1016/j.applanim.2024.106174>. Vecerkova L, Vecerek V, Voslarova E. Welfare of end-of-lay hens transported for slaughter: effects of ambient temperature, season, and transport distance on transport-related mortality. *Poult Sci*. 2019 Dec 1;98(12):6217-6224. doi: 10.3382/ps/pez468. PMID: 31433840; PMCID: PMC8913773.

<sup>7</sup> Hereinafter, 'the Regulation'

journey, but also that it can be expected to remain so until the unloading at the final destination, considering the duration of the journey and all its circumstances. This means that for long journeys and stays at markets or assembly centres with subsequent transport, far higher criteria must be applied.

Annex I Chapter I no. 3 lit.a provides for an exception. Thereafter, *sick or injured animals may be considered fit for transport if they are (...) slightly injured or ill and transport would not cause additional suffering; in cases of doubt, veterinary advice shall be sought.*

The exemption only applies to animals that are slightly injured or ill. They can be considered fit for transport if it can be reasonably assumed that the transport will not cause them any additional suffering beyond what they are already experiencing. The injury or illness may cause only minor suffering, and it may not last for a longer period<sup>8</sup>. In addition, the transport may not result in any deterioration of the existing state of illness or injury or in any additional suffering. The reason for this requirement is that illnesses and injuries usually worsen during transportation<sup>9</sup>.

The requirement to consult a veterinarian in case of doubt means a) if the animal's fitness for transport cannot be determined with certainty, considering the type and duration of the transport, a veterinarian must examine the animal. b) When in doubt, it must be assumed that the animal is unfit for transport due to illness or injury. The transportability of slightly ill or injured animals may only be assumed if it is established for certain that there will be no additional suffering. This means that if there are any doubts, the animal's fitness for transport must be denied.

In practice, this exception is likely to cause the most problems. Cases in which animals who are unfit for transport are transported inflicting animal cruelty still occur. Misinterpretation of the law in favour of the economic interests of those involved seems to be a certain routine throughout the EU.

### III. Approaches to solve a widely spread, well-known problem

Mainly in the years 2005 to 2008 Animals' Angels carried out intensive field investigations into the transport of 'cull dairy' cows in Germany, Italy, Portugal and Spain<sup>10</sup>. The results were alarming – even resulting in prison sentences for those involved in the maltreatment of 'cull dairy' cows<sup>11</sup>. All findings were reported to the competent authorities at regional, national and EU level.

Having identified the transport of unfit animals and the misclassification of unfit animals as a major problem throughout the EU, in 2009, on the initiative of 'Eurogroup for Animals' and the 'European Livestock and Meat Trading Union' (UECBV), groups of stakeholders, industry, veterinarians and NGOs jointly developed detailed guidelines for assessing the fitness for transport of adult bovines, pigs and horses<sup>12</sup>. These guidelines were translated into different EU languages and distributed widely aiming to help veterinarians and stakeholders make the right decision when transporting animals. National and regional guidelines<sup>13</sup> have also been developed over the last 15 years with the same aim: improving the welfare of the animals and avoiding distortion of competition by unequal interpretation of the EU rules.

For example, in 2010, the EU Commission, then Health and Consumers Directorate General,

sent a letter to the Chief Veterinary Officers of the Member States<sup>14</sup> with the purpose to draw their attention to the ante-mortem and animal welfare inspections in slaughterhouses and the need of implementing a harmonised procedure regarding the treatment of animals arriving in bad welfare conditions, both for food safety and animal welfare reasons. The Commission stated that the letter was prompted by regular complaints about animals arriving at slaughterhouses in conditions in which they should not have been allowed to be transported in the first place.

More recently, in the framework of the 'Farm to Fork Strategy', the EU Commission undertook a comprehensive evaluation of the animal welfare legislation, including the legislation on the protection of animals during transport. In this context, the EU Commission requested EFSA to give an independent view on the protection of animals during transport for different groups and categories of farmed animals<sup>15</sup>. The Commission also requested EFSA to propose detailed measures to prevent hazards and mitigate welfare consequences for seven specific scenarios. Recognising that the issue of unfit animals being transported within the EU persists, particularly in the case of 'cull' cows, one of the specific scenarios requested to do research on was the transport of 'cull' cows.

### IV. Recent findings and recommendations by EFSA

In 2022, EFSA published their latest opinion on 'Welfare of cattle during transport'<sup>16</sup>. EFSA found that the key animal welfare issue affecting the transport of 'cull dairy' cows to slaughter is the fitness of the cows for transport. According to EFSA, slaughterhouse surveys show that the risk of 'dairy' cows with gross pathological lesions (greater prevalence of condemnations) being transported to slaughter is greater than in other types of cattle<sup>17</sup>.

