

## Protection of animals during transport – consultation response

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### **Welfare During Transport – UKFUs response**

As the British Agriculture Bureau, we represent over 75,000 farmer and grower members across England, Scotland, Northern Ireland, and Wales.

Before the UK's exit from the EU, the UK exported around 35,000 farm animals to the European Union (EU)<sup>1</sup>. Whilst the movement of livestock from Great Britain (GB) to the EU has broadly paused due to a lack of a Border Control Post (BCP) at EU mainland ports, it is hoped that the movement of livestock for breeding purposes will resume in the future. As outlined in the legislative proposal, any livestock moving from a third country to the EU will have to comply with the legislation. Therefore, the British agriculture industry has a significant interest in the legislative proposals, and we are grateful for the opportunity to provide feedback.

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 are included in Annex II of the Northern Ireland Protocol. It is therefore anticipated that the proposed legislation will apply directly in Northern Ireland. It is essential that the comments, concerns, and opinions of Northern Irish producers are considered in the consultation process.

### **General remarks**

Animal welfare is a top priority for all stakeholders involved in the livestock industry, including farmers, transporters, and organizers. Any changes to welfare legislation must be carefully evaluated to ensure they provide meaningful benefits to animal welfare without imposing undue burden or costs on the industry. Many of the measures proposed would add burden and cost to the industry and reduce supply chain efficiency. Additional costs imposed on the industry at this time will come at the detriment of sector production resilience and contribute to consumer inflation.

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### Summary

Specific feedback on several articles is outlined below. However, the key points are as follows:

- Producers across Great Britain and Northern Ireland are proud of their high levels of welfare during transport to ensure that animals arrive safely in their destination. It is not within the industry's interest for animals to suffer or arrive dead or in a poor condition.
- Many of the proposals would result in increased costs for the sector, which may increase food prices for consumers. The proposals would also result in a reduced number of animals transported per load, resulting in an increased number of vehicles and higher emissions.
- Article 2a and b should be amended to allow the movement of animals using hauliers and borrowed vehicles without having to comply with the legislation in full. The distance in Article 2b should also be increased from 50km.
- The loading and unloading of animals should not require supervision of a veterinarian and instead, farmers and transporters should be adequately trained to do this.
- The proposed increases in space allowances may result in injury to animals during transit and should be revised. Rather than stipulating specific headroom requirements, transporters should be able to assess this based on animal size and use their own judgment.
- The minimum age and weight of transport for calves should remain unchanged from current legislation (14 days).
- Journey times should be consistent for all journeys regardless if for slaughter or for other purposes, and catching time for poultry should not be counted in the total journey time.

### Scope of the legislation

Article 2(2a and 2b) outlines that farmers moving animals using their own means of transport must only comply with Article 4. Many farmers use contracting services, neighbours, or borrow vehicles to move animals for transhumance or for distances <50km from their holdings. Requiring full compliance when animals are not transported using 'own means of transport' would be unwarranted and unnecessary onerous as most animals transported by contractors or neighbours arrive safely in their destination. This is particularly the case for high value breeding stock which are often moved by specialist hauliers with exceptionally high welfare standards. **We consider that this definition should be amended to allow for a more flexible approach as follows:**

- (a) transport by farmers of their own animals ~~using their own means of transport~~ for the purpose of seasonal transhumance.
- (b) transport by farmers of their own animals ~~using their own means of transport~~ for purposes other than transhumance, for a distance of no more than 50 km from the holding in which they are kept.

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Article 2b also outlines that animals transported <50km are only subject to the requirements outlined in Article 4. Although a small country, producers in Northern Ireland often move their animals further than this distance. Asking the sector to comply with the proposed legislation in full for relatively short journeys, which may exceed the 50km limit, would be burdensome and unjustified. Furthermore, it is discriminatory to remote farms which are situated further away from auction marts and slaughterhouses. Therefore, it is appropriate to consider amending the distance outlined in Article 2b to better reflect the realities of practices in agricultural regions like Northern Ireland. Considering this, **the distance outlined in point 2(b) should be increased - for example to 200km.** This would provide farmers with more flexibility and alleviate some of the regulatory and financial burden associated with compliance. This adjustment would better accommodate the transportation needs of farmers who may need to move their animals over longer distances within a reasonable timeframe while still ensuring that animal welfare standards are upheld.

