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## The long-distance transports of cattle

### Background and Risks of the trade in animals

For years, politicians and officials have been propagating that agriculture must export in order to further increase the production of agricultural products. Government support of ever larger stables encourages the expansion of animal production and thus also the trade in live animals.

Every day, hundreds of thousands of animals are transported within the European Union to where the best prices can be obtained. This is the consequence of the high degree of specialisation in the production areas of breeding, fattening, slaughtering and refinement of animal products. Supply and demand determine how often, over what distances and for how long an animal is transported.

Germany acts as exporter and importer on the carousel of the international livestock trade.

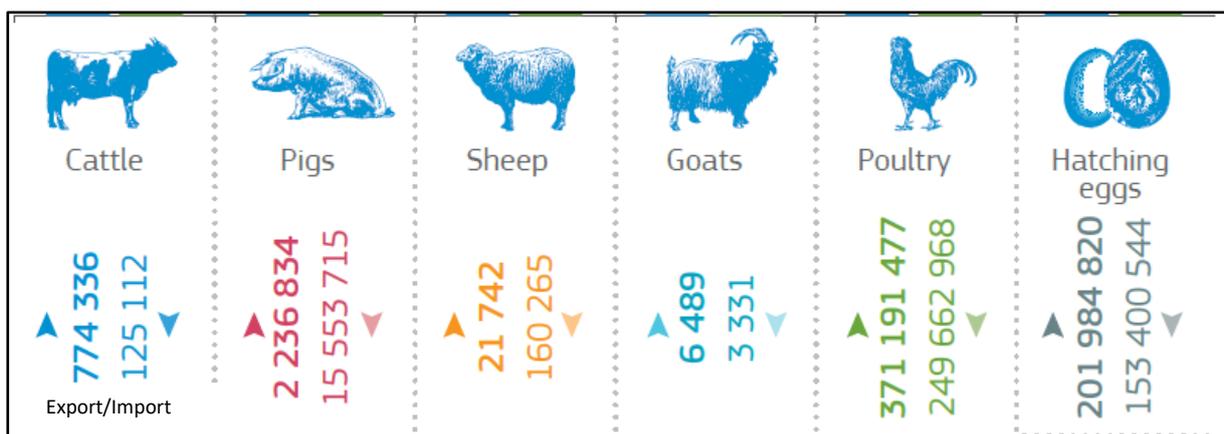


Fig. 1: The number of live animals exported from Germany in 2017 (↑) and imported (↓) to Germany<sup>1</sup>.

In 2017, Germany exported a total of 775,000 cattle and in turn imported 125,112 cattle. With 15 million, Germany was the largest importer of live pigs in the European Union in 2017. At the same time, Germany exported over 2.2 million pigs to other member states. In the poultry sector, it is again clear how dependent the industry is on the transport of live chickens, turkeys and ducks. Over 370 million animals are exported from Germany and almost 250 million animals are imported. Breeding animals and young animals are exported abroad for fattening or slaughter. Often the meat of the young and fattened animals is then re-imported, as is the case with veal.

This system is very susceptible to disruption and with regard to animal diseases, quickly causes hysteria for the government and economy, causing fear for the national economy and possible trade restrictions (e.g. African swine fever, bluetongue, herpes virus in cattle).

<sup>1</sup> Source: TRACES 2017 Annual Report, Germany

In the past BSE, also known as mad cow disease, had drastic consequences for agriculture, trade, politics, industry and the taxpayers. Foot-and-mouth disease, imported via sheep from Great Britain, caused a general ban on the transport of cloven-hoofed animals within Germany. Hundreds of sheep were culled as a precaution. Bluetongue, first detected in Germany in 2019, temporarily put the calf trade with other member states on hold. As a consequence, the price of calves fell to less than 10 euro per calf. However, the calves must leave a farm within 14 days at the latest, as farmers have no use, space or time for them due to their high level of specialisation.

### **European legislation permits endless animal transport**

Recital (5) of Council Regulation (EC) No 1/2005 states that for animal welfare reasons the long-distance transport of animals, including animals for slaughter, should be kept to a minimum.