However, the risk of 'cull' cows experiencing severe welfare consequences during transport to slaughter due to lack of fitness can vary considerably depending on the reasons for culling and on the type of journey. Accordingly, EFSA also puts emphasis on the marketing route the cows are sent to, explaining that *'an important aspect of the culling decision is the marketing route chosen for the cows. Cull cows may be sent to slaughter via auction markets. Sending cull animals to an auction market often will involve consecutive journeys, increase the overall journey duration and expose the animals to extra handling (Sanchez-Hidalgo et al., 2020), novel environments, restricted availability of feed and water, cold or hot environments; provide reduced opportunities for rest; and more opportunity for any existing health condition to deteriorate. If the marketing process is prolonged, it can result in a loss of body weight (Arp et al., 2011), body condition (Stojkov et al., 2020) and signs of dehydration (Vogels et al., 2011). Reduced feed intake and fasting can cause hunger, weakness and increased susceptibility to cold conditions. If a cull cow is already in negative energy balance because of, for example early lactation or reduced feed intake due to a health issue, such as metritis, ketosis, mastitis, lameness and oral pathology, her condition is likely to further deteriorate during prolonged marketing (Herdt, 2000; Ingham, 2001; Bareille et al., 2003; Esposito et al., 2014; Norring et al., 2014).'*<sup>18</sup>

<sup>8</sup> Hirt, Maisack, Moritz, Tierschutzgesetz, EU-Animal Transport Regulation Annex I, marginal no. 6

<sup>9</sup> See EFSA report, footnote no. 3

<sup>10</sup> See e.g.: <http://www.animals-angels.de/mail/Anlage/EN-Emailversion-DownertaliesenGesamtbericht.pdf>; [http://www.animals-angels.de/mail/Anlage/Informe\\_Mataderos\\_Galicia\\_traducido.pdf](http://www.animals-angels.de/mail/Anlage/Informe_Mataderos_Galicia_traducido.pdf)

<sup>11</sup> See: <https://www.lastampa.it/cuneo/2015/06/25/news/mucca-maltrattata-al-miac-di-cuneo-la-cassazione-conferma-le-condanne-1.35255530/>; <https://www.today.it/cronaca/mucca-doris-seviziata-condanna-cassazione.html>

<sup>12</sup> <http://uecbv.eu/en/documents-and-publications-by-topics/>

<sup>13</sup> See e.g.: [https://www.mapa.gob.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/documento\\_para\\_determinar\\_la\\_apititud\\_para\\_el\\_transporte\\_tcm30-622734.pdf](https://www.mapa.gob.es/es/ganaderia/temas/produccion-y-mercados-ganaderos/documento_para_determinar_la_apititud_para_el_transporte_tcm30-622734.pdf); <https://www.eurcaw-ruminants-equines.eu/wp-content/uploads/2024/06/TFS-Ruminants-Equines-2023-01-EN.pdf>

<sup>14</sup> SANCO D5 DS/eu D(2010)450003

<sup>15</sup> Question no: EFSA-Q-2020-00481

<sup>16</sup> See footnote no. 3

<sup>17</sup> Dupuy C, Demont P, Ducrot C, Calavas D and Gay E, 2014. Factors associated with offal, partial and whole carcass condemnation in ten French cattle slaughterhouses. *Meat Science*, 97, 262–269. <https://doi.org/10.1016/j.meatsci.2014.02.008>

<sup>18</sup> See EFSA report, footnote no. 3

EFSA concludes<sup>19</sup> the following:

- Due to the general health impairment of many 'cull dairy' cows, these animals are at greater risk than other cattle of aggravating pre-existing health conditions, such as lameness, and of new health conditions occurring during transport.
- 'Cull dairy' cows would benefit from a restriction on journey duration, which is shorter than for other categories of cattle, reducing the duration that these cows are exposed to hazards that could lead to (further) impairment of their health.

EFSA recommends<sup>20</sup> the following:

- To avoid doubt and misclassification of animals in relation to fitness for transport, the concept should be properly defined, professional groups (including farmers, stockpersons, drivers, haulers, inspectors and veterinarians) should be well-educated, and questions on responsibility between the groups should be clarified.
- If these animals are fit for transport, the journey to a slaughterhouse should be kept to a minimum, be direct and not involve any unloading and reloading at any interim premises.
- If these animals are unfit for transport and have no prospect of recovery in a reasonable period of time, they should be killed on the farm as soon as is possible.

### V. Despite all, the suffering of cows continues: Recent examples

Animals' Angels points out the persisting problem of the transport of 'cull dairy' cows in poor conditions and their marketing via livestock markets on the example of an assembly centre in the Spanish autonomous region of Galicia. **However, we would like to underline that the transport and marketing of animals unfit for transport is by no means a Spanish or Galician problem only.**

#### 1. 'Cull dairy' cows marketed via the market of Santiago de Compostela in Galicia, Spain

Together with the Spanish organisation ANDA, Animals' Angels is monitoring the animal market at Santiago de Compostela for two decades. The assembly centre is a hub for sale and purchase of 'cull dairy' cows and has a long history of problems with unfit cattle<sup>21</sup>. Despite many complaints, meetings, the organisation of a five-day capacity building event for the official veterinarians in the area, the publication of leaflets offering guidance in collaboration with the Spanish market association ASEMGA, and interventions by the regional government, up to today, unfit cows are still being transported to the market and from there further to slaughterhouses – even outside Galicia.

