



Submission on Animal Transport Proposal

Livestock Vessels

- Article 13.2(d) of the proposal should be amended to require that a livestock vessel sails under a flag on the white list because that indicates, according to Paris MOU, a quality flag with a consistently low detention rate. It is most surprising that anything less would be deemed acceptable. Based on the Commission's impact assessment¹, the main reason seems to be that it would be costly for the primarily non-EU owners to upgrade their substandard livestock vessels to reach the standard required by white list flag states. To fail to appear on the white list indicates that the flag state is not fulfilling its obligation of ensuring that its fleet is meeting the requirements of the international community. For example, Panama, which is on the grey list, had issues with flag state inspections carried out by some of its approved inspectors. In some of these cases, the inspector never attended the ship and carried out the task remotely, without approval from the flag state. A number of its inspectors were suspended or cancelled for poor performance.²
- A provision should be inserted requiring that the Recognized Organization (RO) of a livestock vessel be ranked as high performing by Paris MOU. It is only ships that meet this criterion that can qualify as low risk ships under Paris MOU. Recognized Organizations develop and apply technical standards for the survey of ships and also carry out surveys and inspections on board. Therefore, the importance of having a high performing Recognized Organization cannot be overstated.
- We welcome Article 13.6 regarding the suspension and withdrawal of certificates of approval. However, we would suggest that the word "immediately" be inserted after the word "shall" in the second line of this provision. In addition, we believe that TRACES should be configured to automatically alert competent authorities to any vessels that no longer meet the conditions provided for in Article 13.2, and mandate that they immediately take action to suspend the vessel. For background, we wish to draw your attention to the fact that Ireland, under national legislation, the Carriage of Livestock by Sea Regulations 2016, requires as a condition of approval that livestock vessels fly a white list flag. A livestock vessel called Sarah M sailed under a Panama flag, which was on the white list at the time the vessel was approved by Ireland. However, the Panama flag was subsequently demoted to the grey list. Ethical Farming Ireland brought this to the attention of the competent authority in Ireland but they refused to suspend or revoke the Certificate of Approval and allowed Sarah M to continue shipping cattle from Ireland flying a grey list flag, as the authority stated that the vessel only had to be compliant at the time of approval.

¹ Commission Staff Working Document Impact Assessment Report Part 2 p. 97

² <https://maritime-executive.com/article/panama-scrutinizes-inspectors-and-ros-as-part-of-registry-cleanup>

- It is our considered view that an independent veterinarian should be on board a livestock vessel whenever animals are transported in it. The Federation of Veterinarians of Europe has said it strongly believes that examination, diagnosis, recommendations for subsequent action, and the prescription of medicines or surgery are all strongly linked and must be the exclusive preserve of the veterinarian.³ Certainly on virtually all shipments from Ireland to North Africa and the Middle East, there are illnesses, injuries and mortalities. Diagnosis and treatment is clearly required for illnesses and injuries and this can only be done by a veterinarian. Furthermore, the Australian Veterinary Association has recently stated that *“Veterinarians must be onboard all live export voyages, irrespective of length, to protect the health and welfare of animals on the ship...The accompaniment of an Australian Accredited Veterinarian is not just important for the health and welfare of the animals on board, but also for the disease investigation to confirm the cause of death in an unusual mortality event”*.⁴

