



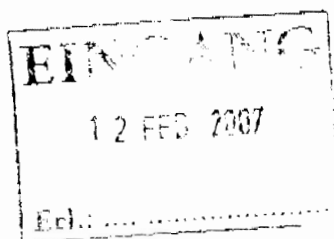
## EUROPEAN COMMISSION

HEALTH &amp; CONSUMER PROTECTION DIRECTORATE-GENERAL

Directorate A - General Affairs  
A2 - Legal affairs

SANCO

02. 02. 2007

Brussels,  
SANCO/A2/FMJ/cdw D(2007) 120102Ms Christine Hafner  
Animal's Angels  
Rehlingstrasse 16a  
D-79100 Freiburg

Dear Ms Hafner,

I refer to your letter of 27 November 2006 in which you request a legal interpretation on whether the presence of a veterinarian is mandatory during loading operations and at the time of departure for animal transportations requiring a journey log under Council Regulation (EC) No 1/2005.

Directive No 91/628/EEC did not explicitly impose the presence of a veterinarian during the loading operation of animals onto the means of transport. The route plan included a box for the stamp of the veterinarian of the place of departure.

The sample for the journey log set out in Section 2 (place of departure) of Annex II to Regulation (EC) No 1/2005 is more explicit than the Directive.

As you correctly point out in your letter, Section 2 of Annex II to the Regulation includes the name, address and signature of a veterinarian, a statement according to which the veterinarian has been present at the loading of the animals and that, at the time of loading, these animals were fit for transport and the facilities and procedures for handling the animals were in accordance with the provisions of Regulation (EC) 1/2005.

Therefore, the physical presence of the veterinarian must be insured to an extent which allows him to give the above-mentioned declaration.

Please note that it is only for the European Court of Justice to give binding interpretations of Community law.

Yours sincerely,

Demetris Vryonides  
Head of Unit