### Supervising of loading/unloading by a veterinarian

Article 17(2) and Article 25(3) outline that the loading of animals should be overseen by a veterinarian. However, both the UK and the EU are grappling with shortages of vets. Enforcing veterinarian supervision during animal loading and unloading would not only be unfeasible given the current constraints, it is also unnecessary as farmers and transporters are capable of this. Additionally, enforcing veterinarian oversight during loading and unloading procedures risks extensive delays and wait times for animals due to stretched veterinary resources. While the loading and unloading processes are important for animal welfare, farmers and experienced hauliers possess considerable competence in these tasks. Instead of mandating veterinarian supervision, it would be **more practical to provide appropriate training to farmers and transporters, equipping them with the necessary qualifications to ensure high animal welfare during loading and unloading activities.**

### Journey times

Article 3 outlines that the journey starts when the first animal is loaded onto the first means of transport and ends with the unloading of the last animal in the place of destination, including rest periods and transport. Livestock markets, collection centres and multiple pickups and drop-offs are an integral part of the movement of livestock to ensure supply chains function. For cattle and sheep, time spent in a market or collection centre, once the animals are unloaded, sorted and penned gives the animals time to settle and rest before completing their onward journey. Therefore, **time in the market or collection centre must be considered neutral time.**

Articles 27 and 28 outline specific journey times for slaughter and other purposes. There is no scientific justification to have separate rules for fattening and slaughter. The standards of transportation and journeys times should be the same for all journeys, and equal rules should be applied to transport for breeding, fattening and slaughter.

Producers in Northern Ireland have concerns, even with the proposed derogation, on the limit of 9 hours for animals transported for slaughter, particularly for pigs and end of lay hens which often travel to mainland Great Britain to specialist facilities. Allowing a longer journey to the 'nearest slaughterhouse' could limit competition and result in a monopoly for larger slaughterhouses. This is

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particularly concerning as many smaller abattoirs are already closing. This could result in the centralisation of food production, which is in contrast with the objectives of the Farm to Fork Strategy. Reducing journey times limits competition and supply chain infrastructure for producers, particularly those in regions where there are limited abattoir facilities. This will penalise more remote farmers in Northern Ireland. **The journey duration for animals transported for slaughter should be amended to be consistent with the timings outlined in Article 27, ensuring consistency and fairness across all journeys.**

Hauliers plan their journeys to ensure they are the most direct and economical route to the destination, travelling at times of lowest traffic flow and avoiding congestion hotspots. However, there will be occasions due to road traffic incidents, adverse weather and vehicle break downs where the journey could be delayed, and the overall journey time exceeded. **The legislation should contain provisions for unforeseen exceptional circumstances that could extend the journey beyond the stipulated limits.**

### Feeding during transport

Article 29(4) outlines that unweaned calves must be provided with milk or appropriate milk replacement. An **electrolyte feed would be preferable for the industry**, as these are better for calf health as the composition of the feed is more consistent.

### Temperature limits during journeys

It is crucial that the movement of animals continues to be permitted in both higher and lower temperatures. Whilst the proposals outlined in Article 31 do not stipulate a ban on transport of animals during extreme temperatures, imposing restrictions would result in overstocking and potentially impact welfare conditions on-farm. This would not only incur costs for farmers in terms of feed, bedding and water, but if the restrictions were to impact on finished pigs, they could fall out of specification, therefore sell for much less. In a worst-case scenario of several weeks of sustained high temperatures where pigs cannot be moved or the movement is severely limited, overstocking on farm could result in the culling of healthy animals. This would compromise efficiency and impact the environmental impact of food production.

Food Standards Agency data (not publicly available) does not link extremes of hot and cold temperature to poor welfare outcomes for cattle and sheep arriving at abattoirs. Both sheep and cattle are well adapted to cooler temperatures. Ruminant livestock acclimatise readily and are protected by fleeces and winter coats. Research indicates that the heat generated from rumen function helps regulate their body temperature, and animals can increase their metabolic rate to maintain internal temperature. Furthermore, correspondence with a professional livestock haulier suggested that whilst the external temperature at loading was  $-1^{\circ}\text{C}$  the internal temperature of the vehicle rose to  $+10^{\circ}\text{C}$  within 30 minutes. Therefore, **limiting journeys to <9 hours when the temperature is  $-5^{\circ}\text{C}$  is unjustified. Longer journeys should be permitted.** In addition, **clarification on what constitutes protection from windchill is required.**

While transporting animals in temperatures exceeding  $30^{\circ}\text{C}$  is rare across Great Britain and Northern Ireland, the occurrences are increasing due to the impacts of climate change. Animals generally

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tolerate warmer temperatures well, and conditions can be managed and mitigated by the transporter, such as by adjusting vents on the vehicle. We therefore **consider that the proposal outlined in 2(e), which would require an additional 20% space when the temperature is >30°C, is unnecessary and may result in injury to animals** as they could move during transit. The proposals would also lead to an increase in the number of vehicles on the road.

