Kent based organisation expresses serious concerns regarding Defra / AHVLA enforcement standards for live animals exported from Kent port.

“Our role is to safeguard animal health and welfare as well as public health, protect the economy and enhance food security through research, surveillance and inspection”.

“Our range of functions include .. import and export controls”.

Animal Health and Veterinary Laboratories Agency (AHVLA)
Link: http://www.defra.gov.uk/ahvla/about-us/

The above are Web site statements by the Animal Health and Veterinary Laboratories Agency (AHVLA) - an executive agency working on behalf of the Department for the Environment, Food & Rural Affairs (Defra)

‘Kent Action Against Live Exports’ (KAALE); a completely volunteer run animal welfare organisation which monitors, documents and photographs all live animal exports from the (Kent) port of Ramsgate, among others, has today expressed its concerns over vehicle standards in which some live animals are being transported to mainland Europe.

In two of their recent monitoring reports – ‘J27’ relating to an export consignment on Wednesday 21st September; and ‘J29’ relating to an export consignment overnight on Tuesday 27th September, KAALE monitors at the port of Ramsgate identified one solid sided ‘box’ trailer that is now regularly being taken to Calais, France, along with other (traditional type) livestock vehicles.

Photographic evidence of the particular vehicle in question, taken by the official KAALE photographer during these shipments, can be seen below.
‘Illegal’ but ‘Legal’ In the Uk – Approved by AHVLA Animal Health (at Ramsgate) / Defra – Live Sheep Exported in Standard ‘Box’ Type Trailers – September 2011. Photo Credits: V. Cameron.

The particular trailer currently in question, normally carries the Dutch registration of OH 71 HT, and is usually towed by tractor (cab) units of a Dutch haulier named ‘F de Jong’.

BAN LIVE ANIMAL EXPORTS

Kent Action Against Live Exports (KAALE).
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A KAALE archive photograph of a ‘F de Jong’ tractor (cab) unit can be seen below.

KAALE would like to draw attention to a selection of just some articles from the existing EU Council Regulation No. 1/2005 of 22nd December 2004 on the protection of animals during transport and related operations. Articles and information which KAALE feel can be directly applied to the operation of this vehicle.

**Chapter I – Article 2 – Definitions**

(f) ‘competent authority’ means the **central authority of a member state** competent to carry out checks on animal welfare or any authority to which it has delegated that competence.

**Article 3 – General conditions for the transport of animals**

No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them.

(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 5 – Planning obligations for the transport of animals**

3.(a) the welfare of the animals is not compromised by insufficient coordination of the different parts of the journey; and **the weather conditions are taken into account**.

**Article 20 – Livestock vessel inspection on loading and unloading**

2. The **competent authority shall inspect** the following before and during any loading / unloading of livestock vessels to ensure that:

(a) the **animals are fit to continue their journey**.

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**Article 21 – Checks at exit points and border inspection posts**

1. Where animals are presented at exit points or border inspection posts, *official veterinarians of the member state shall check that the animals are transported in compliance with this regulation* and in particular:

   1. (c) that the *animals are fit to continue their journey*.

3. Where the competent authority considers that animals are not fit to complete the journey, they shall be unloaded, watered, said and rested.

**Article 22 – Delay during transport**

2. 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, if feeding, watering, unloading and accommodation*.

**Annex I – Technical Rules – Chapter 1 – Fitness for Transport**

1. No animal shall be transported unless it is fit for the intended journey, and *all animals shall be transported in conditions guaranteed not to causing injury or unnecessary suffering*.

**Chapter II – Means of Transport**

1. Provisions for almost means of transport;

1.1 Means of transport, containers and the fittings shall be designed, constructed, maintained and operated so as to:

   (b) protect the animals from inclement weather, extreme temperatures and adverse changes in climatic conditions.

   (f) provide *access to the animals to allow them to be inspected and cared for*.

   (i) Provide a means of lighting sufficient *for inspection and tear of the animals during transport*.

