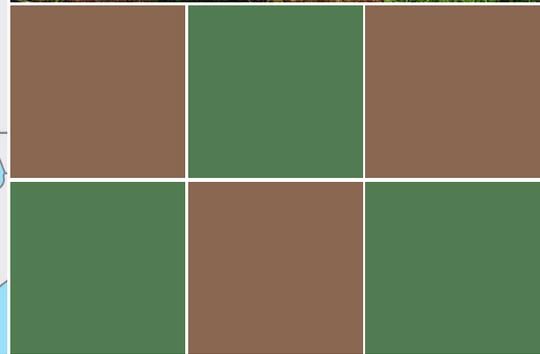
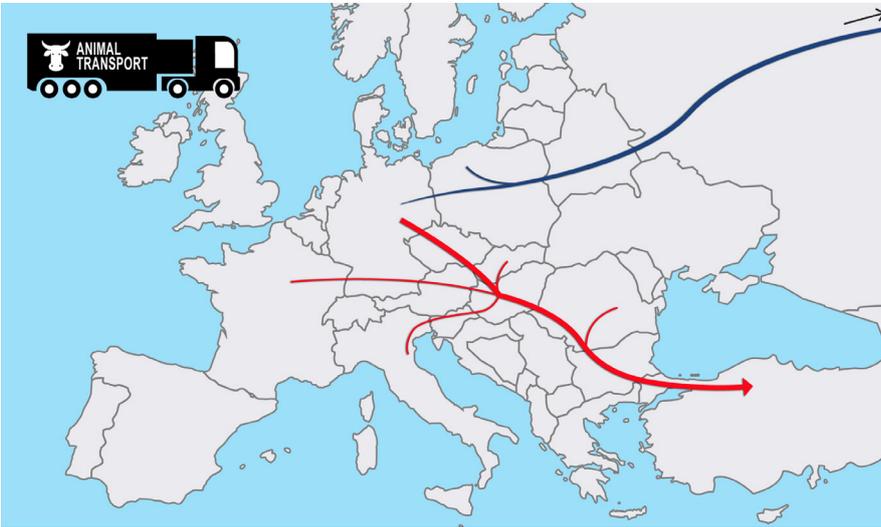


European  
Commission



DG Health and  
Food Safety

OVERVIEW REPORT

# Welfare of Animals Exported by Road

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Print	ISBN 978-92-79-98691-8	doi:10.2875/269226	EW-BC-19-003-EN-C
PDF	ISBN 978-92-79-98690-1	doi:10.2875/946999	EW-BC-19-003-EN-N



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Health and food audits and analysis

DG(SANTE) 2019-6834

OVERVIEW REPORT  
ON  
WELFARE OF ANIMALS EXPORTED BY ROAD

### ***Executive summary***

*The export of animals from the EU to non-EU countries represents less than 10% of all movements of animals within the EU and generally involves many actors and countries. This international dimension makes it difficult to ensure a harmonised application of animal welfare rules; it creates risks for the welfare of the animals and poses challenges for the authorities involved.*

*The official controls at the place of departure play a very important role in increasing compliance and preserving the welfare of animals during journeys. In particular, checks at the beginning of the journey concern the inspection of livestock vehicles, the supervision of the loading of animals and the verification that journey plans are complete and appropriate (e.g. space reserved at the control post for resting the animals and proper paperwork for the country of destination).*

*The official data indicate a very high level of compliance with transport rules when vehicles are in EU territory. However, this level of compliance is regularly challenged by animal welfare incidents at the EU border (particularly during the summer) reported by Non-Governmental Organisations (NGOs).*

*High temperatures are the main cause of animal welfare problems during journeys. Problems arise during hot days during the summer. This is due to the absence of cooling systems in livestock vehicles, which cannot maintain the temperature within the required limits when the days are very hot. The authorisation of journeys without considering this limitation and without taking into account the weather conditions at the border and at the place of destination contributes to the perpetuation of this problem. Hot summers, the absence of facilities to properly care for animals and long administrative procedures, in particular at the Turkish side of the border with Bulgaria, create a high risk for the welfare of animals. This risk sometimes becomes a reality which is documented by NGOs in their complaints.*

*The main concerns for the welfare of animals relate to the non-EU leg of the journey. The available information indicates that most transporters do not meet applicable EU rules after leaving the Union. The absence of agreements with EU neighbouring countries, together with poor retrospective checks and the inability of Member States to ascertain the conditions of transport and the feasibility of the plan for that part of the journey contribute to that concern.*

*The Member States' authorities and the Commission do not have IT systems or software to readily monitor the route, temperature or driving hours of vehicles transporting animals. The Commission's database, which contains the results of official checks, currently has certain access and design restrictions. These limitations make it difficult for national authorities and the Commission to get an overview of the general situation regarding transport of animals for export and to target their controls more effectively and based on risk.*

## Table of Contents

1	Introduction .....	1
2	Objectives and scope .....	1
3	Methodology .....	2
4	Background .....	2
4.1	Trade data .....	2
4.2	Protection of animals during transport .....	5
5	Findings and conclusions .....	6
5.1	Organising the journey .....	6
5.2	Livestock vehicles .....	8
5.3	Official checks on animal transportation.....	9
5.4	Incompleteness of data .....	13
5.5	The Bulgarian-Turkish border .....	14
5.6	Implications of the international dimension .....	14
6	Overall conclusions .....	15

## ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

<b>Abbreviation</b>	<b>Explanation</b>
DG	Directorate General of the European Commission
Export(s)	In this report, this concept refers solely to the commercial transport of livestock outside the European Union territory.
EU	European Union
GPS	Global Positioning System
NGO(s)	Non-governmental organisation(s)
OIE	World Organisation for Animal Health
TRACES	The Commission's Trade Control and Expert System

## **1 INTRODUCTION**

Every year, European farmers send millions of animals to countries outside the European Union (EU).