Nevertheless, animals may be transported by rail, air, ship and truck for an unlimited period of time as long as they conform to the transport and resting intervals specified according to animal species and age. Unweaned animals (young animals still dependent on milk) may be transported up to 19 hours, cattle up to 29 hours, horses and pigs up to 24 hours and poultry up to 12 hours. Thereafter, animals must reach their place of destination, or a break must be made at a supply station (so-called control posts) where the animals are unloaded and supplied for 24 hours. Then the transport may continue. In the case of transport by ship, the journey and break intervals do not even apply. This makes it possible to transport live animals by truck from the European Union for days on end, e.g. to Uzbekistan and Iran, or by ship for weeks and weeks. In 2019, sheep were exported from Romania and were on a ship for a total of 62 days with destinations in Kuwait, Qatar and Oman.

According to Council Regulation (EC) No 1/2005, the place of destination is the location where the animals are slaughtered, or where they are accommodated and cared for over a period of at least 48 hours. After 48 hours the animals may be legally transported to a new place of destination with new accompanying documents, often also to non-European countries.

During transport, the animals can be exposed to various stress factors for hours and sometimes even weeks, for example, extreme temperatures, insufficient space, thirst and hunger, fear, conflicts with conspecifics, inadequate air supply, risk of injury or infection.

### **Unweaned calves on long-distance transports**

According to the Council Regulation (EC) No 1/2005, from the age of 10 days, calves may be transported for up to eight hours. At 14 days, more than eight hours (long journeys) are already permissible, although the young animals are very susceptible to diseases at this age and a transport can therefore quickly become a severe test of strength.

Germany is the largest milk producer in the EU with 4.1 million dairy cows and thus also produces a large number of calves — because without calves, there is no milk. The high level of focus on dairy cow breeding for milk production in Germany means that there is a surplus of Holstein male calves in particular.

Demand for these calves only exists in those countries where calves are fattened or where they are fattened for export to non-European countries.

Within the EU around 1.5 million unweaned calves are transported annually. That is calves that still rely on milk. The main importing countries for calves are the Netherlands, Spain, Belgium, France and Italy.

Every year, Germany exports around 650,000 calves to the Dutch calf fattening industry (for the production of white veal), or to assembly centres in the Netherlands, Belgium, France and Spain. There, the authorities from the places of departure lose track of the animals and a large number of them are transported further (so-called assembly centre hopping)<sup>2</sup>, often to Spain for fattening. After a few months of fattening and several days of transport by ship, they are sent to slaughterhouses in, for example Lebanon, Egypt and Libya, where they are slaughtered without pre-stunning.

Over the past five years, the Animal Welfare Foundation has been working intensively on the long-distance transport of unweaned calves. Our investigations show that the animals are often transported via many locations (assembly centres, EU control posts) and are not adequately cared for during long-distance transports. They subsequently suffer from stress due to hunger and thirst.

The following excerpt from the German “Handbuch Tiertransporte” (Implementation Notes, May, 2019) supports our observations. It describes why it is not possible to adequately care for calves during transport:

*“Currently available drinking systems do not allow for a species-specific and behaviourally appropriate supply of unweaned calves with feed (milk/replacer). [...] In this respect, any current means of transport cannot be authorised for long transportation of unweaned calves”.*

Therefore long-distance transports of unweaned calves must not be approved. However, the “Handbuch Tiertransporte” (Animal Transport Manual) is not legally binding and in case of doubt, the Council Regulation 1/2005 appears to be interpreted differently by authorities and courts (see the court order of the Sigmaringen Administrative Court) and long-distance transports (> 8 hours) of calves are authorised.

In response to a request of the responsible ministry in Bavaria, German federal minister Julia Klöckner of the German Federal Ministry of Food and Agriculture (BMEL) explained in August 2019 why, to the knowledge of the BMEL, there are currently no animal transport vehicles available for long-distance transports of unweaned calves that meet the special requirements for their transport. If no approved vehicles are available, Chapter V, point 1.2 of Annex I to the Regulation stipulates that all transport of unweaned calves must be completed within 8 hours. A subsequent transport of a maximum of 8 hours would only be possible after a 48-hour resting period.

The German States' Consortium on Consumer Protection (LAV) working group on animal welfare, also supports this view and asks the BMEL to lobby for a general ban on long-distance transports of unweaned animals at EU level.

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<sup>2</sup> Tiertransporte-Verlängerung der Beförderungszeit durch illegales „Sammelstellen-Hopping“ (Animal transport — extending transport times through illegal “assembly centre hopping”), Maisack/Rabitsch in Amtstierärztlicher Dienst 02/2018

## Long-distance transports of cattle in countries outside the European Union

The controversial export of cattle for breeding, fattening and slaughter from the European Union to non-European countries has become a huge industry.