2. Additional provisions for transport by road or rail

2.2 Road vehicles shall carry suitable equipment for loading and unloading.
Chapter 6 – Additional provisions for long journeys of .... ovine species

3. Ventilation for means of transport by road and temperature monitoring

3.1. Ventilation systems on means of transport by road shall be designed, constructed and maintained in such a way that, at any time during the journey, whether the means of transport is stationary or moving, they are capable of maintaining a range of temperatures from 5 °C to 30 °C within the means of transport, for all animals, with a ±5 °C tolerance, depending on the outside temperature.

3.2. The ventilation system must be capable of ensuring even distribution throughout with a minimum airflow of nominal capacity of 60 m³/h/KN of payload. It must be capable of operating for at least 4 hours, independently of the vehicle engine.

3.3. Means of transport by road must be fitted with a temperature monitoring system as well as with a means of recording such data. Sensors must be located in the parts of the lorry which, depending on its design characteristics, are most likely to experience the worst climatic conditions. Temperature recordings obtained in such manner shall be dated and made available to the competent authority upon request.

3.4. Means of transport by road must be fitted with a warning system in order to alert the driver when the temperature in the compartments where animals are located reaches the maximum or the minimum limit.

3.5. The Commission shall elaborate before 31 July 2005 a report on the basis of an opinion of the European Food Safety Authority, accompanied by appropriate draft measures with a view to establishing a range of maximum and minimum temperatures for the transported animals, to be adopted in accordance with the procedure referred to in Article 31(2), taking into account the prevailing temperatures within certain regions of the Community having particular climatic conditions.

In light of the evidence currently obtained, KAALE EU Correspondent Mark Johnson states:

KAALE undertakes the monitoring, photography and documentation of every live animal export consignment departing from Ramsgate port. Since it was first observed, this particular vehicle has especially caused us concerns about the welfare of animals carried within it.

The AHVLA and Defra are very quick to make claims that this vehicle complies with EU regulations and therefore nothing further can be done within the UK to prevent it from being used. As we have shown in the above evidence, KAALE does not consider that this vehicle is fit for purpose regarding the transportation of live animals anywhere within the EU. Unless it is a requirement that AHVLA personnel are required to have x-ray vision as standard, we question how the inspection of animals within this vehicle at Ramsgate harbour can be undertaken. There are no facilities on this vehicle which allows for the detailed inspection of all animals carried within it.

Uk competent authorities AHVLA and Defra have a duty to ensure that livestock vehicles using the UK road network are in compliance with existing EU legislation. KAALE feels that they are failing in all areas by allowing this vehicle to operate on UK roads and from UK ports.

If the ventilation system fitted to this box trailer were to fail either on UK roads or whilst crossing the English channel by ship, KAALE declare that there are several points to be considered:

- What other adequate ventilation in compliance with EU Regulation 1/2005 (see chapter 6 information above) will be provided to all animals carried as a result?
- If the ventilation system were to break down during the road or sea crossing journey, what would happen next? - How would animals be provided with adequate ventilation?, I do not consider that this trailer has emergency oxygen masks which drop from the vehicle roof, so with the only other means of access to the animals being via the rear doors of the trailer, would we see these rear doors being opened on the hard shoulder of the motorway for example?

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• The vehicles are packed in so tightly onto the ex Cold war battle tank carrier (the ‘Joline’) now used at Ramsgate to carry livestock transporters to Europe; one could declare that in the event of a ventilation failure whilst crossing the channel, the driver would be neither in his cab in the first place to hear the audible failure warning, nor would he be able to open the trailer doors and remove all the animals. The whole system and vehicle is a complete and utter sham and a shame on Defra / AHVLA for even approving its use within the Uk.

UK competent authorities, in the name of Defra and AHVLA, have a national responsibility to ensure that whilst on British soil, EU Regulation No. 1/2005 is complied with. By even allowing this vehicle to operate within the UK, KAALE consider that alleged UK ‘competent’ authorities are not meeting their requirements under existing EU legislation –1/2005 refers.

KAALE has obtained, and will continue to obtain further information relating to the use of this vehicle and any others like it from UK ports, namely Ramsgate.