- In many of the Master's (captain's) reports received in respect of shipments from Ireland, it is clear that the person filling the report had no real idea why animals died e.g. reasons given included "tired," "hard breathing" and "weak from loading," and it seems dubious that they possessed any competence at all in terms of diagnosing and treating the animals. In the Commission's Impact Assessment, two main reasons are given for not requiring a veterinarian on board. The first is the cost of employing a veterinarian⁵; estimates by industry are, according to the impact assessment, somewhere between €5,000 and €20,000⁶. It is submitted that this sum would only constitute a small percentage of the total costs involved in getting a shipment from A to B. As an example, port charges in Waterford, Ireland, together with pilotage charges would amount to at least €13,517⁷. The cost of chartering a livestock vessel, together with paying for animal feed and hiring livestock trucks for transport to the port of departure, is considerable and the total price of a voyage from Ireland to the Middle East (incorporating weather related delays) could add up to more than €100,000. Finally, several cattle typically die during the voyage or are rejected at loading and this is a cost to the exporter of somewhere in the region of €10,000 (based on previous Master's Reports and current cattle prices). The cost of a veterinarian would be very small when compared to other outlay and may even reduce overall costs if the veterinarian is able to prevent some cattle deaths. It is astonishing, quite frankly, that costs would be seen as a barrier to engage a veterinarian, the only person that is properly qualified to deal with the animal health and welfare issues that will inevitably arise. The second reason given is that **there would be a low level of interest from veterinarians due to poor and unsafe conditions**⁸. **If the conditions are poor and unsafe, and we agree that they are, then these shipments should not be happening at all. It is a poor reflection on the Commission that it is willing to put the safety of crew members from developing countries at risk, as well as that of the animals on board.**

³ https://fve.org/cms/wp-content/uploads/FVE_Code_of_Conduct_2019_R1_WEB.pdf p.18

⁴ <https://www.ava.com.au/media-centre/death-of-over-100-cattle-on-live-export-ship-reinforces-the-need-for-veterinarians-on-every-voyage/>

⁵ Commission Staff Working Document Impact Assessment Report Part 1 p. 28

⁶ Commission Staff Working Document Impact Assessment Report Part 2 p. 97

⁷ <https://www.portofwaterford.com/publications/documents-reports/port-charges/>

⁸ Commission Staff Working Document Impact Assessment Report Part 2 p. 96

- Instead of mandating that a veterinarian be present on all shipments, the proposal states that an animal welfare officer should be on board. It is not clear how long the training course for an animal welfare officer would take, but we suspect that a course of very short duration is envisaged. In Ireland, the average length of training for a veterinary nurse, to whom certain veterinary acts can be delegated, is three years. They can only act under the direction of a veterinarian and are also subject to regulation by the Veterinary Council of Ireland. Therefore, the training of an animal welfare officer, to be in any way meaningful, would need to be of a similar duration and quality, and a regulatory body set up so that such individuals are held accountable for misconduct and poor professional practice. We welcome the proposal that an animal welfare officer should be on board but it is essential that they be independent and their presence should only be in addition to and not instead of a veterinarian.

Transport to Third Countries

- Over the years, animal welfare NGOs have provided ample evidence of appalling conditions for animals in many non-EU countries. Ireland mainly exports to countries in the Middle East and North Africa where shackle and hoist non-stun slaughter is the norm and where street slaughter is also common. In addition, EU member states are unwilling and unable to monitor compliance with EU animal transport legislation in non-EU countries, something that is required by the Zuchtvieh⁹ judgement. Therefore, we are firmly of the view that the transport of animals to non-EU countries should be banned. World Animal Protection has created an index which addresses key animal welfare issues and takes into account factors such as legislation and enforcement. The ratings run from A being the highest welfare and G being the lowest. On protecting animals used in farming, Algeria, Morocco and Egypt all rank G with Turkey scoring a slightly higher E. No other countries that EU member states export to have been ranked.¹⁰
- In the Commission's impact assessment, the main reason given for not banning live export to non-EU countries is that other countries with lower standards would fill the live export "gap" and that animal welfare would be worse overall¹¹. However, it is estimated that the EU is responsible for up to 80% of the global trade in live farm animals.¹² It is simply not credible that this gap would be filled by other countries, or indeed that all other exporting countries have significantly worse standards than the EU. Countries such as Australia, the USA and Canada all have broadly similar standards to the EU when it comes to live export. Australia requires that a veterinarian be on board for journeys that are longer than 10 days and has committed to phasing out the live export of sheep by sea.¹³ In Brazil, a federal court ruled that live export should end and a bill to ban live exports is currently in the Brazilian parliament.¹⁴ Countries in Africa that currently export live animals are likely to experience