The commercial transport of livestock outside the EU territory has been an emotive issue for years, with active campaigners complaining - and even blocking - what they believe is a cruel trade which can see animals born in Europe travelling long distances to sub-standard abattoirs and farms outside the Union.

The transport of animals is an economic activity which is part of livestock production. Farmers need to move their animals for a number of reasons including marketing, slaughter, re-stocking or breeding. Some animals are exported for slaughter, others for fattening or breeding.

Transporting animals by vehicle outside the Union involves a complex series of operations and logistics including planning, coordination and handling of the animals. Transportation involves stress for the animals, but it is often difficult to determine with precision which component or combination of components is most responsible for transportation stress. Bad planning or poor transport conditions can have serious effects on the welfare of animals.

Graphic media news on poor animal conditions during transport has recently been heavily reported in European media suggesting that the existing EU regulations are not always adhered to and that animals generally suffer unnecessarily during transport, despite the current regulatory framework. However, the evidence presented generally lacked enough data to give context to those findings.

The report analyses the degree of compliance with existing legal provisions and the impact - or possible impact - of non-compliances on the welfare of the animals. It also proposes actions for further consideration at EU level.

## **2 OBJECTIVES AND SCOPE**

This report intends to give an overview of the animal welfare situation during the transport of animals for their export by road outside the European Union.

The report covers long distance transport (more than eight hours) by road, of cattle, sheep and goats from the EU countries to countries outside the Union, but it concentrates mainly on the route leaving the Union through the Bulgarian-Turkish border. Shorter journeys and other species included in the scope of the animal transport Regulation<sup>(1)</sup>, e.g. pigs, horses and poultry, are outside the scope of this report.

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<sup>1</sup> Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 – (OJ L 3, 5.1.2005, p.1)

### **3 METHODOLOGY**

This report is mainly based on the information gathered during a two-year project on the transport of live animals for export, carried out by the Directorate for Audits and Analysis of the Commission's Directorate General for Health and Food Safety. The project included six audits (to France, the Netherlands, Germany, Hungary, Poland and the Czech Republic) and two fact-finding visits (to Bulgaria and Turkey).

The project also obtained information from data entered into the Commission's Trade Control and Expert System (TRACES) by Member States, data supplied by NGOs through reports and e-mails to the Commission and from exchanges of letters between the Commission and the national authorities in EU countries.

Two of the countries audited were exporting animals outside the Union and had none or very few non-compliances reported (by NGOs and in TRACES). The other four were selected for their high level of exports (number of bovines and sheep exported), number of vehicles involved in exports and number of non-compliances reported (by exit points and animal welfare NGOs, including existing official complaints from May 2016).

The countries audited sent 65.1% of the total cattle exported by road from the EU to Turkey in 2018 (62.8% of the consignments). 43.1% of transporters exporting cattle by road to Turkey originated from these Member States.

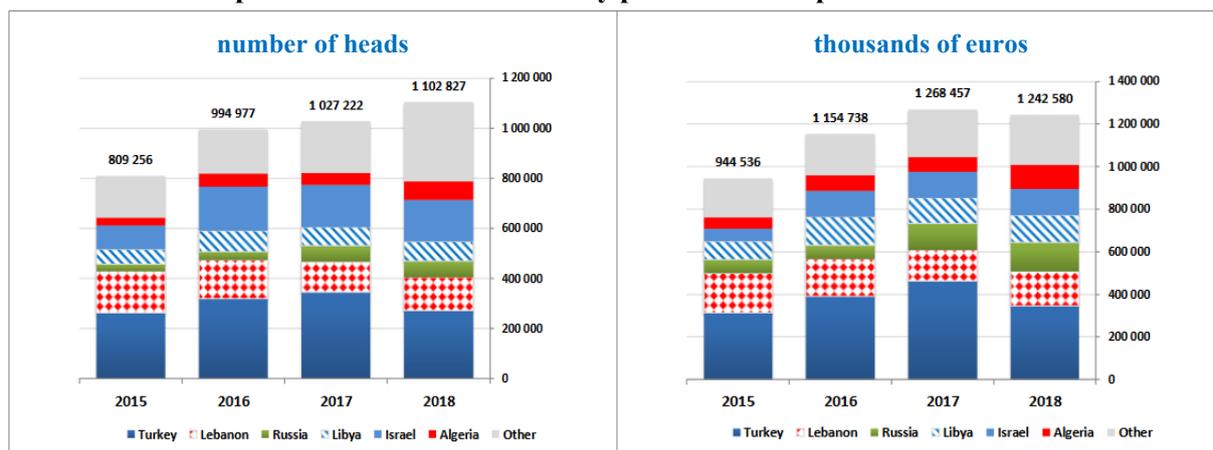
### **4 BACKGROUND**

#### **4.1 TRADE DATA**

EU trade in live animals with non-EU countries represents less than 10% of all movements of animals within the EU. Since there is no estimate or model at EU level on the number of jobs generated by the livestock exports, it is at this stage not possible to predict the impact on European livestock producers of any measures that might affect this trade.

In 2016, the exports of live cattle and sheep were worth more than €4 bn according to the EU's statistical office. In 2018, the EU's beef exports were estimated to be €1.24 bn. The possibility to export live animals gives farmers more negotiation possibilities when selling animals and thus it has an impact in sustaining prices, even for animals traded within the EU.