The market in Santiago de Compostela operates every Wednesday. The animals are brought to the market between 3:00 AM and 6:45 AM<sup>22</sup>. Between 7:00 AM and 8:00 AM, the official veterinary service carries out an inspection of the animals at the market, including a check on their fitness for transport. Depending on the number of animals present at the market, the animals are reloaded for their further transport to different slaughterhouses between 8:30 AM and 14:00 PM approximately. Thus, the animals remain at the market up to around 11 hours usually<sup>23</sup>. According to the observations by ANDA and Animals' Angels, no animal welfare considerations are taken into account when deciding whether an animal should be sent to the slaughterhouse sooner or later. These are trade-related decisions. It therefore

<sup>19</sup> Among others

<sup>20</sup> Among others

<sup>21</sup> See e.g. [http://www.animals-angels.de/mail/Anlage/JH.12.04.2011\\_EXT\\_ES\\_INFORME Mercado de ganados Santiago de Compostela%2C\\_13.04.2011\\_ES.pdf](http://www.animals-angels.de/mail/Anlage/JH.12.04.2011_EXT_ES_INFORME_Mercado_de_ganados_Santiago_de_Compostela%2C_13.04.2011_ES.pdf);

Video : <https://www.animals-angels.de/vacas-de-desvieje-mercado-santiago-de-compostela>

<sup>22</sup> See: [http://www.santiagodecompostela.gal/medi/mercado\\_gando/horarios\\_MNG/horarios\\_cast\\_.pdf](http://www.santiagodecompostela.gal/medi/mercado_gando/horarios_MNG/horarios_cast_.pdf)

<sup>23</sup> Also, far later loading have been observed by ANDA and Animals' Angels, see e.g., the case of the cow Lilou.

stands to reason that the slaughterhouses would want to accept and slaughter the animals in worst condition last, so as not to contaminate the slaughter line. The lengths of the subsequent transports (after the stay at the market) differ, ranging from 36 km<sup>24</sup>, over 95 km<sup>25</sup> to e.g. 483 km<sup>26</sup>. Animals' Angels and ANDA have no information on the distances travelled to the market, but as no provisions for long journeys are taken, we want to assume that they do not exceed 100 km<sup>27</sup>.

At the market, most of the cows remain untied and have access to automatic drinkers. No food is provided to the (adult) animals. The floor of the market including raceways and pens is covered by a thin layer of sawdust. This is aimed at rendering the floor less slippery. It cannot be considered as bedding material. The little amount used is neither able to absorb urine and faeces nor to provide comfort for the animal when lying down. It does not reduce the impact of the hard floor.

In the following, empiric examples of severely sick or injured cows observed by ANDA and Animals' Angels during two visits to the market in 2023 and one in 2024 are presented:

#### MARIBEL (ES081112873852), 21.08.2024

Maribel is unloaded at the market at 3:30 AM. She lies down immediately, rarely gets up or is driven up. Maribel is severely lame (score 5)<sup>28</sup> and avoids any movement. It seems that she suffers from severe pain in several limbs. Maribel is in poor general condition and weak. Her condition seems to worsen over the morning. Often, she lies in lateral position breathing heavily. When being pushed by another animal, she immediately reacts with open-mouth-breathing. Our team suspects pneumonia. Upon our request, an official veterinarian at the market confirms her general weak condition. He does not examine the cow but after a short visual inspection, he orders that she must be given some bedding material and water. He wants to wait if her condition improves. As she gets up (she is not isolated and the cows in her pen are moved and loaded), she is considered fit for transport by the official veterinarian. However, he informs our team that the trader intended to take her to a slaughterhouse around 485 km<sup>29,30</sup>



Maribel lying down shortly after her arrival at the market; picture taken at 3:52 AM on 21.08.2024

<sup>24</sup> Bandeira slaughterhouse

<sup>25</sup> Lugo slaughterhouse

<sup>26</sup> Burgos slaughterhouse

<sup>27</sup> Article 2 lit r of the Regulation

<sup>28</sup> Lameness score 5 according to Sprecher lameness score

<sup>29</sup> Burgos

<sup>30</sup> Please compare below the cases of Lauretta and Emma



Maribel at 11:30 AM on 21.08.2024

He prohibited this limiting her further transportation to a shorter distance. The means of transport with Maribel on board leaves the market at 14:19 PM. That means Maribel had to spend more than 10 hours and 45 minutes at the market, lying and standing on hard cement floor, being moved, pushed by other animals, exposed to a variety of other stressors such as fastening, not being milked, intense noise, people shouting, people hitting animals with wooden prods, other animals vocalizing and an unfamiliar environment. Our team decides to accompany Maribel to her final destination to verify the length of the journey. However, the people involved in her further transport prevented this by slicing the tyres of the two cars of our team parked on the market premises.