⁹ Case C-424/13

¹⁰ <https://api.worldanimalprotection.org/>

¹¹ Commission Staff Working Document Impact Assessment Report Part 1 p. 29

¹² <https://www.theguardian.com/environment/2021/jan/27/eu-revealed-to-be-worlds-biggest-live-animal-exporter>

¹³ <https://www.agriculture.gov.au/biosecurity-trade/export/controlled-goods/live-animals/livestock/live-sheep-exports-phase-out>

¹⁴ <https://forumanimal.org/site/2024/03/01/ongs-enviam-carta-ao-senado-cobrando-urgencia-na-votacao-para-proibir-exportacao-de-animais-vivos/>

problems with drought as a result of climate change and will not be in a position to rear animals for export as they do now. It is clear, therefore, that if the EU banned live export to third countries, it would, in fact, result in a massive improvement in animal welfare worldwide. Countries that currently import live animals would import meat instead or reduce meat consumption.

- Article 33 mentions that there would be Certification Bodies in non-EU countries that would carry out inspections twice in a five year period. It is submitted that this is a pitifully low frequency. In addition, what would occur if a war were to break out in one of these countries or if there was another pandemic which made inspections impractical? Would exports to such countries be suspended or is it just the inspections that would be suspended? We also understand that similar certification bodies existed in the past when there were subsidies for animal exports to third countries and that the European Anti-Fraud Office found evidence of fraud involving false proofs of arrival, dead animals being claimed for, discrepancies in the weight of animals claimed for, and incorrect classification of animal for slaughter as purebred.¹⁵ . We have very little confidence that fraudulent activity would be avoided if certification bodies were established once again and are sceptical that they would meaningfully improve animal welfare.

- In a previous consultation done by the EU Commission in 2021-2022, 94% of EU citizens favoured banning live exports.¹⁶ In addition, a recent Eurobarometer survey found that 74% of EU citizens favoured limiting the transport time of live animals.¹⁷ It is submitted that the EU Commission, which, incidentally is appointed rather than elected, is being undemocratic by ignoring the wishes of its citizens. Title II Article 8A.3 of the Treaty of Lisbon states that *“Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen.”*

- The Irish Farmers Association has stated in its submission that Ireland is “best in class” when it comes to live export to third countries. We do not agree. Cattle that are sent from Ireland to the Middle East and North Africa contend with far longer journeys and rougher sea conditions, for example in the Atlantic Ocean, Irish Sea and Bay of Biscay, than cattle that are exported from other EU countries. Ireland does have additional legislation but there have been frequent instances of shipments leaving Ireland in weather conditions that are in flagrant breach of the legislation. Numerous complaints have been sent to the authorities on this matter.¹⁸

- The Irish Farmers Association has also stated in its submission that *“A limitation on live export to third countries would place downward pressure on the price for Irish cattle due to an increased supply of animals which would not be experienced by those selling cattle on mainland Europe.”* This assertion has been made by farming groups in Ireland for years. It is not backed up by evidence. In fact a 2021 study found that: *“Although Ireland is a large beef exporter, for Irish farmers the export volume of live cattle accounts for a small*

¹⁵ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2001:314:0001:0025:EN:PDF>

¹⁶ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12400-Fitness-Check-of-the-EU-legislation-on-animal-welfare/public-consultation_en

¹⁷ <https://europa.eu/eurobarometer/surveys/detail/2996>

¹⁸ <https://www.ethicalfarmingireland.com/2023/11/28/continuous-breaches-of-legislation/>

proportion of the total sales volume. Therefore, this export has no significant effect on market power".¹⁹ For example, in 2022, 1,911,900 cattle were killed in Ireland²⁰ whereas only 26,391 cattle were exported to non-EU countries²¹ (excluding Northern Ireland). It is also worth noting that in 2022, 51% of all live export/intra community trade of cattle from the Republic of Ireland involved cattle being sent to Northern Ireland, and these journeys are of relatively short duration.²²