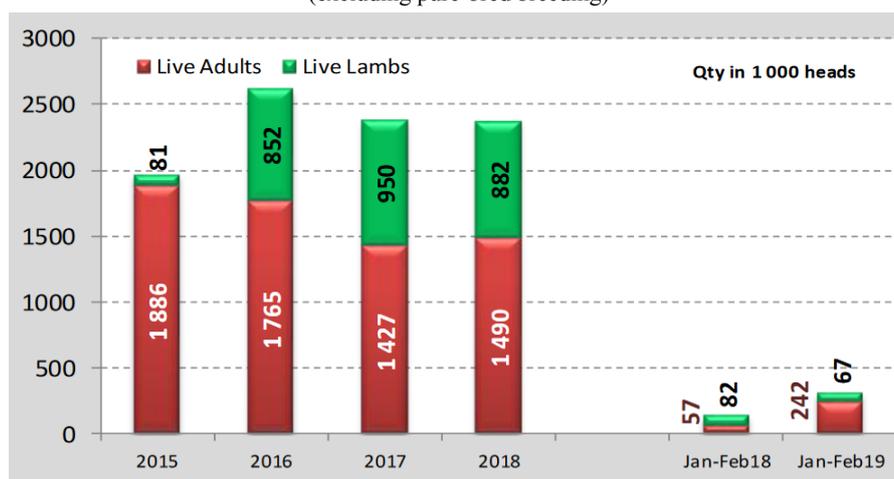
## EU exports of live BEEF animals by partner for the period Jan-Dec 2018



Source: EU Meat Market Observatory, 22 February 2019

Over the last years, exports of live animals and meat have increased. Live animals go mainly to the Middle East and North Africa<sup>(2)</sup>. The EU's export of sheep and goats is directed mostly to Libya and Israel<sup>(3)</sup> and happens mainly by sea. The data in TRACES indicates that around 300 consignments of small ruminants left the EU by road in 2017.

### Exports of live sheep (excluding pure-bred breeding)



Source: European Commission - "Sheep and goat market situation dashboard", 15 May 2019

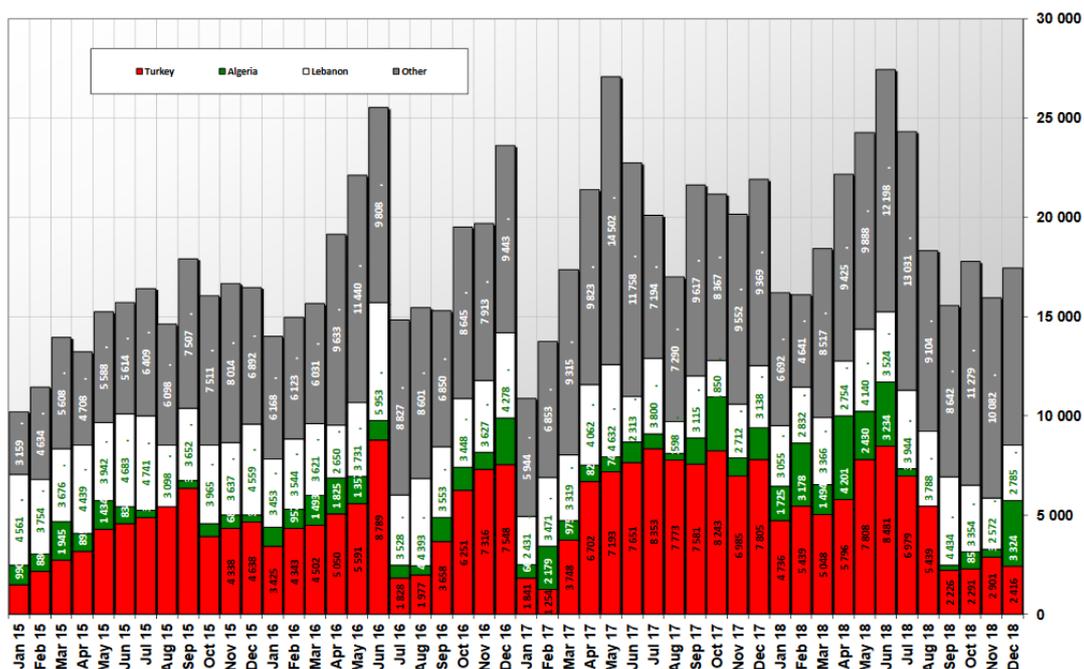
Regarding cattle, in 2018 there were 6,440 consignments of cattle leaving the EU through 15 different road exit points<sup>(4)</sup>.

<sup>2</sup> [https://ec.europa.eu/agriculture/sheep-goats\\_en](https://ec.europa.eu/agriculture/sheep-goats_en)

<sup>3</sup> "The future of the EU's sheep and goat sector", European Parliamentary Research Service, author: Rachele Rossi, Members' Research Service PE 620.242 – May 2018

<sup>4</sup> According to the data recorded in TRACES; these data do not include cattle exported directly by the Member State of exit (i.e. Bulgaria and Poland).

## EU-28 Exports of live bovine animals (COMEXT data) – Tonnes cwe



Source: EU Meat Market Observatory, 22 February 2019

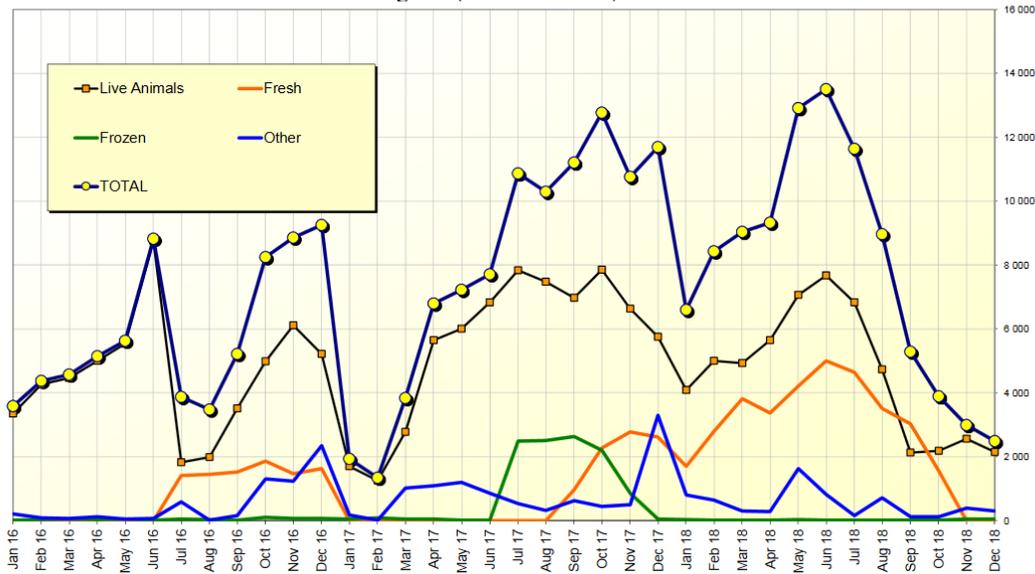
Almost the totality of cattle left through two exit points: the Bulgarian-Turkish border (52% - around 3 500 consignments) and the border between Poland and Belarus (42% - around 2 700 consignments). For sheep and goats, 64% (404 consignments) exited through the border between Bulgaria and Turkey.