From a legal point of view, there is no doubt that Maribel was unfit from the outset for the stay at the market and the associated transport. Based on her severe lameness, her poor general condition and her weakened state alone, it was impossible to assume that Maribel would not experience any additional pain and suffering as a result of the transport and the market stay. Furthermore, it could not be assumed that her condition would not deteriorate at the market, given the very poor conditions there (extremely hard ground) and the multitude of stress factors. Indeed, Maribel's condition deteriorated during her stay at the market.

Neither the farmer, the trader, the transporter nor the official veterinarian responsible took the right decision for Maribel. Our team who was trying to at least further investigate the case, was prevented from doing so by a criminal act.

<https://www.animals-angels.de/cull-dairy-cows-for-slaughter-maribel>



**MARIA (ES011111692898), 21.08.2024<sup>31</sup>**

Maria is severely lame (score 4)<sup>32</sup>. She constantly relieves her right back leg which is swollen from the claw up to the mid cannon bone. There is pus inside the gap of the claw. It seems a chronic process and looks like an ulceration of the claw sole has moved upwards. The swelling shows that deeper structures such as joints, tendon sheaths, etc. are affected. This explains the cow's severe pain that our team observed over a long period of time, evident from her clear pain face expressions.



Maria showing a pain face



Maria relieving her right back leg while standing on the hard floor of the market

From a legal point of view, there is no doubt that Maria was unfit from the outset for the stay at the market and the associated transport. Based on her severe lameness and the severe pain caused by a chronic inflammatory process in her right hind leg, it could not be assumed that Maria would not experience any additional pain and suffering as a result of the transport and the market stay. Furthermore, it could not be assumed that her condition would not worsen at the market under the very poor conditions there (extremely hard ground) and the multitude of stress factors.

Neither the farmer, the trader, the transporter nor the official veterinarian responsible took the right decision for Maria.

<https://www.animals-angels.de/cull-dairy-cows-for-slaughter-maria>

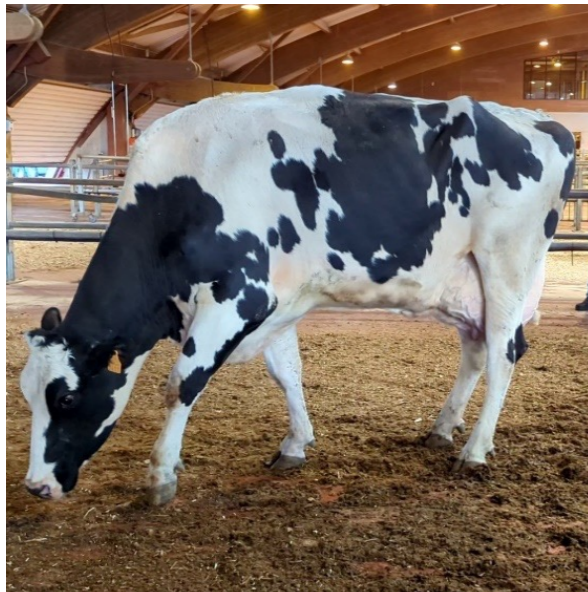


<sup>31</sup> Unfortunately, Maribel and Maria were not the only cows unfit for transport observed at the market on 21.08.2024. Other cows unfit for transport had e.g., the ear tag numbers: ES081112956518; Cow with two ear tags last four digits: 7216 (blue) and 4216 (orange, official);

<sup>32</sup> Sprecher lameness score

**LILOU (FR5372863411), 13.12.2023**

Lilou's body condition score (BCS) is judged with 2.75<sup>33</sup>. She is severely lame. Lilou cannot put any weight on her left front leg. She can hardly walk. Her back is arched. She is clearly in pain. Our team observes her for the first time at 10:22 AM. Lilou seems exhausted, she tries to lie down but the process takes very long, she hesitates again and again, and the hard condition of the floor does not help. Apparently, Lilou was intended to be taken to a nearby slaughterhouse<sup>34</sup> between 17:00 PM and 17:30 PM. But the transporter refused to load her due to the severe lameness. Finally, the owner takes her back to the farm. After being informed by our team, the official veterinary service responsible for the holding carries out an on-farm check and finds that the cow has a severe lameness in her left forelimb, i.e. an inflammatory lesion with exudation. The official service ordered clinical veterinary and podological treatment for Lilou. Finally, on 02.01.2024, Lilou was sold for slaughter after recovery confirmed by the official veterinarians. In August 2024, our team meets the farmer and former owner of Lilou again. He fiercely shouts and threatens our team for 'what was done to him because of Lilou' as he was forced to keep her at the farm for half a month with veterinary treatment.