Germany directly exports so-called "breeding" cattle to countries outside the EU. In 2018, around 70,000 cattle were exported e.g. to Morocco, Tunisia, Algeria, Lebanon, Azerbaijan, Uzbekistan, Kazakhstan and Russia. In 2019, it was around 60,000 cattle. Almost all of these cattle are pregnant, and many will calve within a few weeks. The intention is that they calve and give milk as soon as possible after arrival at their place of destination.

In recent years Turkey has been the main purchaser of German cattle. However, the number of exports has fallen dramatically — from around 30,000 cattle in 2017 to only 2,000 cattle in 2019. On the other hand, exports to Russia rose to 30,000 cattle in 2019.

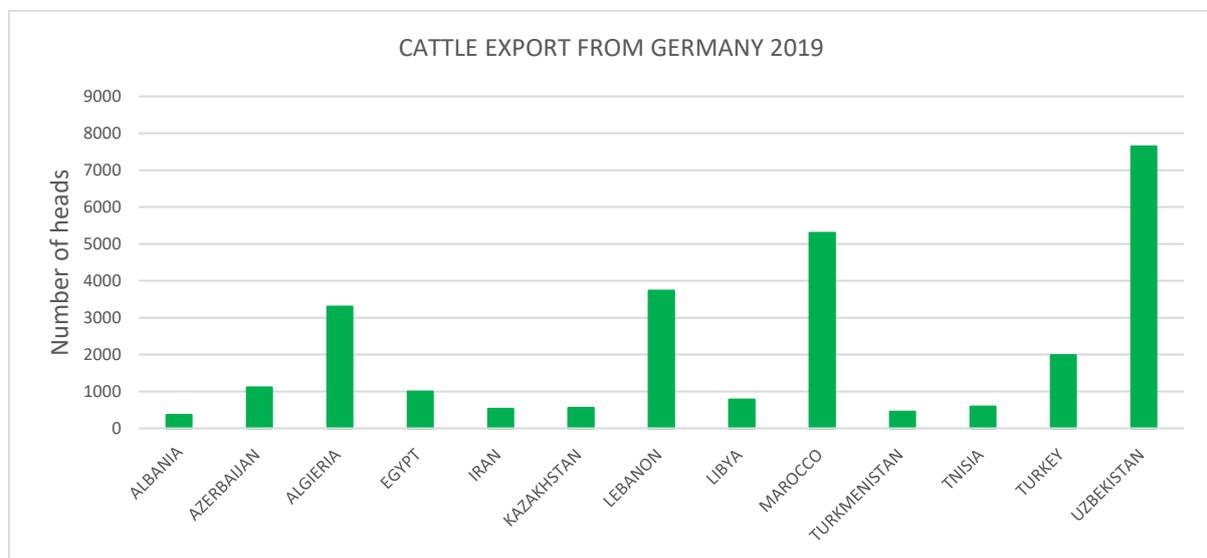


Fig. 2: Cattle exports from Germany to 13 non-European countries in 2019<sup>3</sup>

However, the statistics on direct exports do not include countless animals which are transported from Germany to other EU Member States and exported from there to third countries.

There is a lack of supervision at ports and on many routes there is no infrastructure to unload and care for animals. Additionally, there are no emergency plans to protect the animals from heat and thirst at border crossings. This is often associated with enormous pain and suffering for the animals concerned<sup>4,5</sup>.

For many years the Animal Welfare Foundation has been documenting long-distance animal transports by truck and ship to non-European countries and the organisation informs the decision makers about the breaches of the law. For example:

<sup>3</sup> TRACES 2019

<sup>4</sup> Animal Welfare Foundation 2017: Animal Welfare Overboard: The lack of animal protection during sea transport

<sup>5</sup> Animal Welfare Foundation, Eyes on Animals, reports 2010 — 2018: Doomed Journey to Turkey, 5 reports

- the failure to implement the EU Council Regulation 1/2005 and the ECJ Judgement C-424/13 due to lack of unloading facilities (control posts), long stops at borders and lack of monitoring facilities for the transport of animals to their place of destination in countries outside the EU
- long-distance transports in extreme temperatures (e.g. transports to Siberia and Uzbekistan in January; to Turkey in summer)
- black box third country: lack of monitoring of the transport stages at sea and on the condition of the animals on arrival at their place of destination
- transport of animals on old and unsuitable vessels that do not meet the requirements of Council Regulation (EC) No 1/2005 and these pose a risk to the animals
- infringements of the MARPOL Convention on the protection of the marine environment due to the disposal of dead animals and manure in the Mediterranean Sea.