The main destination of the cattle exported by road from the EU is Turkey. Turkey's demand for live cattle has been growing in recent years. Turkey's beef production system relies largely on fattening imported live cattle. The import of live animals helps them to protect local producers, while ensuring consumers have access to fresh meat, processed under the Muslim customs.

EU countries supply 25% of Turkey's imports of live animals, whereas they get 60% of animals from South America and 15% from Australia.

## EU beef exports to Turkey

trade figures (COMEXT data) tonnes cwe

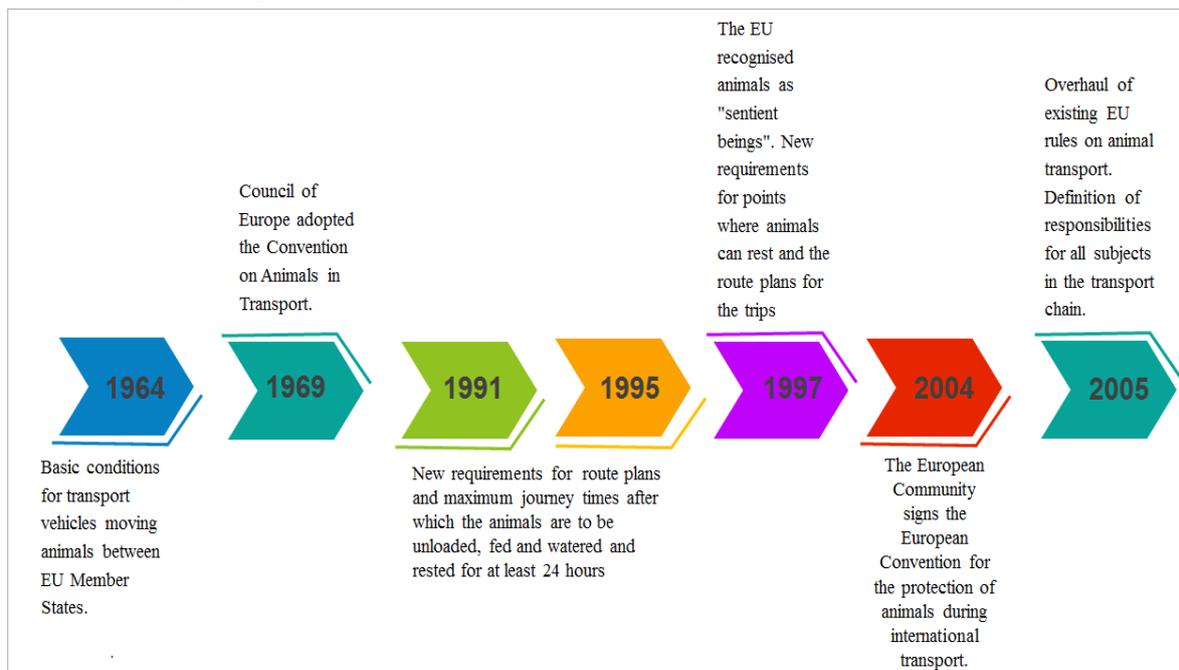


Source: EU Meat Market Observatory, 22 February 2019

The cost of livestock transportation is very variable as it depends on a number of factors and varies based on the type of animal and the distance. On average, cattle transport rates are €1.50-3.50 per km<sup>(5)</sup>. The cost of using control posts is around €300-500 per vehicle. In addition, transporters have to sometimes pay for disinfection (€100-200 per vehicle).

### 4.2 PROTECTION OF ANIMALS DURING TRANSPORT

Since 1964, requirements have continued to be added to EU legislation for the protection of animals during transport.



<sup>5</sup> Data obtained from Eurosender's website <https://www.eurosender.com/> on August 2018 and from the German Animal Breeders' Federation in June 2019.

## 5 FINDINGS AND CONCLUSIONS

### 5.1 ORGANISING THE JOURNEY

Live animal export is simply the movement of animals from one seller in a Member State to one buyer in a non-EU country, via the EU border. However, the number of entities involved in a single export is much more complex.

The most important entity, from the point of view of the animal transport Regulation, is the **journey's organiser**, who is the primary legal or natural person responsible for the animals' welfare throughout the journey. Their responsibilities include ensuring that:

- the transporter(s) contracted has/have the appropriate authorisation,
- the vehicle used has the approval for the desired types of animals,
- the driver(s) has/have a certificate of competence,
- the length of the journey is minimised as much as possible,
- stops at control posts are planned and that there are plans to meet the animals' needs throughout the journey.

Almost the totality of journey logs indicate that the transporter is also the organiser. Therefore, transporters are also assuming the organiser's responsibilities.

The animal transport Regulation requires the authorities of the Member States of departure, of the control post(s) and of the exit point to carry out checks. Other Member States which have been transited during the journey could perform random roadside checks. This means that there could be as many as eight Member State's authorities involved in a journey that starts in western Europe, and leaves the EU through the Polish or Bulgarian borders. These authorities should communicate the outcomes of their checks to other authorities – some through TRACES and others through the Member States' national contact points. Communication of complete and clear information is therefore fundamental for proper coordination of controls during, and after the journey.

