



Grange, 1 April 2005  
TC/dht D (2005) 650400

Dear Ms Moffat,

**Subject: Your letter of 14 February 2005 concerning the transport of animals**

First of all apologies for the delay in replying to your letter (our ref: A 690453) in relation to issues concerning the transport of animals. On the basis of FVO reports on this subject, I can provide the following remarks in relation to your questions:

- 1) Unless the journey lasts less than 12 hours, Annex Chapter II point 31 (1) of Directive 91/628/EEC requires suitable food and water to be available for poultry other than day old chicks. Considering the size of the crates and stocking densities normally used for transporting poultry, it is not practicable for birds to receive food and water whilst they are in the crates; therefore, the normal commercial transport of birds is limited to 12 hours.
- 2) Occasionally, milking has been seen at markets and such arrangements must be in place if lactating cows are traded and the milking interval of 15 hours (Annex Chapter I A 7b of Directive 91/628/EEC) may otherwise be infringed. Regarding the second aspect of your question, time spent at a market is part of the transport time unless conditions have been met to allow the market/ assembly centre to be considered as a new place of departure. Currently Member States differ on the length of time animals must spend at an assembly centre before these are considered as a new place of departure<sup>1</sup>. Regulation (EC) No 1/2005<sup>2</sup> addresses this issue, where Article 2 (r) indicates that assembly centres may be considered as place of departure, if either the distance to the assembly centre is less than 100 km or the animals have been accommodated there with sufficient bedding, untied, if possible, and watered for at least six hours prior to the time of departure from the assembly centre.

---

<sup>1</sup> See "Overview of a series of missions carried out in 2003 concerning Animal Welfare during transport and at the time of slaughter" at [http://europa.eu.int/comm/food/fvo/specialreports/index\\_en.htm](http://europa.eu.int/comm/food/fvo/specialreports/index_en.htm)

<sup>2</sup> Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directive 64/432/EEC and Regulation (EC) No 1255/97, OJ L 3 of 5.1.2005, p. 1.

Ms. Lesley Moffat  
Animals' Angels  
E-mail: [Lesley@animals-angels.de](mailto:Lesley@animals-angels.de)

In any case, in the case of lactating cows, the time from the previous milking must be taken into account and the milking interval respected.

- 3) Regarding the use of the so-called “belly box”, inspection teams have concluded that this provides inadequate protection from climatic conditions, in particular from the spray from the road during wet conditions (Directive 91/628/EEC Annex Chapter IA 2,b) and, as you point out, the exhaust fumes.
- 4) There must be moveable panels for creating separate compartments in vehicles involved in long distance transport (Directive 91/628/EEC Annex Chapter VII 48, 3 fifth indent). Although it is not explicitly stated that these must be in place, this requirement should be read together with point 2(a) of Chapter IA of the Annex to Directive 91/628/EEC, where partitions to protect the animals from motion of the means of transport shall be provided, when necessary. The transport of groups of animals over long distances is normally a situation when such partitions are necessary. In addition, point 2(a) of Chapter IA of the Annex requires the vehicle to be operated to avoid injury and unnecessary suffering and point 3(a) provides further situations where segregation is necessary.

We would like to complement you on the training which you are providing and on the publication and distribution of the brochure. We would like to offer one further remark concerning requirements for the watering of horses, as outlined in the CD produced by PMAF/AA, which we understand, is also used for these training sessions. As your CD indicates, horses, depending on their physiological state, may require 36L daily; however, movable devices, such as those illustrated, hold only several litres of water. In our experience, there are never sufficient devices to provide adequate water to horses, which are tethered on board a vehicle. If, during the rest periods, one device was provided for each horse, then this would be a more satisfactory arrangement. Inspection teams have also seen permanent devices, which run along the entire length of the truck, on vehicles used for the long distance transport of slaughter horses and these were considered more appropriate to fulfil this requirement.

I trust these remarks are helpful for your work and we wish you every success in the future.

Yours sincerely,

*Signed*

Pp K. Elliott

Carlos Alvarez Antolinez  
Head of Unit F.5

~~Head of Unit~~ cc: B. Van Goethem  
G. Harmsworth  
T. Cassidy