Transport of Unweaned Calves

- No unweaned calves should be transported on long journeys. In general, calves cannot be weaned until they are 8 weeks old.²³ Allowing unweaned calves of 5-7 weeks to be transported on long journeys would create an incentive for farmers to falsify the date of birth of calves, with many calves younger than 5 weeks old still being transported as a result. Many Irish dairy farmers, strongly motivated by profit, are keen to offload bull calves as soon as they possibly can. Therefore, if an Official Veterinarian is not satisfied, after inspection, that a calf is weaned and over 8 weeks old, the exporter should be required to show that they have successfully fed the calf at least 1kg of starter concentrates per day for three consecutive days before the calf can be exported.
- It is unsatisfactory that time spent on a RO-RO ferry does not count as journey time. The animals are still stuck inside a truck. EFSA has said in its Scientific Opinion on the Welfare of Cattle During Transport that *"In addition to the motion stress involved in road transport, RO-RO ferries involve additional problems if the sea is rough and/or vehicles are not properly secured against movement in any direction in the ferry. Therefore, during journeys on RO-RO ferries, motion stress is even more relevant than during road transport"*. EFSA also says that it is not possible to unload animals to give them emergency care on a RO-RO ferry.²⁴
- The wording in Article 29 is liable to give rise to confusion. Article 29.3 states that transport at sea shall not count as journey time and Article 29.4 states that unweaned animals shall be fed with milk/milk replacer at 9 hour intervals counted from the start of the journey. It needs to be made absolutely clear whether or not an obligation to feed animals can arise during a sea/ferry journey even when it does not count as "journey time".
- The reference to a feeding system in Article 29 is concerning because it is something that has not been used in Europe to date and is severely lacking evidence. It is our understanding that there have been trials in Germany for feeding of electrolytes to calves during transport, because of the opinion of transporters and calf rearers that calves are at risk of severe diarrhoea with pain, colic and dehydration if fed milk replacer during transit.

¹⁹ <https://www.mdpi.com/2071-1050/13/11/6453>

²⁰ <https://www.cso.ie/en/releasesandpublications/ep/p-ls/livestockslaughteringsdecember2022/>

²¹ <https://www.oireachtas.ie/en/debates/question/2024-01-17/1177/>

²² <https://www.bordbia.ie/globalassets/bordbia.ie/industry/2022---2023-export-performance--prospects-final.pdf> p. 56

²³ <https://www.teagasc.ie/media/website/animals/beef/dairy-beef/Segment-002-of-Section7-Routine-calf-management-practices.pdf>

²⁴ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> page 88

However, as noted by EFSA in its Scientific Opinion on the Welfare of Cattle During Transport electrolytes do not fulfil the nutritional requirements of calves, and are no substitute for a meal of milk or milk replacer.²⁵ In addition, a proposal to allow calves to remain in the same truck for hours on end, and be fed multiple times, is likely to result in dirty unsanitary bedding and unsafe air quality. If a reference to a feeding system is to remain in the text then we would recommend that the word "*conclusive*" be put in front of the phrase "*scientific and technical evidence*" and "without any adverse effects" to be put after "*to be fed*".

