



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Animal health and Welfare
Director


16.08.2010
Brussels,
Sanco AN/dg D(2010) 559926
Arcs(2010)512773

Dear Mrs Hafner,

Thank you for your letter of 23 July 2010 on animal welfare during transport sent to the Secretariat General of the Commission. Your letter was transmitted to the Directorate General for Consumers and Health since issues regarding animal welfare falls within its competence. I am replying as the Director responsible for animal welfare.

You request a formal opinion from the Commission regarding the ventilation system and the maximum temperature in the animals' compartment during long transports (> 8 hours). In your opinion installing fans are not enough to ensure the animals comfort if the outside temperature is too high.

Temperature during transport shall remain within the range¹ described in point 3.1, Chapter VI, Annex I to Regulation (EC) No 1/2005 on the protection of animals during transport². Therefore point 3.4 states that the vehicle must be fitted with a warning system in order to alert the driver when the temperature in the animals' compartment reaches the maximum or minimum limit. Furthermore, according to point 3.3 it is compulsory to fit the vehicle with sensors which record the temperature. The data from this recording can upon request be made available to the competent authority.

In my opinion the Regulation is clear as regards the allowed maximum and minimum temperatures inside the animals' compartment during long transport. When an inspection, carried out by the competent authority, reveals that the temperature is not in compliance to the Regulation, actions should be taken, as described in Article 23 of the Regulation. 

Mrs C. Hafner
Animals' Angel e.v.
Rosserststrasse 8
DE - 60323 Frankfurt

¹ 5 °C–30 °C with a +/- 5 °C tolerance

² OJ L 3, 5.1.2005, p. 1.

Please note that the above is purely to assist you. According to Article 19 of the Treaty on European Union, it remains the exclusive competence of the Court of Justice of the European Union to interpret EU law authoritatively.

Yours Sincerely,


Bernard Van Goethem