Due to systematic infringements of the EU Council Regulation No. 1/2005 regarding animal transport by truck and ship to non-European countries, with the assistance of the law firm Conte & Giacomini we are filing complaints against the EU Commission and 12 member states. In 2017, the EU Commission (SANTE, the Directorate General for Health and Food Safety or the FVO, the Food and Veterinary Office) conducted investigations in various member states and in Turkey. In 2018, the EU Commission conducted investigations in the ports of Rasa (Croatia), Koper (Slovenia) and Cartagena (Spain); in 2019 in Midia (Romania) and in 2020 Sète (France) was scheduled. The results of these investigations largely confirm our observations.

**Through our reports, those of other animal welfare organisations and journalists, as well as through the official research of the EU Commission (Audit Reports DG (SANTE) 2017-6109<sup>6</sup>, DG (SANTE) 2017-6110<sup>7</sup>, DG (SANTE) 2018-6447<sup>8</sup>, DG (SANTE) 2018-6449<sup>9</sup>) it is well known that infringements of Council Regulation (EC) No 1/2005 regularly occur during long-distance transports to certain third countries.**

Over the last ten years Animals International has carried out over 50 investigations in the Middle East, North Africa and Turkey to uncover the brutal handling and slaughter practices after the animals arrive in importing countries. During slaughter, no distinction is made between animals for breeding, fattening or slaughter. In most of these countries there are no laws that protect the animals from extreme cruelty – as is repeatedly documented in Lebanon, Egypt and Turkey. Slaughtering without stunning is routine, both in the street and in small and large slaughterhouses. Frequently ropes are attached to the animals' bodies (often to one leg) to drag them from the lorries and to hold them in place. In some slaughterhouses and butcher shops, animals are stabbed in the eyes with pointed tools or fingers to immobilise them. Despite repeated disclosure of the evidence, in 2019 over 3,700 cattle were exported from Germany to Lebanon, around 2,000 cattle to Turkey and around 1,000 cattle to Egypt (see Fig.2).

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<sup>6</sup> Report of the DG (SANTE) Commission 2017-6109

<sup>7</sup> Report of the DG (SANTE) Commission 2017-6110

<sup>8</sup> Report of the DG (SANTE) Commission 2018-6447

<sup>9</sup> Report of the DG (SANTE) Commission 2018-6449

A comprehensive investigation of 90 slaughterhouses in Turkey was conducted by Dr. Ellen Eser as part of her <sup>10</sup>dissertation. At almost all of them she found treatment of the animals which is absolutely prohibited by the World Organisation for Animal Health (OIE) guidelines (OIE Terrestrial Animal Health Code — Chapter 7.5.). In modern slaughterhouses, trip-floor boxes (a holding device to bring the animal down) are routinely used and the animals are hung by their hind legs while fully conscious.

### **State of the debate: long-distance transports of live animals**

In 2019, the federal states (Bavaria, Schleswig-Holstein and Hessen) stopped, or made it more difficult to transport "breeding" cattle to 17 non-European countries.

This was due to concrete evidence that animal transport is not carried out in accordance with the law and that animals in these countries are routinely slaughtered under cruel conditions. Official veterinarians voiced concerns that transport approvals may be aiding and abetting the crime of cruelty to animals<sup>11,12,13</sup>. Although the problems of implementing Council Regulation (EC) No 1/2005 have been known for years, it is difficult to prevent long-distance transports at both national and European level.

In a 2012 Resolution<sup>14</sup>, the European Parliament identified significant shortcomings in the implementation of Council Regulation (EC) No 1/2005 and called on the EU Commission to review the existing regulation for practical feasibility. The Commission should also update the rules on animal transport in view of the lack of consistency of legislation with the latest scientific findings on animal welfare during transport, as highlighted by the European Food Safety Authority (EFSA).

The progress report<sup>15</sup> of the EU Committee on Agriculture revealed significant shortcomings in the implementation of EU Council Regulation No 1/2005 and called for compliance with the Regulation to be increased and more strictly monitored.

The European Parliament approved the report in February 2019<sup>16</sup>. As a basis for EU exports of live animals to third countries, the EU Parliament calls for bilateral agreements, stipulating animal welfare standards to ensure that European animal welfare rules are respected outside the EU.