- In the Commission's Impact Assessment, there is no clear rationale for treating the interests of Irish calf traders more favourably than those from Lithuania, Latvia and Estonia²⁶. The journeys from all four of these member states to their typical destinations in other countries present serious animal welfare issues. Exactly as is recommended for Lithuania, Latvia and Estonia in the Impact Assessment, Ireland should restructure its dairy sector to avoid the issue of unwanted calves²⁷. To effectively prohibit the transport of unweaned calves from Ireland would be in full compliance with Article 36 of the Treaty on the Functioning of the European Union as it allows for prohibitions on grounds of public morality and for the protection of the health of animals.
- EFSA in its Scientific Opinion on the Welfare of Cattle During Transport found that the welfare concerns during transport of unweaned calves are; reduced immunity, handling difficulties, transport stress and health issues.²⁸ A recent study of unweaned calves travelling from Ireland to the Netherlands, via a ferry to France, found that "calves showed a decline in their physiological status during the journey between Ireland and the Netherlands; the changes were most obvious during the ferry journey between Ireland and France". Put simply, allowing the transport of unweaned calves between Ireland and mainland Europe is sanctioning cruelty.
- The Irish Farmers Association, in its submission to the consultation, claimed that calves are more immunologically robust at 2-3 weeks compared to 5 weeks of age. We would point out that EFSA's 2023 Scientific Opinion on the Welfare of Calves states that calf immunity is at its lowest at 2–3 weeks of age.²⁹
- A study by researchers at Wageningen University using data from 2017 – 2020 showed that mortality in Irish calves after the journey to the Netherlands is much higher at 7 days and 14 days post arrival than for calves from many other countries, and higher than average at day 7, despite Irish calves generally being older and more robust than calves exported from other member states.³⁰
- Teagasc commissioned Frontiers in Veterinary Science to conduct a study on the transport of unweaned calves in April and May 2022. It concluded that calves showed a

²⁵ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> page 96

²⁶ Commission Staff Working Document Impact Assessment Report Part 1 p. 31

²⁷ Commission Staff Working Document Impact Assessment Report Part 2 p. 104

²⁸ Ibid

²⁹ <https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2023.7896>

³⁰ <https://op.europa.eu/en/publication-detail/-/publication/960c2212-d7e6-11ec-a95f-01aa75ed71a1/language-en>

decline in their physiological status during the journey between Ireland and the Netherlands. Changes were most obvious during the ferry journey between Ireland and France. It found that calves suffered from dehydration, hypoglycaemia and weight loss. The calves in the study were aged between 26 and 32 days old.³¹

- It is submitted that when it comes to the transport of unweaned calves from Ireland, enforcement has been poor to date and no serious consideration should be given to claims from vested interests that the industry is highly regulated. The EU Commission in a recent audit of the transport of unweaned calves from Ireland found that Ireland was in breach of Regulation 1/2005 due to the fact that they are not fed at the required time intervals. In addition, a documentary by Ireland's national broadcaster, RTE Investigates Milking It: Dairy's Dirty Secrets, showed numerous examples of Irish calves being hit, kicked and thrown at marts in Ireland and control posts in France and not being fed or watered as required by Regulation 1/2005.

- In a previous consultation done by the EU Commission in 2021-2022, 94% of EU citizens wished to ban the transport of unweaned calves.³² It is submitted that the EU Commission, which, incidentally is appointed rather than elected, is being undemocratic by ignoring the wishes of its citizens. Title II Article 8A.3 of the Treaty of Lisbon states that *"Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen."*

Transport of Animals to Slaughter

We welcome the proposal in Article 28 that the transport of animals to slaughter should only be carried out in short journeys. However, this should also be extended to the transport of rabbits and poultry. In addition, we believe that "transport to slaughter" must be comprehensively defined so as to prevent animals destined for slaughter being incorrectly classified as "transported for fattening". Transporters should also be required to subsequently furnish proof of slaughter having taken place within a defined period. In terms of the exemptions envisaged by Article 28.2 as regards authorising long journeys to slaughter, we submit that such exemptions should be restrictively defined, in particular ruling out exemptions relating to slaughterhouse capacity or prices offered.