KAALE are now providing their existing evidence to both Legal Affairs and the Food and Veterinary Office (FVO) who are based in Brussels and undertake EU enforcement of regulations by competent national authorities.

KAALE consider that this vehicle is not configured to a suitable standard to carry live animals on any road within the European Union, let alone the Uk.

We suggest that, as a Kent organisation, at a weekend where Kent temperatures are reaching around 29 degrees, if Kent-based MP’s were today to be taken to the Conservative party conference in Manchester by this type of vehicle, and meeting these closed confinement, electric fan air provided ventilation, then something may be done by them with regard ensuring that this vehicle is withdrawn from operating on both UK and all European (EU) roads. Politicians such as Caroline Spelman MP go to Manchester from London in executive transport; but sheep travel from Manchester (?) to Ramsgate in an almost sealed trailer with their lives depending on how good the vehicle electrical system is!

One standard for MPs; another for animals.

KAALE is therefore now very keen to hear from both Defra ministers Spelman and Paice regarding the current actions of UK ‘competent’ authorities in relation to this vehicle transiting through Ramsgate port carrying live animals.

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In addition, we hope that we are going to have written information from Catherine Brown, the first Chief Executive of AHVLA, (which came into being on 1 April 2011), to explain exactly how animals can be checked by their (AHVLA) personnel at Ramsgate when leaving the Uk; if they are sealed up in a box type trailer with little ventilation and no inspection slats as you would find on most livestock transporters that operate from Ramsgate.

Lets just hope that future shipments involving this vehicle in such extreme temperatures as we are witnessing at present do not result in unnecessary animal deaths in the future.

As an animal welfare organisation, we are keen to understand the current policy of allowing this vehicle to operate on Uk roads carrying live animals complies with the statement made by the AHVLA on its website; that being:

“We are committed to providing a responsive, efficient and high quality service”.

Additional notes for editors:

‘Dover Sheep Smuggling’ – The Events

On 1st September 2009 a Dutch (Amsterdam based) haulier attempted to deceive P&O ferries at the port of Dover claiming that they had ‘boxed meat’ on board their vehicle, when in fact, there were 320 live sheep. This haulier attempted to transport the live animal ‘products’ through to the French port of Calais. It was only by very good observations and concerns by the crew of the P&O ferry carrying this vehicle, that the ‘sheep smuggling’ attempts were exposed.

This was not a one off attempt by this haulier. Further ‘sheep smuggling’ offences as they became known, took place between 1st September and 19th November 2009, five happening at the Port of Dover and one at the Port of Ramsgate.

On Monday, 5th July 2010 at Folkestone Magistrates court, Kent Trading Standards, who had worked with KAALE on this smuggling investigation, were successful in obtaining guilty pleas to 6 offences by the haulier in relation to the Welfare of Animals Transport Order (England) 2006 and EU Council Regulation 1/2005.

In court, the company was fined £1,000 for each offence, totalling £6,000, and further ordered to pay prosecution costs of £4355.00 and a £15.00 victim surcharge. Total fines and costs of £10,370.

KAALE also worked with Dutch based animal investigators ‘Eyes on Animals’ http://eyesonanimals.com/ to further the prosecution case in the Netherlands. As a result, prosecutions were also undertaken on the very same company by the Dutch authorities for the very same offences.

With their successful prosecutions in the Netherlands, Eyes on Animals and the Dutch authorities were able to hand out number 1 and number 2 warnings to this transport company. In the Netherlands, when companies get a third warning, their licence is either removed or they have to pay a fine of either 3,000 Euro per week until solved, or 5,000 or 10,000 Euros depending on the severity of the violation.

The Uk Conservative government have still not signed up to / given their support for a maximum journey time of 8 hours for all livestock being transported within the EU. http://www.8hours.eu/

Another petition has been produced by Thanet (anti live animal export) campaigners for the No. 10 Downing Street web site. This can be viewed and signed at:

http://epetitions.direct.gov.uk/petitions/16024

ENDS.

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