



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL
Directorate A - General Affairs
A2 - Legal affairs

SANCO

21.06.2005

Brussels,
SANCO A2 FMJ/ hv D(2005) 120506

Ms Christine Hafner
Animals' Angels
Christine@animals-angels.de

Subject: transport of female animals with their young

Dear Ms Hafner,

Thank you for letter dated 7 June 2005 referring to your earlier enquiry of 20 January. I must first apologise for not answering your earlier communication before now.

In relation to your first question as to whether female animals travelling with unweaned young animals have to be separated by means of partitions from other animals transported in the same compartment, we would be of the opinion that the answer is in the affirmative. The adoption of this precautionary measure (partitions) should apply in order to protect young animals from being injured by adult ones.

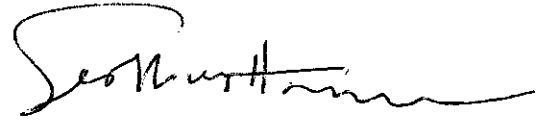
We refer to the relevant provision laid down in point 3 (a) of Chapter I.A of the Annex to Directive 91/628/EEC on the protection of animals during transport which provides that "adults and young animals shall be kept separate; this restriction shall not, however, apply to females travelling with their young which they suckle".

The general exception at the end of point 3 (a) of the above-mentioned Annex which stipulates that "these provisions shall apply only insofar as the animals have not been raised in compatible groups or are not accustomed to one another", would not seem to apply in the case of females travelling with their young.

With regard to your second question (whether females travelling with their young should be separated from other females travelling also with their young), we are of the opinion that the above-mentioned provision should be interpreted in the sense that a female travelling with its young is an adult animal and therefore should be separated from other young animals as it could prejudice their welfare during transport. Therefore, we conclude that every female and its young should be separated from other adults, including other females, whether or not travelling with their young.

I would ask you to note that, under the scheme of the European Treaties, it is ultimately only for the European Court of Justice to provide definitive interpretations of Community law.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Geoffrey Harmsworth', with a long, sweeping horizontal line extending to the right.

Geoffrey HARMSWORTH
Acting Head of Unit