Lilou relieving her left front leg. The cow shows a pain face. She seems trying to lie down.

Based on her lameness and the associated pain, Lilou should not have been taken to the market in the first place. The official veterinary service responsible at the market should not have accepted her at the market and they should have taken appropriate corrective action against those responsible for taking her to the market.

Finally, the transporter and the veterinary service responsible for the holding to which she was returned took the correct action for Lilou.

<https://www.animals-angels.de/cull-dairy-cows-for-slaughter-lilou>



<sup>33</sup> <https://ahdb.org.uk/knowledge-library/body-condition-scoring-flow-chart>

<sup>34</sup> Approx. 35 km from the market

**LAURETTA (ES 07111117085), 17.05.2023**

Lauretta is emaciated (BCS 1)<sup>35</sup>. She suffers from severe lameness, is reluctant to move at all and has a pronounced arching of the back (score 5). She seems to have pain in both hind legs and her left front leg. Old, dirty tape is wrapped around the claws of her hindlegs. Also, her facial expression indicates pain. Her legs, belly and udder are covered with old, encrusted patches of dirt (cleanliness score 2)<sup>36</sup>. At her carpal and tarsal joints, alopecia and abrasion are visible. Her udder is full. Between 11:50 AM and 12:22 PM, Lauretta is loaded for the further transport from the market. According to official information, Lauretta was transported to a slaughterhouse in Burgos, Castilla y León, which means an additional journey of approx. 500 km and at least seven hours of transport. In the corresponding transport document, the trader declared and signed on 17.05.2023 that none of the transported animals – including Lauretta – showed any sign of disease at the beginning of the journey or within the previous 48 hours, and that all these animals were in an adequate welfare condition to be transported. The same document was signed by the transporter and the official veterinarians responsible for the market in Santiago.



Lauretta is in severe pain and can hardly walk. She shows a pain face.



From a legal point of view, it must be assumed that Lauretta was unfit from the outset for the stay at the market and the associated transport, i.e. she should not have been loaded for transport to the market in the first place. This is due to her severe lameness and the obvious pain she is suffering. The bandages at her hind limbs also indicate a prolonged process of suffering involved. In any case, at the market she was in such condition that her further transport should not have been permitted, and certainly not to a destination 500 km away.

The trader, the transporter, the official veterinarians at the market not only took the wrong decision for Lauretta, but it must also be assumed that they knowingly issued a false certification of her transportability. Furthermore, it must be assumed that also the farmer at the holding of origin took the wrong decision for Lauretta.



<sup>35</sup> <https://www.ketolution.com/es/bcs-body-condition-scoring>

<sup>36</sup> <https://ahdb.org.uk/knowledge-library/cleanliness-scorecard>

**EMMA (ES031112739412), 17.05.2023<sup>37</sup>**

Emma is very thin (BCS <1.5). Her claws are long and neglected. She stands and walks with an arched back and cannot properly put weight on her left hind leg. She is severely lame (locomotion score 5). Her hindlegs are sabre legged. On her tarsal joints and hook bones, skin lesions and abrasions are visible and particularly on her left tarsal joint, there is a big sore wound, measuring approximately the size of an orange. She seems exhausted and in pain.

According to the observation of Animals' Angels, Emma was loaded – together with Lauretta – between 11:50 AM – 12:22 PM. According to official information, Emma was transported to a slaughterhouse in Burgos, Castilla y León, which means an additional journey of approx. 500 km and at least seven hours of transport. In the corresponding transport document, the trader declared and signed that none of the transported animals – including Emma – showed any sign of disease at the beginning of the journey or within the previous 48 hours, and that all these animals were in an adequate welfare condition to be transported. The same document was signed by the transporter and the official veterinarians responsible for the market in Santiago.



Emma suffers from severe lameness and is in obvious pain.

From a legal point of view, it must be assumed that Emma was unfit from the outset for the stay at the market and the associated transport, i.e. she should not have been loaded for transport to the market. This is due to her severe lameness, her poor body condition and the obvious pain she was suffering. The fact that she was further transported from Santiago de Compostela to Burgos was the tip of the iceberg.

The trader, the transporter, the official veterinarians at the market not only took the wrong decision for Emma, but it must also be assumed that they knowingly issued a false certification of her transportability. Furthermore, it must be assumed that also the farmer at the holding of origin took the wrong decision for Emma.