In addition, only permitting the movement of animals between 21:00 and 10:00 when the temperature is above 30°C would be disruptive to the sector. Livestock, being diurnal animals, are naturally active during daylight hours, and restricting movement to nighttime hours could disrupt their normal behaviour patterns and potentially cause stress. Furthermore, implementing such restrictions could create logistical challenges and increase the demand for additional labour to accommodate nighttime transportation. This would not only add to the operational costs for farmers and transporters, but also disrupt the social dimensions of their work, potentially affecting the well-being of both animals and workers.

### Development of the mobile application

The mobile application outlined in Article 53 would undoubtedly provide significant assistance to the industry. However, under the current proposals the application will only be available five years after the Regulation's entry into force. It would be **beneficial to ensure that the application is available and usable before the Regulation comes into force** to facilitate a smoother transition for farmers, transporters, and organizers. This proactive approach would enable stakeholders to familiarize themselves with the application's functionalities and integrate it into their operations effectively, leading to more efficient compliance with the Regulation from the outset.

### Entry into force of the legislation

Many of the proposed changes would require considerable amendments and updates for equipment and vehicles. Even with the additional time to adapt to the legislation for the specific areas as outlined in Article 59(3 and 4), the transition periods will not provide adequate time for the industry to adapt, as substantial investment would be required. Considering this, **current equipment should continue to be permitted until its end of life. Alternatively, a longer transition period should be set following a consultation with the sector.**

## Annex

### Fitness for travel

Chapter I(1f) specifies that females where 80% of the gestation period has passed are deemed unfit for transport. However, it is crucial to have a **derogation in place to allow for the transportation of these animals in emergency situations for welfare grounds.** Emergencies such as sudden onset of illness or injury may necessitate urgent transport for veterinary care or other necessary interventions. Furthermore, animals may have to be moved for the purpose of improving birthing conditions and it must be ensured that animals can be moved e.g from grazing to housing. A derogation would ensure that the welfare needs of these animals can be addressed promptly and appropriately in such circumstances.

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Chapter I(1h) outlines that calves <5 weeks age and <50kg are not fit for transport unless they are transported <100km. The movement of calves, particularly in Northern Ireland, is economically important to the sector. It is not the age of a calf that is important, but how it is transported, if its nutritional needs are met during transport and preparation before transport (e.g colostrum management, nutrition, housing and having a good calf selection<sup>2</sup>). This same study also found no unequivocal link between age at transport and mortality. Under the current proposal, some dairy farms would have to amend their infrastructure to have the animals remain on farm for longer periods. This would be costly for the sector, and there are also concerns around additional land requirements, manure management and obtaining the relevant environmental permits. There sector may also face welfare concerns where animals must remain on the farm for longer periods. Therefore, **the minimum age and weight of transport for calves should remain unchanged from current legislation (14 days).**

### Minimum vertical height

Chapter III(6) outlines the minimum vertical height required for livestock transport. Data indicate there are no welfare concerns directly associated with headroom availability within livestock vehicles. A study by Steinkamp and Marahrens (2012)<sup>3</sup> investigated the ventilation capacity and risk of injuries for cattle on long distance transport, with ceiling heights of 10 and 20 cm above the withers of the tallest animal in combination with different stocking densities were explored. They found no injuries, swellings or hairless patches on the back, or the head, of the heifers transported over 1000 km. Continuous recorded behaviour revealed that heifers did touch the ceiling, but this was interpreted as exploring, not as butting. They concluded that there were no signs of evidence of injuries or lesions with compartment height of 10cm above the withers of the tallest animal. Furthermore, this study showed that in cold to moderate climate conditions (winter), during driving, ceiling heights of 10 and 20 cm above the withers, did not negatively affect the temperature in the truck.

Additionally, increasing the minimum vertical height during transport could lead to a reduction in the number of animals transported, as upper decks on lorries may become redundant or require modifications. Feedback from industry indicates that under the current proposals, a 4-deck lorry would be limited to 3 decks. This would necessitate an increase in the number of lorries on roads to transport the same number of animals, resulting in heightened emissions with little tangible benefit for animal welfare.

Rather than mandating a specific allowance, it would be **preferable to emphasize the importance of transporter competency and knowledge in assessing headroom based on animal size.**

Transporters should be equipped to make informed judgments regarding the appropriate headroom for the animals being transported.