Journey Times

It is submitted that only short journeys should be permitted. EFSA's Scientific Opinion on the Welfare of Cattle during Transport states that physiological changes that are likely to be associated with thirst have been identified after 9 hours of transport and physiological changes indicative of hunger can be present after 12 hours of transport. Fatigue, fear, distress, pain and discomfort can also present as issues.³³ Apart from the animal welfare issues that arise, there is also a risk of serious accidents occurring. For example, in March 2024, a livestock truck that had travelled from Ireland burst into flames in Italy and 43 cattle

³¹ <https://www.frontiersin.org/articles/10.3389/fvets.2023.1238734/full>

³² https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12400-Fitness-Check-of-the-EU-legislation-on-animal-welfare/public-consultation_en

³³ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> p. 99

were killed.³⁴ In March 2018, a livestock truck that had travelled from Ireland to the Netherlands was involved in a collision and over 100 calves were killed.³⁵ It is submitted that similar journey limits should be put on transport by sea. Donald Broom, who was Professor of Animal Welfare at Cambridge University has stated that long-haul live animal exports are too high a risk and should not be conducted noting that:

“First, the major risk is the high temperatures, and where high temperatures occur, there are always likely to be significant mortalities.” Second, there is a risk of diseases developing in animals during the transport, and we have now some evidence about how often that happens, and it does happen significantly. There is a proportion of animal that don’t eat for several different reasons, and animals that don’t eat for a lengthy period of time may die. The longer the journey, the greater the risk of encountering adverse sea conditions, and there’s no doubt these can be very bad for the animals. Those are four different areas where there is a significant risk, and if you look at the whole risk of a long journey, it seems to me the risks are too high.”³⁶

Weather

- As regards weather, Article 31 should be amended as follows:
 - Article 31.1 - The expected temperatures for the entire route should be considered.
 - Article 31.5 - The forecast for all types of weather, not just temperature, should be included for the entire route. A weather forecast system should be incorporated into TRACES and it should automatically reject any journeys that would take place in unsuitable weather conditions. The weather forecast system should only authorise journeys that are due to commence within the next 24 hours (due to the fact that forecasts can often change)
 - There should be full alignment with the temperature recommendations in the EFSA Scientific Opinion on the Welfare of Cattle During Transport. If it is not economically viable for transporters to install adequate air conditioning systems, then such transport should not take place.

- Humidity is an important consideration in terms of animal welfare. EFSA in its Scientific Opinion on the Welfare of Cattle During Transport has stated that it is recommended to take temperature and at least humidity into account when cattle welfare during transport is evaluated.³⁷ The relationship between these can be expressed by different indexes. Therefore, it is submitted that appropriate humidity measurements should be included in the regulation. Our observations of shipments show that humidity levels increase during sea journeys, along with temperatures, causing cattle to experience varying levels of heat stress during the majority of shipments, even in colder months.

³⁴ https://torino.corriere.it/notizie/cronaca/24_marzo_19/torino-camion-carico-di-bestiami-in-fiamme-sulla-torino-aosta-muoiuno-molti-animali-autostrada-bloccata-5e0f9451-6031-434e-a2f8-0a7e1973exlk.shtml

³⁵ <https://www.agriland.ie/farming-news/truckload-of-irish-calves-killed-in-crash-in-netherlands/>

³⁶ <https://maritime-executive.com/article/professor-long-haul-live-export-should-not-continue>

³⁷ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> p. 98

- Please note that the Irish authorities have not taken care to ensure compliance with current weather requirements pertaining to sea journeys and that is why we believe that an EU-wide computer system should be set up to automatically reject any journeys that would take place in unsuitable weather conditions. Three out of four sea journeys in 2023 breached Irish legislation with vessels hitting winds of force 6 and higher. Furthermore, during a shipment of cattle to Egypt that left Ireland on 23rd August 2022 temperatures reached 33 degrees inside the vessel.

Air Transport

- It is unacceptable to allow self-regulation of air transport of animals by a private body (IATA). The European Union has no control over these standards, which could change in the future.
- IATA's Live Animal Regulations (LAR) are not easily accessible as they cost US\$321 to purchase. This cost is a big barrier to most EU citizens and results in a massive lack of transparency.
- The Regulation should contain age and weight limits regarding transport by sea. An advert in a Libyan online market showed what appeared to be Fresian unweaned calves. Further investigation concluded that these calves had been exported to Libya by air from Hungary. Exporting unweaned animals to a third country is not acceptable.

