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Dear President of the Agriculture Council, Commission Vice-President Timmermans, and Commissioners Kyriakides and Wojciechowski

### COVID-19: Transport of farm animals between Member States and to non-EU countries

The signatories to this letter come from a wide range of animal welfare organisations. We are copying this letter to the Agriculture Ministers, CVOs and animal transport contact points of all the Member States.

We are concerned that in its *Guidelines for border management measures* published on 16 March the Commission insists that the transport of livestock between Member States (MS) must continue despite the severe problems imposed during the COVID-19 emergency on the health and welfare of farm animals that are transported between MS and to non-EU countries.

It is already clear that in many cases such transport cannot be carried out in a way that is compliant with (i) the below provisions of Council Regulation 1/2005 and (ii) Article 13, TFEU.

Article 3 of Regulation 1/2005 prohibits transport to be carried out in a way that is likely to cause undue suffering to the animals involved. In addition, Article 3 states that “the following conditions shall be complied with:

(a) all necessary arrangements have been made in advance to minimise the length of the journey and meet animals' needs during the journey

(f) the transport is carried out without delay to the place of destination and the welfare conditions of the animals are regularly checked and appropriately maintained”.

Article 22.2 provides that: “No consignment of animals shall be detained during transport unless it is strictly necessary for the welfare of the animals or reasons of public safety. ... If any consignment of animals has to be detained during transport for more than two hours, the competent authority shall ensure that appropriate arrangements are made for the care of the animals and, where necessary, their feeding, watering, unloading and accommodation.”

We are learning of livestock vehicles being refused entry to Croatia, and getting caught up in very long queues at certain borders between MS and at the exit point between Bulgaria and Turkey. The following are examples of current problems:

- Croatia is not permitting livestock vehicles coming from high-risk zones to enter the country. So the animals are stuck at the border. However, the high-risk zones are not clearly defined, and they are changing from hour to hour.
- At Polish borders, there are currently long waiting times. There are traffic queues of 40 km at the border between Lithuania and Poland and queues on the German side of the border with Poland of 65 km leading to waiting times of 18 hours. The fire brigade is trying to help families in cars and provides water for livestock trucks. The problem is exacerbated by the fact that the infrastructure of some border crossings in Poland does not enable animal transports to be prioritized.
- Queues at borders are stopping medical supplies and health professionals from getting through; it is even less likely that it will be possible to attend to the welfare of animals caught up in these queues.
- Animals’ Angels (AA) were at the Bulgarian-Turkish border last week and there were immense truck queues. Drivers of livestock vehicles told AA that they needed three hours to move 300 m inside the border. Since last week the situation is likely to have got worse as Turkey and Bulgaria have now introduced further travel restrictions.

Recital 11 of Regulation 1/2005 states that the Regulation’s “basic principle” is that “animals must not be transported in a way likely to cause injury or undue suffering to them”; this requirement is set out in Article 3. Accordingly, we believe that competent authorities are entitled and indeed obligated to prohibit a transport when there is a justified, serious and realistic possibility that undue suffering could be caused to the animals during transport.

Continuing with the trade in live animals poses threats not just to animals but to public health. We are faced with never-before seen measures to contain the spread. Schools, businesses, stores are closed, airlines have cancelled many flights, public transport is operating less frequently, etc. We are all asked to stay home as much as possible. Yet we allow animals to be transported everywhere and these animals do not go there by themselves but are driven or shipped by people to many destinations. Drivers, vessel crews, animal handlers, officials from the competent authorities and veterinarians, border crossing personnel, and loading/unloading personnel are all involved. There is a high risk for the drivers and animal handlers in the ports/borders and their families to get infected mainly because, unlike others who enter the EU, crew members of vessels are not required to be in quarantine upon their arrival. All of these people interact with others for every consignment and are at risk.

Moreover, when drivers enter third countries they are at risk of infecting others or of being infected themselves, which could overburden the inadequate health systems in third countries. Importing countries, many of which already have cases of COVID-19, should not be exposed to further infection by live exports from the EU. And of course, this risk of infection will continue when the vessel crews and drivers return to the EU after these journeys.

In light of all the above considerations, we urge the Commission and the Council to urgently:

- ***Suspend all exports by land and by sea of live farm animals to non-EU countries.***  
There is a real risk that ships arriving in non-EU country ports will not be allowed to unload the animals as countries close their borders; this will lead to massive welfare problems. Also, in the current volatile situation organisers are most unlikely to comply with the Court of Justice *Zuchtvieh* ruling that Regulation 1/2005 must be complied with all the way through to the destination in the non-EU country. In addition, importing countries are even less likely than at present to be able to ensure that animals are slaughtered in accordance with the OIE standards on welfare at slaughter.
- ***Suspend all transport of live farm animals on journeys over 8 hours between MS as neither veterinarians nor the police will have time during the COVID-19 crisis to enforce compliance with Regulation 1/2005 and to address the problems referred to above.***
- ***Until the trade is suspended, the Commission and the MS must ensure rapid communication between CVOs and MS National Contact Points so that livestock organisers can avoid problems such as border crossings with long queues or countries that will not admit livestock vehicles from certain MS.***

The potential for long distance animal transport to spread diseases, some of them zoonotic, is deeply worrying. EFSA has said that the stresses associated with handling and transport may cause latent infections to proceed to clinical disease. EFSA states: “such animals are more likely to infect others during the journey or after arrival at their destination and in many cases (e.g. salmonellosis) this will also increase the risk to public health”.<sup>1</sup> The EU should not risk adding other threats to public health by insisting on the continuation of long distance animal transport at a time when long border delays result in increased stress and so heightened disease risk.

EFSA has recommended: “An overall strategy is also, when possible, to avoid transport of live animals. Breeding animals may be replaced with the less risky use of semen or embryos and long distance transport of animals for finishing or slaughter may be replaced by the transport of carcasses and food products.”<sup>2</sup> The time has come for a radical rethink of animal transport. The EU should embrace the position of the Federation of Veterinarians of Europe which states: “Animals should be reared as close as possible to the premises on which they are born and slaughtered as close as possible to the point of production”.<sup>3</sup>

The Commission’s decision to insist on continued transport appears to have been taken without any reference to Article 13 TFEU which requires the EU, when formulating and implementing its policies on the internal market, agriculture and transport, to pay “full regard to the welfare requirements of animals”. Insisting on continued transport of animals between MS and to non-EU countries despite the increased delays and enforcement difficulties resulting from COVID-19 and the increased difficulty in non-EU importing countries in achieving compliance with OIE welfare standards pays no regard to animal welfare rather than the full regard required by Article 13.

We respectfully urge you to take the steps set out above.

Yours sincerely,

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 Animal Welfare Foundation, Iris Baumgärtner, Vice-Chair  
 Animals Angels, Julia Havenstein, Vorsitzende  
 Animals International, Gabriel Paun, EU Director  
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Welfarm, Ghislain Zuccolo, Director

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<sup>1</sup> EFSA Panel on Animal Health and Welfare (AHAW); Scientific Opinion concerning the welfare of animals during transport. EFSA Journal 2011;9(1):1966.

<sup>2</sup> *Ibid*

<sup>3</sup> [https://www.fve.org/cms/wp-content/uploads/007-Long-distance-transport-of-livestock\\_final.pdf](https://www.fve.org/cms/wp-content/uploads/007-Long-distance-transport-of-livestock_final.pdf)