<sup>37</sup> Unfortunately, on 17.05.2023, there were other cows unfit for transport at the market of Santiago de Compostela. Other cows unfit for transport were e.g. the animals with identification NL741776758; ES 00 111149 6435

**2. Germany 2023****From relevant media reports:**

Bavaria, Germany, July and August 2023: In July 2023, the competent veterinary authorities close a slaughterhouse in the south German town of Aschaffenburg following allegations of animal cruelty. In August, the veterinary office closes another slaughterhouse in the district of Miltenberg. The reason for this is 'reliable evidence of serious animal welfare violations'. The animal protection organization 'Soko Tierschutz' handed over video footage from hidden cameras in the slaughterhouse to the district office in Miltenberg. The veterinary office has viewed the footage and informed the relevant authorities. The videos show, for example, cattle who can hardly walk and are unfit for transport. The police conducted a search of the slaughterhouse, along with its documents and data related to the slaughter operations. The veterinary office closed the slaughterhouse immediately. The public prosecutor's office is investigating employees of the slaughterhouse and at least one animal owner. They are accused of transporting and slaughtering sick animals. The public prosecutor's office states: "There is suspicion of cruel animal abuse." According to District Administrator Scherf, the role of the official veterinarian in charge of the Miltenberg case is also being investigated. The district administration has since relieved the veterinarian of her duties.

**Please see:**

<https://www.br.de/nachrichten/bayern/krank-tiere-geschlachtet-weiterer-schlachtbetrieb-geschlossen,TlkkZV6>

**3. Germany 2022****From relevant media reports:**

November 2022: The district court in the north German town Stade sentences two former slaughterhouse operators to prison terms of 22 months and 11 months, respectively, for violating animal welfare laws and committing commercial fraud. The court considers it proven that the men dragged sick cattle who were unfit for transport on winches to the slaughterhouse, processed them and sold their meat. The court ruled that this was not only a violation of the animal welfare legislation, but also a commercial fraud against consumers. The sick animals should not have been transported at all but should have been euthanized on farm. The fact that the sentences are not harsher is partly because the men had confessed at the beginning of the trial. Secondly, the court is not convinced that the defendants were responsible for the fact that sick animals arrived at the slaughterhouse. However, the court sees a system behind it: the traders were able to offload their sick animals at the slaughterhouse and to make a profit from them.

**Please see:**

<https://www.topagrar.com/panorama/news/stade-gericht-verurteilt-schlachthofbetreiber-wegen-tierquaelerei-und-betrug-13238212.html> ;

<https://www.ndr.de/nachrichten/info/Tierquaelerei-Schlachthofbetreiber-in-Stade-vor-Gericht,ndrinfo39116.html>

**4. Italy 2024****From relevant media reports:**

May 2024: Animals being dragged, pulled with a steel cable tied to their legs or even more sensitive parts of their body such as horns or the neck, pushed with a pitchfork or even prodded with repeated electric shocks. Shocking are the images shot with a hidden camera by collaborators of the NGO 'Essere Animali' inside a large slaughterhouse in the province of Pavia. The association collected evidence showing the dumping of at least 144 downer cows from several farms in northern Italy.

Some cows are pushed down the ramp, left on the ground in agony for a long period of time, and then hung by their legs while still conscious to be cut and bled.

The association filed a complaint with the Pavia public prosecutor's office against the slaughterhouse operator and workers involved in the violence.

*'It is urgent,' says Simone Montuschi, president of Essere Animali, 'that decision-makers address the issue of reform of Italian animal husbandry and animal protection laws (...). We are not exaggerating when we say that images such as these, documenting violence inflicted on animals by unprepared workers, inappropriate slaughtering and cruel transport, no longer constitute the isolated case, the bad apple, but are precisely the result of non-existent or inefficient laws.'*

Please see:

- <https://www.milanopavia.news/news-pavia/mucche-maltrattate-in-un-macello-pavese-le-immagini-schock-scatta-una-denuncia/>
- <https://www.ilgiorno.it/pavia/cronaca/orrore-in-un-macello-del-pavese-in-cinque-finiscono-a-processo-devono-spiegare-terribili-torture-0da480d3>

Video published by the NGO Essere Animali:

<https://www.youtube.com/watch?v=r4PAMuHpeFU>



**N.B.:** The same slaughterhouse was investigated by the organisations LAV and Animals' Angels in 2006. It is highly alarming that in over 18 years there have been no improvements in this slaughterhouse and in the transports delivering animals to this slaughterhouse.

Excerpt of the complaint filed by LAV and Animals' Angels in 2006 to the relevant authorities (see link below) related to the same slaughterhouse object of the before-mentioned investigations by 'Essere Animali' in 2024: '09:47 AM (...) The vehicle backed up to the door of the slaughterhouse located very close to the slaughter room. A slaughterhouse worker and the driver of the vehicle attached a chain to the left rear leg of the cattle. The other end of the chain was attached to the automatic winch located inside the slaughterhouse. Alive and fully conscious the bovine was dragged (tail first) out of the vehicle and into the slaughterhouse. He tried to fight back against the chain dragging him down the ramp. His eyes were barred. During unloading, his injured and fractured leg was dragged along the surface of the unloading ramp, his leg ended up undergoing a twisting. This procedure undoubtedly caused severe pain and further, unnecessary suffering to the animal.'