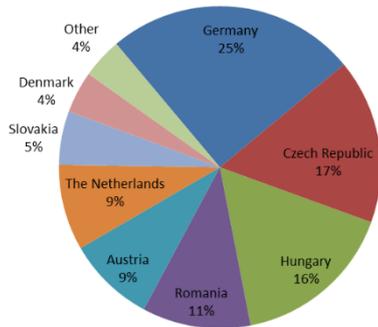
In 2018, some Member States started using a common form, agreed by the EU network of national contact points for animal welfare during transport, to exchange complete and clear information when notifying each other of the non-compliances they detected. Member States have improved the communication of non-compliances to the EU country of departure and to the Member State which approved the transporter. However, there is still limited and quite general feedback to the country reporting the non-compliance from the Member States receiving the notifications and there is seldom confirmation that the receiving Member State has taken subsequent action.

## Common routes for cattle transport to Turkey



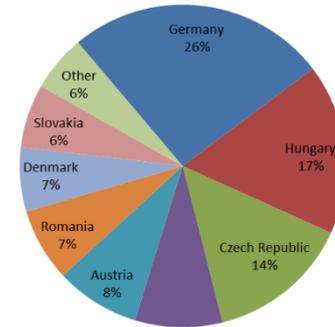
Source: Eurogroup for Animals, "Fact file Long Distance Livestock Transports" March 2016

## Exports by road of cattle, sheep and goats by Member State of departure



2017

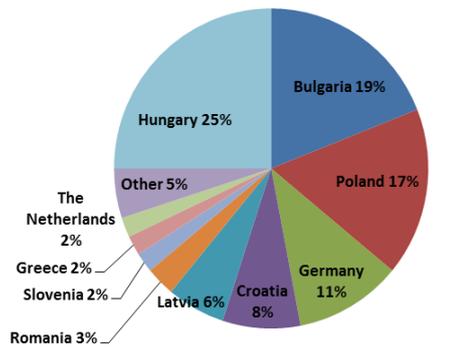
(Other: EE, LV, PL, LT, FR, IT, IE, BE, BG, SE)



2018

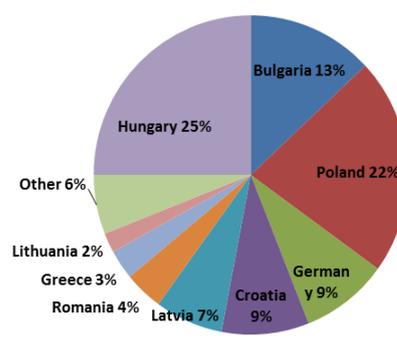
(Other: LV, EE, PL, ES, FR, IT, LT, BE, BG, IE, UK)

## Nationality of transporters involved in the export by road of cattle, sheep and goats



2017

(Other: LT, SK, DK, CZ, FR, EE, AT, IE, ES, SE, UK, BE)



2018

(Other: SK, SI, NL, FR, DK, EE, ES, CZ, IT, AT, UK, BE, IE)

## 5.2 LIVESTOCK VEHICLES

Complaints from NGOs frequently include that livestock vehicles have structural problems (e.g. inadequate partitions, insufficient ventilation). The authorities in Member States have procedures to approve (and re-approve every five years) the vehicles used for animal transport. These procedures include verifying the requirements regarding deck areas, ventilation and other structures. The guidelines for this are generally well developed and complete and in principle they seem sufficient to ensure that the vehicle's conditions will not have a negative impact on animal welfare. However, local officers do not always follow the existing national guidelines. For instance, in one country the majority of the approval certificates indicated a wrong deck surface area – which is crucial for calculating the number of animals that can go in the vehicle.

All vehicles approved for long distance transport of animals have a Global Positioning System (GPS) device and tachograph – a device fitted to a vehicle that automatically records its speed and distance over time. Transport companies routinely use appropriate IT systems and software to monitor their business (e.g. routes) and staff (e.g. driving hours). However, neither the Member States nor the Commission has IT systems or software to do this.

In four out of six Member States audited, the approval certificates of the vehicles did not always indicate for which category of animals they were approved. This sometimes led to unweaned animals travelling in vehicles with inadequate drinkers and partitions, with the consequent increased risk for their welfare.

### **Example of good practice: the Netherlands and Germany**

- To assess the vehicle conditions, authorities in the Netherlands and Germany require the technical opinion of vehicle test engineers from semi-private vehicle inspection and certification bodies, who have specialised knowledge.

Temperature and humidity within the livestock vehicle play a very important role in creating or avoiding stress for the animals. EU legislation requires the ventilation systems on the livestock vehicles to be designed, constructed and maintained in such way that, at any time during the journey, they are capable of maintaining a range of temperatures from 5°C to 30°C within the means of transport, for all animals<sup>(6)</sup>.

Almost all vehicles used for transporting animals inside and outside the Union do not have air cooling systems. Their air ventilation systems move air through the animal compartment, but the temperature inside the vehicle follows the external temperature<sup>(7)</sup>. This means that, when the external temperature is over 30°C, these ventilation systems cannot guarantee that the temperature inside the vehicle is maintained within the limits indicated in the animal transport Regulation. This point of non-compliance is reached faster when the vehicle is not

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<sup>6</sup> with a +/- 5°C tolerance, depending on the outside temperature.

<sup>7</sup> Commission's Joint Research Centre study on temperatures during animal transport [https://ec.europa.eu/food/sites/food/files/animals/docs/aw\\_arch\\_temp\\_092009\\_animal\\_transport\\_en.pdf](https://ec.europa.eu/food/sites/food/files/animals/docs/aw_arch_temp_092009_animal_transport_en.pdf)

moving. Currently, the authorities do not include any restriction regarding temperature in the approval certificate for vehicles.

These facts create most of the non-compliances observed at the road border between Bulgaria and Turkey where past temperature records show that between the 15 June and 15 September day temperatures reach and surpass 30°C most days and this is where livestock vehicles spend many hours waiting to clear their animals.