Stricter National Measures

- Article 53 of the proposal allows for stricter national measures aimed at improving the protection of animals. However, it only permits this *“provided those measures do not interfere with the proper functioning of the internal market”*. We would strongly urge that this clause be deleted from the provision as it can only discourage member states from applying such measures.

Pregnant Animals

- Annex I, Chapter I,1(f) of the proposal states that pregnant females for whom 80 % or more of the expected gestation period has already passed, or females who have given birth in the previous 7 Days are not fit for transport. This is an improvement on the current legislation. However, EFSA in its Scientific Opinion on the Welfare of Cattle During Transport says that to preclude harm to the foetus, no transport should occur in the last trimester and we would submit that it is therefore not appropriate that animals be transported in the last trimester.³⁸ It is important that legislation sets out how the stage of pregnancy should be properly verified prior to transport being authorised.
- The peripartum period is a critical period for animals, during which they are susceptible to typical peripartum diseases e.g. ketosis and fatty liver in cows. To give an example, a 2010 study found that 44% of cows experienced peripartum diseases within 60

³⁸ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> page 32

days postpartum.³⁹ Therefore, it is submitted that animals should not be transported until 60 days after they have given birth.

Handling of Poultry and Rabbits

- Annex I, Chapter III, 3.1(d) of the proposal states that it is prohibited to lift or drag the animals by legs (except for poultry and rabbits), head, ears, horns, tail or fleece. This exception for poultry and rabbits is not in the current regulation and should not be introduced. EFSA in its Scientific Opinion on the Welfare of Domestic Birds and Rabbits Transported in Containers recommends that *“Rabbits should be removed from the husbandry cages individually by holding and lifting by the neck by one hand, with or without support of the body with the other hand. Once outside the cages, their body should always be supported with the other hand.”* It also recommends that *“Domestic birds should be carried upright by holding the wings against the body”*.⁴⁰

Electric Shocks

- Annex I, Chapter III, 3.2 allows for the use of electric shocks in certain circumstances. It is submitted that the use of electric shocks should be prohibited in all circumstances. EFSA in its Scientific Opinion on the Welfare of Cattle During Transport has recommended that less aversive handling methods be used instead.⁴¹

Proper Provision for Animals Rejected by non-EU Countries

- There have been a number of cases where non-EU countries have refused entry to cattle on health grounds and they were stranded at sea for 3 months⁴² or detained cattle for 3 weeks due to import duties/custom tariffs⁴³. In all of these cases the cattle suffered greatly due to the fact that there were no rules in place to deal with these situations. The fact that it is impossible to prevent such situations arising in non-EU countries underlines why animals should not be sent there in the first place. If live export to non-EU countries is to continue then the regulation should make proper provision for the welfare of animals caught up in such a scenario and the competent authority of the EU member state that authorised their export must take immediate action to protect the best interests of the animals involved. Exporters should be obliged to have an insurance policy in place that covers the cost of such action.

³⁹ Santos, J.E.; Bisinotto, R.S.; Ribeiro, E.S.; Lima, F.S.; Greco, L.F.; Staples, C.R.; Thatcher, W.W. Applying nutrition and physiology to improve reproduction in dairy cattle. Soc. Reprod. Fertil. Suppl. 2010,67, 387–403

⁴⁰ <https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2022.7441>

⁴¹ <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7442> p. 26

⁴² <https://www.theguardian.com/environment/2021/mar/31/how-nearly-3000-cattle-came-to-be-stranded-at-sea-for-three-months>

⁴³ <https://www.eurogroupforanimals.org/news/nearly-three-weeks-suffering-bulls-trapped-trucks-moroccan-border>