[http://www.animals-angels.de/mail/Anlage/Relazione\\_per\\_i\\_NAS--Macello\\_Melca\\_a\\_Monticelli\\_Pavese\\_30.06.06.pdf](http://www.animals-angels.de/mail/Anlage/Relazione_per_i_NAS--Macello_Melca_a_Monticelli_Pavese_30.06.06.pdf)

## 5. Netherlands 2023 – 2024

**From official and NGO information:**

April 2023, March 2024: The Netherlands took measures to improve compliance with animal welfare regulations regarding the transport of unfit animals by restricting the certification for the transport of slightly sick and injured animals. According to this new national rule, animals that are slightly injured or ill may no longer be certified for transport abroad by the official Dutch veterinary services since April 2023<sup>38</sup>. Despite this initiative, which is certainly to be

<sup>38</sup> <https://www.nvwa.nl/nieuws-en-media/nieuws/2023/03/24/nvwa-scherpt-certificering-voor-transport-van-licht-zieke-en-gewonde-dieren-aan>

welcomed, the situation in the Netherlands remains alarming. This can be seen, for example, from a letter by the previous Minister Piet Adema dated 27.03.2024 to the NGO 'Wakker Dier'. There, the Minister states the following with regard to the aforementioned national rule: '(...) It is not demonstrable whether the enforcement policy adjusted in 2023 has had any effect on improving animal welfare of dairy cows during transport. Multiple factors play a role in transport welfare issues, an impact measurement is needed. (...) The NVWA<sup>39</sup> has the impression that part of the sector still shows insufficient ambition to properly protect animals during transport. Despite all measures and tightening of policy in recent years, violations regarding fitness for transport are still too often found. In addition, it is important not only to look at transport. After all, milking cows that are no longer suitable for transport come from dairy farms. Attention must be paid not only to the transport from the dairy farm to the slaughterhouse, but also to the role of the dairy farming system and farm management, quality systems in the dairy industry and the meat industry. Therefore, the NVWA has recently started a project in which critical points with regard to transport worthiness in the entire chain are mapped accurately (...)'.<sup>40</sup>

The letter from which the quote is taken is published on the website of the NGO 'Wakker Dier'<sup>41</sup>. There, the NGO states: 'In 2023, 105 cattle died during transport to the slaughterhouse. Another 11 animals succumbed to the slaughterhouse and 911 animals arrived so sick or injured that they were killed immediately. These figures are similar to previous years. The illegal transport of sick cows does not decrease, despite the stricter policy'<sup>42</sup>.

Please see:

<https://www.wakkerdier.nl/persberichten/sterfte-koeien-tijdens-transport-onveranderd-hoog/>

## 6. Poland 2019

**From relevant media reports:**

January 2019: Undercover footage taken at a Polish slaughterhouse shows sick cattle being slaughtered and the meat sold without a veterinary examination. The footage is currently causing a stir in the Polish media. The report shows sick animals secretly being cut up and prepared for sale at a Polish slaughterhouse, according to the program "Superwizjer". The cows could hardly stand and were pulled out of the means of transport by ropes.

A reporter had also filmed employees cutting up the cattle and removing tumours. The meat was declared safe and packaged for sale. The responsible veterinarian was not on site, but the next morning he signed the necessary papers so that the meat could be sold. The business model of the slaughterhouse in question was to buy sick cows cheaply and sell them with the help of corrupt veterinarians, TV channel TVN24 reported. In Poland, there are up to 300 dealers who would procure sick animals to slaughterhouses.

Please see:

<https://www.agrifoodtoday.it/notizie/scandalo-carne-polonia.html>  
<https://www.agrarheute.com/tier/rind/video-zeigt-schlachtung-kranker-kuehe-polen-551224>

<sup>39</sup> Nederlandse Voetsel-en Warenautoriteit, Ministerie van Landbouw, Visserij, Voedselzekerheid en Natuur

<sup>40</sup> Please note: the original statement of the Minister is in Dutch language. The here quoted text is translated automatically by 'deepl.com'

<sup>41</sup> <https://www.wakkerdier.nl/persberichten/sterfte-koeien-tijdens-transport-onveranderd-hoog/>

<sup>42</sup> Ibid.

### 7. Czech Republic 2019

**From relevant media reports:**

October 2019: Police investigates the inhumane – even sadistic – treatment of animals at the slaughterhouse in Všetice, which was captured on video by the animal protection group Zvířata. According to their spokesman, the State Veterinary Administration of the Czech Republic will file a criminal complaint against the slaughterhouse operator on suspicion of animal cruelty. He stated: “The State Veterinary Administration immediately started investigating the case after watching the video. The legislation in force restricts, among other things, the use of electric shocks. It is also contrary to the principles of ethical behaviour towards animals in slaughterhouses to drag them and kick them, what the slaughterhouse employees in the video did.”