### **5.3 OFFICIAL CHECKS ON ANIMAL TRANSPORTATION**

National authorities have to check animal welfare during transport. Each Member State decides its own inspection regime, which should be risk-based. A recent report from the European Court of Auditors<sup>(8)</sup> indicates that from the five countries they visited, only one had identified risk areas to be targeted for road inspections and it could not demonstrate that this was applied in practice. The report also points out that most national authorities do not use the information available in TRACES to target their inspections/audits, in part due to existing user access restrictions. Member States' competent authorities cannot:

- access TRACES data for the control posts for which they are responsible irrespective of the fact that the transport Regulation requires that they have access to this;
- see TRACES certificates in which they are identified as a country of transit. They therefore cannot report controls carried out during roadside checks on the journey log and accompanying TRACES certificate;
- access all TRACES data relevant to the transporters they have authorised. They cannot extract data for journeys done by their transporters when their own country is not the place of departure or of destination. Thus, the national competent authorities are partially blind to the activities – and overall level of compliance – of the operators for which they are responsible. As an example, in 2018, Poland did not export live animals to Turkey by road but the same year, Polish transporters were involved in 295 exports to Turkey. The Polish authorities cannot access this data.

For the transport of animals, the EU legislation requires systematic checks:

- on the animals before a journey starts, to verify that they are fit for the intended journey. This can be done 24 hours before the journey starts i.e. before the vehicle is present at all;
- on documentation (transporter, driver, vehicle certificates and journey plans) before a journey starts to ensure that the organiser has planned a journey in line with legal requirements;
- on the animals, the vehicle and the documents at the exit point before leaving the EU.

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<sup>8</sup> Special report- Animal welfare in the EU: closing the gap between ambitious goals and practical implementation. European Court of Auditors. November 2018.

## **Before the journey**

Although it is not compulsory, five of the six EU countries that the Commission audited are systematically inspecting the vehicles and supervising the loading of animals for long journeys. This allows the veterinarians to check the suitability of drinkers and the state of temperature and ventilation devices, the bedding and the headspace above the animals before each journey. The result of checks at the EU exit point confirm that Member States which carry out supervised loadings have the highest level of compliance when vehicles are inspected before leaving the EU.

National authorities have developed guidelines, procedures or handbooks for their officials with all the steps for approving long animal journeys. They include checking the health certificates necessary for the country of destination, fitness of the animals travelling, approval and maintenance state of the livestock vehicle, journey plan and relevant documents.

At the time of the audits, most Member States did not have instructions on checking expected temperatures at destination.

**EU consignments reaching Turkish border**  
(from 15 June to 15 September)

<b>YEAR</b>	<b>Consignments</b>
2016	1,167
2017	989
2018	828

In 2018, 17 Member States issued instructions in this regard and during that summer 828 consignments from 15 different Member States reached the Bulgarian-Turkish border. It is not possible to say whether the decrease observed in exports during the summer was the result of the actions taken by Member States' authorities (e.g. there was an economic crisis in Turkey in 2018 that might have affected their possibility to import).

Some national instructions require officials to consult the weather forecast at the time of authorising the journey and to deny permission if temperatures will reach or surpass 30°C. In 2016, the EU network of National Contact Points for animal welfare during transport developed a common document for checking – at departure – the export of animals. However, this document is not routinely used by authorities approving exports.

From 2018, TRACES has included a notification system that tells the authority creating the journey plan whether there is space available in the control post selected (i.e. the place where animals can be unloaded and rested).

## **Exit checks**

The officials at the Member State of exit have to check **all** vehicles with livestock before they leave the Union and record the results in TRACES.

The NGOs have routinely highlighted the discrepancy of their data with the information contained in TRACES for exit checks. The Commission visited the Bulgarian exit point in

2017 and concluded that the information they were supplying was reliable, except for high temperatures in the vehicle, which they were not reporting at that time<sup>9</sup>.

The discrepancies between the data reported by the competent authorities and by the NGOs could be partly due to:

- the transport Regulation which uses open norms for many requirements (e.g. "adequate", "sufficient", etc.). Interpretation of these open norms can differ among Member States and between them and NGOs.
- Much of the NGOs' data refer to non-compliances detected at the Turkish side of the Bulgarian-Turkish border. Some inadequate conditions on the vehicles can appear after the vehicles have left the Bulgarian side of the border and are stationary at the Turkish side (e.g. high temperatures). The Bulgarian authorities can only detect and report non-compliances that occur on their side of the border.

The main data regarding transport conditions for the EU part of the journey comes from the checks that the officials perform at the last Union border and are recorded in TRACES. In 2017 and 2018<sup>10</sup>, around 8,000 consignments left the Union (each year) by road with live cattle. The tables below indicate the checks done and the non-compliance rates found at the main exit points.

**At the border between Bulgaria and Turkey**

YEAR	Number of consignments checked by BG	Number (and %) of non-compliant consignments
2017	5,420	232 (4.2%)
2018	3,645	91 (2.5%)

**At the border between Poland and Belarus**

YEAR	Number of consignments checked by PL	Number (and %) of non-compliant consignments
2017	2,280	10 (0.4%)
2018	2,691	10 (0.4%)

There is a big contrast between the number and severity of problems in NGOs' claims and complaints and the data registered in TRACES. The veterinary officials record in TRACES whether a consignment has any non-compliance. However, the majority of those non-compliances are grouped under a single heading ('other non-compliances') which makes it impossible to get a picture of the severity of the detected problems. They also record the number of dead and unfit animals.

YEAR	Heads of cattle exported by road	Number of animals reported unfit at last EU border	Number of animals dead at last EU border
2017	304,402	17	97
2018	271,696	15	117

<sup>9</sup> The Bulgarian authorities indicated that they started to report non-compliances regarding temperatures in June 2017.

<sup>10</sup> TRACES data.

These data support the view that, **within the EU territory**, the levels of compliance of transport of animals to the EU border for their export outside the Union by road are high and they do not include serious animal welfare problems.