If this is not possible, then live animal transports should be prohibited. In addition, the EU Commission should develop strategies to make the transport of live animals superfluous, e. g. through trade in

<sup>10</sup> Eser, Survey on the actual animal welfare situation at Turkish slaughterhouses (2012)

<sup>11</sup> Christoph Maisack/Alexander Rabitsch, 04/2018: Zur Plausibilitätsprüfung nach Artikel 14 (1) a) ii) anlässlich der Genehmigung langer grenzüberschreitender Transporte in Drittstaaten, (*On the plausibility check under Article 14 (1) (a) (ii) on the occasion of the authorisation of long cross-border transports to third countries*), Amtstierärztlicher Dienst

<sup>12</sup> Rechtsgutachten zur Frage der Untersagung grenzüberschreitender Tiertransporte in Drittstaaten der Rechtsanwälte Günther (Hamburg) (*Legal opinion on the question of the prohibition of cross-border transports of animals to third countries as determined by the lawyers at Günther, Hamburg, Germany*) 18/02/2019

<sup>13</sup> Zur Strafbarkeit von Amtstierärzten wegen Beihilfe zur Tierquälerei [...] (*The criminal liability of official veterinarians for aiding and abetting cruelty to animals*), Prof. Dr. Jens Bülte, University Mannheim, Germany

<sup>14</sup> European Parliament resolution on the protection of animals during transport (2012/2031(INI))

<sup>15</sup> Report on the implementation of Council Regulation No 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI))

<sup>16</sup> P8\_TA(2019)0132, European Parliament resolution of 14 February 2019 on the implementation of Council Regulation (EC) No 1/2005

meat, animal carcasses, semen and embryos as well as regional processing. This is a clear mandate to the EU Commission and above all to the member states.

The Council of the European Union sees improved animal welfare as an integral part of sustainable animal production. In its conclusions of December 2019 the recitals for example refer to: <sup>17</sup>

- the joint declaration of Denmark, Germany and the Netherlands on animal welfare of the 14th December 2014<sup>18</sup> proposing amendments to Regulation (EC) No 1/2005
- the progress report of the EU Committee on Agriculture
- the demands of the European Parliament of February 2019

In June 2020, the EU Parliament voted to set up a Committee of Inquiry into animal transport, which will start work in September 2020 and which will examine the work of the EU Commission and the member states.

After the release of the German ARD public broadcaster's film "Tiertransporte gnadenlos" (Merciless Animal Transports), in which the AWF played a major role with research and video material, public pressure on decision makers in Germany is increasing. The federal states of North Rhine-Westphalia, Lower Saxony and Rhineland-Palatinate have joined the export stops, while other states are regulating exports by decree.

### **Our demands**

The European trade in live, sentient animals is neither acceptable nor sustainable. The price for animals, taxpayers and the environment is too high and the risk of spreading animal and zoonotic diseases is too high. We need a complete change in EU agricultural policy, towards more animal and environmentally friendly farming. The high degree of specialisation in animal breeding and husbandry as well as the excess breeding of live animals for export must be reduced.

We call on German Federal Minister Julia Klöckner to advocate for a revision of Council Regulation (EC) No 1/2005, and demand the following:

- In accordance with the above-mentioned joint declaration of December 2014, which includes, among other things, a reduction in transport duration and a drastic restriction of so-called "assembly-centre hopping".
- To campaign at EU level for clear rules on the transport of unweaned animals. This is based on the "Handbuch Tiertransporte" (Animal Transport Manual), which clearly states that the basic requirements (as stipulated in Annex 1, Chapter V, paragraph 1.3. of Regulation (EC) No 1/2005) of the unweaned animals needs can not be met during long distance transports.
- To campaign nationally for alternatives for the calves born from milk production.

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<sup>17</sup> Council of the European Union, Council conclusions 14975/19

<sup>18</sup> 16923/1/14 REV 1

- To campaign for the strict implementation of EU Council Regulation 1/2005 on the protection of animals during transport and the ECJ ruling C-424 /13
- During the current EU Presidency, to promote compliance with the EU Treaty (TFEU)<sup>19</sup>, to which the Union and the member states committed themselves in Article 13: "In formulating and implementing the Union's agriculture, fisheries and transport policies, [...] **the Union and the member states shall pay full regard to the welfare requirements of animals as sentient beings [...]."**

**We believe that the export of live animals and their cruel slaughter in third countries is not compatible with the values of the European Union.**

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<sup>19</sup> Treaty on the Functioning of the European Union, 2012/C 326/01