The NGO stated that employees used electric shocks on injured animals. The statement from the association noted, “They also drag them on a rope by their heads while fully conscious into the slaughterhouse building”. Their leader Lukáš Vincour pointed out that an injured animal must be killed on the spot and may not be dragged across the floor.

**Please see:**

<https://deutsch.radio.cz/tierquaelerei-auf-schlachthof-aufgedeckt-8117925>

<https://benesovsky.denik.cz/zlociny-a-soudy/video-otresne-zachazeni-se-zviraty-na-jatkach-ve-vseticich-prosetri-policie-20191016.html>

### VI. Conclusion

The system fails to protect cows at the end of their productive life in the dairy industry. Their last journey to the slaughterhouse is all too often shamefully miserable. Not even the minimum EU animal protection rules are respected when transporting and marketing them. The problem ranges from the lax implementation of the animal welfare regulations via incompetence and misinterpretation, to criminal business models in the worst cases. The problem is widespread and despite continuous efforts it is not contained and often not even improved. Not only farmers, traders, transporters and slaughterhouse operators are to blame, but also those veterinary officers and private veterinarians who still turn a blind eye when it comes to loading of sick or injured cows.

All too often, it is only animal welfare organizations that expose the abuses. Since slaughterhouses, holdings and many assembly centres are not transparent, it must be assumed that only a very small number of cases can be uncovered. The number of unreported cases must be enormous.

NGOs note that traders, transporters, farmers and slaughterhouse staff are likely to react in an extremely aggressive manner and with criminal energy when their business model with weak, sick and injured cows is at risk to be disturbed. Therefore, unfortunately, it must be assumed that also many veterinarians simply do not feel able to strictly enforce the animal protection requirements because they fear reprisals. The current Regulation does not help the veterinarians in this aspect, as the relevant provisions of the Regulation are formulated openly, leaving room for interpretation and misinterpretation. Especially in a grey area where the veterinarian’s decision is crucial, it is probably easier and safer for the veterinarian to side with the pressurizing dealer than with the silently suffering animal.

As mentioned above, there have always been alternatives for farmers, starting with the early detection of health problems and help through insurances. Possibilities include euthanasia, mobile slaughter, on-farm emergency slaughter, early withdrawal from milk production and fattening<sup>43</sup>, as well as non-slaughter systems<sup>44</sup>. So far, however, economic factors have been

<sup>43</sup> <https://www.bioaktuell.ch/tierhaltung/rindvieh/ausmast-kuehe>

<sup>44</sup> Meyer-Glitza, P, Rinderhaltung ohne Schlachtung: ein Agrar-Care-System, Agrarkultur im 21. Jahrhundert, Metropolis 2021

the driving force. Animal welfare and ethical considerations tend to be neglected. The experience of the last two decades has shown that it is not possible to rely on alternatives and goodwill. The EU legislation must put an end to the additional suffering of ‘dairy’ cows. Clear legal requirements on fitness for transport are overdue. There is also an urgent need to significantly reduce transport times and change the way the cows are marketed. Unfortunately, the current proposal by the EU Commission for a new Regulation on the protection of animals during transport<sup>45</sup> falls far short of meeting this urgent need.

### VII. Need for action

Without further delay, the following provisions shall be laid for protecting ‘cull dairy’ cows and other ‘spent’ animals:

- Introduction of an absolute journey time limit for ‘spent’ animals of 4 hours (including loading and unloading)
- ‘Cull dairy’ cows (and other ‘spent’ animals) must be banned from the commercialization at markets or via other assembly centres.
- If ‘spent’ animals are transported, the legislation must ensure that their special needs are fully considered, additionally to the 4-hour transport limit:
  - Significantly more space and bedding
  - Sufficient water supply
  - Additional separation
  - Reduction of the temperature range
- Dissuasive monetary sanctions and complementary sanctions, such as bans on transport or trading, in case of violations of the animal protection requirements.
- Mandatory video surveillance enabling monitoring unloading areas and lairages of slaughterhouses
- Introduction of the definition of ‘spent’ animals in the legislation
- Introduction of the category of ‘spent’ animals for cows, ewes, sows and hens to be indicated in the transport documents and health certificates



Isabel, Silleda cattle auction, 20.08.2024

The cows who provide us with milk that is actually intended for their calves, who have to be pregnant year after year to guarantee our supply, deserve our utmost respect.

Let’s start paying respect to the cows by taking into account their fragility at the end of their lives and by not to subjecting them to further suffering beyond measure.

<sup>45</sup> Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005 of 07.12.2023, COM(2023) 770 final



ANIMALS' ANGELS

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