Overall, the result of exit point checks identify the same Member States and transporters that the NGOs highlight as causing the most problems for animal welfare.

### **Retrospective checks**

National competent authorities can request transport companies' records of their vehicles' temperature, GPS data and tachographs after their trips. The analysis of these data would allow them to check whether the journey plan approved was followed or not and if the transport complied with the law regarding resting intervals, duration of the journey and temperatures. Transporters can present the data in any format they like and usually deliver long paper files with coordinates and temperature data. The competent authorities often find it difficult to assess data in this format to get full traceability of the vehicle journeys.

The annual reports from Member States to the Commission include the number of retrospective checks which they performed on consignments to non-EU countries. Austria – during their Council presidency in 2018 – surveyed all EU countries and concluded that there are big differences between EU countries in the quantity and quality of these checks. They could not say - from the replies - if the inspections were mere controls on the journey logs or more complete retrospective inspections that included GPS and temperature data for the non-EU part of the journey. The Commission requested data from Member States on specific journeys in 2018. The preliminary analysis indicates that retrospective checks are generally minimal controls of the journey logs which either do not detect non-compliances through analysis of the GPS data and temperature records or the authorities do not take any action after detecting non-compliances.

The watering and feeding intervals and duration of journeys and resting periods established in the animal transport Regulation also apply to those stages of the transport taking place outside the EU<sup>(11)</sup>.

EU animal welfare transport rules are more stringent than international standards agreed at the level of the World Organisation for Animal Health (OIE). According to EU rules, animals must be unloaded from vehicles to be rested, whereas this is not obligatory under the OIE rules. Additionally, the OIE standards require that unloading and reloading of animals in the territory of the transit country must be under the effective control of an official veterinarian of the transit country, to ensure that the animals have had no contact with any other animals.

Currently, the EU does not have any mutual recognition for animal welfare requirements with the countries transited by livestock vehicles after leaving the Union. Neither the Commission nor the Member States' authorities have reliable information on the resting points available in those countries and their standards.

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<sup>11</sup> Judgment of the Court (Fifth Chamber) of 23 April 2015. *Zuchtvieh-Export GmbH v Stadt Kempten*. Case C - 424/13

Currently, once the vehicles cross the last EU border, the Commission and the national authorities in EU countries have very limited capacity to monitor compliance. They also have no power to enforce EU requirements or to take any decision on the animals during the journey. In all cases, actions for non-compliance outside the EU will always have to be taken retrospectively.

In most cases, the authorities do not get from transport companies the data recorded by livestock vehicle devices (GPS, tachograph and thermograph) when they are outside the EU, although the rulings of the European Court of Justice of 2015<sup>(11)</sup> and 2017<sup>(12)</sup> indicate that Member States' competent authorities can also use these data to verify that transports have complied with the requirements of animal transport Regulation.

The Commission has received numerous questions from different groups and individuals about who should check the existence and standard of resting points outside the EU and how this should be done. At the time of this report, only a few Member States had set systems to check whether the resting points outside the EU that organisers include in their journey logs exist, but they had no system to check their capacity or structural and management conditions.

#### **5.4 INCOMPLETENESS OF DATA**

For animal transport in general, most of the data is only available at a very local level and thus difficult to obtain. This has been highlighted in the Court of Auditor's report on animal welfare (see footnote 8) and in the EU Parliament's resolution on the implementation of the Regulation on animal welfare during transport<sup>(13)</sup>.

For export of animals, the situation is slightly better, as all journeys starting in one Member State and exiting the EU through another are recorded in TRACES and all consignments are checked at the EU exit and their results recorded.

When a Member State has an external EU border and exports its animals directly – without passing through other Member States – it does not have to report those consignments in TRACES. Also, transit Member States cannot report the results of their roadside checks in TRACES. Therefore, it was not possible for the Commission to get a complete picture regarding exports by road and the checks performed on those.

The animal transport Regulation does not contain animal-based indicators (i.e. variables that are measured directly in animals, such as changes in behaviour or health and physiological parameters) for assessing the impact of different conditions on animal welfare. In this way, officials and NGOs report 'non-compliances' for all issues which are not in line with the law, but their impact on the wellbeing of the animals is often very different (e.g. administrative shortcomings generally impact the welfare of the animals less than having incomplete partitions or the animal compartment being very hot).

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<sup>12</sup> Judgment of the Court (Third Chamber) of 19 October 2017. *Vion Livestock BV v Staatssecretaris van Economische Zaken*. Case C – 383/16

<sup>13</sup> European Parliament resolution of 14 February 2019 on the implementation of Council Regulation (EC) No 1/2005 on the protection of animals during transport within and outside the EU (2018/2110(INI))

## 5.5 THE BULGARIAN-TURKISH BORDER

The problems in this specific border arise mainly due to: the large amount of vehicles crossing it (it is the second busiest in the world and long queues to reach this border are common), the high temperatures in the summer months (i.e. on most days during the summer months the temperature reaches or exceeds 30°C) and the particularities at the Turkish side - especially the restricted opening hours of the Turkish veterinary post together with the long administrative procedure for processing a consignment and the absence of animal facilities and shaded areas<sup>(14)</sup>.

The vast majority of complaints from NGOs on animal welfare on this route refer to vehicles waiting to enter into Turkish territory (i.e. waiting in the Turkish Customs area), although some of the NGOs' complaints refer to inspections carried out on the Bulgarian side or report on non-conformities that were already present on the Bulgarian side of the border (e.g. inadequate partitions for the type of animals in the vehicle).

A vehicle with animals in the Turkish Customs area will take at least six hours to get clearance to continue its trip into Turkey. Therefore, any journey plan should include spending at least six hours during opening hours for crossing the border to be realistic and thus officially approved.

Further delays in crossing the border occur for around 30% of the vehicles. The most frequent reason for these is wrong information on registered ('pedigree') animals (data on the papers do not match with the animals presented for inspection). Other reasons for delays relate to vaccination records, dates of vaccination, and time and validity of health certifications.