### Journey times and temperature provisions for poultry

Chapter V(2) outlines journeys times for poultry, which includes loading and unloading time. Catching and loading/unloading of birds is a highly skilled professional and can take time to do properly to ensure high welfare of the birds. Inclusion of catching, loading, and unloading in total journey time would put further pressure on the staff and may result in decreased welfare for the birds. **Total journey time**

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**should therefore not include catching, loading and unloading time.** This approach would acknowledge the importance of these processes in ensuring animal welfare and allow staff to focus on their tasks without undue time constraints.

The 10-hour limit for end of lay hens is unfeasible for the sector. Spent hens require specialist abattoirs which are often >10 hours away from the producer. **The journey time limit for end-of-lay hens should therefore be the same as for other poultry (12 hours).**

Point 2.3 outlines the specific provisions on temperatures. **The 15°C temperature requirement should be taken as an average across the journey.** Data from the industry shows that temperatures increase during the journeys. Data loggers placed in vehicles during winter months of 2021-2022 found that temperatures in modules rose by an average of 5.5°C during first 40 minutes of transport and maintained an average constant temperature 19.6°C.

### Space allowances during transport

Chapter VII outlines proposals for increasing space allowances during transport. The proposals are unfeasible for the sector and may result in increased injuries of animals during transport. The Farm Animal Welfare Council report that having additional space during transport can result in welfare problem as animals can bump into each other and fall over<sup>4</sup>, and the British Veterinary Association outline that keeping animals close together can prevent injuries<sup>5</sup>. Furthermore, Jones *et al.*, (2010)<sup>6</sup> found that sheep fell most when transported with a low stocking density.

The implications on the pig sector would be extensive. A typical 3-deck trailer in Northern Ireland is approximately 95m<sup>2</sup>. Following discussion with industry in Northern Ireland, under the proposed space allowances, a trailer would only be able to carry 140 pigs. This represents a reduction of 45-50 pigs per load. Feedback from the sheep industry indicate that under the current proposals, the number of sheep that could be transported per lorry would be halved. This would result in an increased number of journeys, a higher number of vehicles on roads with higher carbon emissions.

### References

<sup>1</sup> Wildlife and Countryside Link., 2024. Animal Welfare (Livestock Exports) Bill: Briefing for Lords 2<sup>nd</sup> reading [online] and available at:  
[https://www.wcl.org.uk/docs/assets/uploads/Animal\\_Welfare\\_Livestock\\_Exports\\_Bill\\_Briefing\\_for\\_Lords\\_2nd\\_Reading\\_Feb\\_24.pdf](https://www.wcl.org.uk/docs/assets/uploads/Animal_Welfare_Livestock_Exports_Bill_Briefing_for_Lords_2nd_Reading_Feb_24.pdf)

<sup>2</sup>Roadknight, N., Mansell, P., Jongman, E., Courtman., N., and Fisher, A., 2021. 'Invited review: The welfare of young calves transported by road' *Journal of Dairy Science*, Volume 104, Issue 6, pages 6343 – 6357.

<sup>3</sup>Steinkamp, K., and Marahrens, M., 2012. Untersuchungen zur Laderaumbemessung beim langen Transport von Zuchtrindern unter Kommerziellen Bedingungen. Institute für Tierhaltung und Tierschutz, Friedrich-Loeffler-Institut, Celle

<sup>4</sup>Farm Animal Welfare Council., 2013. FAWC advice on space and headroom allowances for transport of farm animals [online] and available at:

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[https://assets.publishing.service.gov.uk/media/5a7ebbc4ed915d74e33f2147/FAWC\\_advice\\_on\\_space\\_and\\_headroom\\_allowances\\_for\\_transport\\_of\\_farm\\_animals.pdf](https://assets.publishing.service.gov.uk/media/5a7ebbc4ed915d74e33f2147/FAWC_advice_on_space_and_headroom_allowances_for_transport_of_farm_animals.pdf)

<sup>5</sup> British Veterinary Association (2019) '*BVA Position on the welfare of livestock during transport 2019*'. Available at: <https://www.bva.co.uk/media/5586/bva-position-on-the-welfare-of-livestock-during-transport.pdf> (accessed 28 March 2023).

<sup>6</sup> Jones, T., Waitt, C., and Dawkins, M S., 2010. 'Sheep lose balance, slip and fall less when loosely packed in transit where they stand close to but not touching their neighbours', *Applied Animal Behaviour Science*, Volume 123, Issue 1-2, pages 16 – 23.