### Example of good practice

- In order to comply with travelling and resting times, minimise the duration of the journey and avoid extreme temperatures, truck drivers rest the animals at the Bulgarian control post close to the border and enter the Bulgarian-Turkish border late at night or in the early hours of the morning, before the opening hours of the Turkish veterinary inspection post. Unless additional delays arise – due to missing or incorrect animal health and pedigree documentation – these vehicles clear the Turkish border before the hottest hours of the day.

## 5.6 IMPLICATIONS OF THE INTERNATIONAL DIMENSION

There are different animal health situations across the EU for diseases that need certification for export. This means that if animals come from different countries or areas, they have different certification requirements (e.g. Bluetongue disease). Thus, due to this complexity, consignments with animals from different origins are more likely to be delayed at the border due to inadequate paperwork.

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<sup>14</sup> The Turkish authorities, in a meeting with the Commission on 12 March 2019, indicated that the Turkish border veterinary inspectors would work 24/7, at least during the summer period. They also committed to send updates on their progress on building animal facilities at the border.

Many of the consignments exported involve many different actors from different Member States. It is common to have an exporter from country A, hiring a vehicle approved in country B, who will load animals in country C (or even from countries C and D) that will transit through country E and F, stop at a control post in country G, to exit the EU through the same country G or country H.

The administrative and sanctioning procedures for animal welfare during transport are different throughout the EU and so are the triggering levels for sanctions and penalties and the amounts imposed for non-compliances. The EU Parliament has indicated these differences as a barrier for the proper implementation of the EU policy in this area.

For the export of animals, most of the pressure regarding animal welfare falls onto the authorities of the Member State of exit. The majority of the problems that arise at the border could - and should - be prevented by the organiser, the exporter, the transporter and the authorities at the place of departure. It is also important to highlight that the business operators at the place of departure are the ones who profit from this trade. However, it is the authority of the Member State of exit who has to deal with the problems, which can be serious, and in most cases would incur time and resources to solve them.

The presence of diseases at the Member State of exit, and the absence of sufficient resting space for the amount of animals that arrive, are factors which seriously impact the welfare of animals during transport. This happened at the Bulgarian border in 2016 and 2017. When vehicles are exceeding their travel time, the only solution to ease animal welfare is to rest the animals at an approved control post. These control posts are generally private businesses and they are subject to certain requirements. In 2016, when Bulgaria had cases of lumpy skin disease, other Member States kept sending animals to the border. Those animals could not be downloaded at the Bulgarian control post as that would have impeded their export (i.e. they would have lost their higher health status). In 2017, one of the control posts at the Bulgarian border closed. Vehicles kept arriving in Bulgaria without having booked a space for resting their animals and thus there was an accumulation of vehicles with animals that could not be unloaded. These incidents caused serious animal welfare problems.

## **6 OVERALL CONCLUSIONS**

The export of animals from the EU to non-EU countries is complex and generally involves many actors and countries. This complexity, in particular the international dimension, makes it difficult to ensure a level playing field in the application of animal welfare rules, creates risks for the welfare of the animals and poses challenges for the authorities involved.

The official controls at the place of departure play a very important role in increasing compliance and preserving the welfare of the animals during the journey. In particular, checks at the beginning of a journey concern the inspection of livestock vehicles, the supervision of the loading of animals and the verification that journey plans are complete and appropriate (e.g. space reserved at the control post for resting the animals and proper paperwork for the country of destination).

The official data indicate very high level of compliance with transport rules when vehicles are in the EU territory. However, this level of compliance is regularly challenged by animal welfare incidents at the EU border (particularly during the summer) reported by Non-Governmental Organisations (NGOs).

High temperatures are the main cause of animals suffering on their journey. This is due to the absence of cooling systems in livestock vehicles, which cannot maintain the temperature within the required limits during hot summers. The authorisation of journeys without considering this limitation and without taking into account the weather conditions at the border and at the place of destination contributes to the perpetuation of this problem. Hot summers, the absence of facilities to care properly for animals and long administrative procedures, in particular at the Turkish side of the border with Bulgaria, creates a high risk for the welfare of animals. This risk sometimes becomes a reality which is documented by NGOs in their complaints.

The main concerns for the welfare of the animals relate to the non-EU leg of the journey. The available information indicates that most transporters do not meet applicable EU rules when they leave the Union. The absence of agreements with EU neighbouring countries, together with poor retrospective checks and the inability of Member States to ascertain the conditions of transport and the feasibility of the plan for that part of the journey, contribute to that concern.

The Member States' authorities and the Commission do not have the necessary IT systems or software to readily monitor the route, temperature or driving hours of vehicles transporting animals. The Commission's database, which contains the results of official checks, currently has certain access and design restrictions. All of these limitations make it difficult for national authorities and the Commission to get an overview of the general situation regarding transport of animals for export and to target their controls more effectively and based on risk.

## ANNEX 1 – LEGAL REFERENCES

<b>Legal Reference</b>	<b>Official Journal</b>	<b>Title</b>
Reg. 1/2005	OJ L 3, 5.1.2005, p. 1-44	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97

**ANNEX 2 – DETAILS OF INDIVIDUAL DG HEALTH AND FOOD SAFETY AUDITS CONSIDERED FOR THIS OVERVIEW REPORT**

<b>Country</b>	<b>Dates of audit</b>	<b>Ref. no.</b>
The Netherlands	20-24 February 2017	<a href="#">2017-6106</a>
Bulgaria*	06-10 June 2017	<a href="#">2017-6109</a>
Hungary	19-23 June 2017	<a href="#">2017-6099</a>
Germany	26-30 June 2017	<a href="#">2017-6107</a>
Turkey*	05-09 September 2017	<a href="#">2017-6110</a>
France	09-13 October 2017	<a href="#">2017-6108</a>
Czech Republic	20-24 November 2017	<a href="#">2017-6217</a>
Poland	26 February-02 March 2018	<a href="#">2018-6448</a>

\*) Fact-finding mission

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