

# Driven by Emotion

Perceptions, not science, are the base of the European Union's consumer-driven regulations for animal welfare during transport.

Story & photo by **Meghan Richey**

**T**here is a strong group of activists working to end the transportation of livestock in the European Union (EU). So far, it has made some major headway. "We have quite a [few] hoops to jump through now, and not a one of them is based on any research or science," says Eddie Harper, chairman of the livestock transport group of the Road Haulage Association and director of Assured British Meat. "These regulations are so restrictive we wonder about the future viability of our industry. You in America need to be aware of what can happen if you allow those who do not have the knowledge to decide the laws that dictate how you can do business."

Harper spoke Feb. 13 in Kansas City, Mo., at the American Meat Institute's (AMI's) first Livestock Transportation Conference.



► The cost of doing business as a livestock hauler in the EU has skyrocketed as companies work to conform to the strict regulations resulting from lobby efforts of animal rights activists, says Eddie Harper, representing the EU. "I can assure you that these people will not go away. They have money and will reach the masses through advertising and through politicians, as they've already shown."

## Spreading their message

The buildup to the EU's current regulations started in the 1990s when animal rights activists started drawing more attention to their cause by using violence.

"Livestock trailers and related vehicles were sabotaged almost daily. Haulers and their families were threatened. Transport yards were attacked, with firebombs often being the destruction agent of choice," Harper explains.

The activists wielded their pens and video cameras as weapons as well. Members of Great Britain's Parliament received more mail regarding animal welfare than any other subject at the time. Videos documenting alleged mistreatment of livestock were sent to every single member of Parliament, too.

While the livestock industry reacted by trying to continue business as normal, Harper says lawmakers were strongly influenced by these groups, despite the fact that their arguments were based on emotions and perceptions, not science.

"A minority of the hauling industry was failing to follow the rules, while the vast majority of the industry practiced good animal care and handling," Harper explains. "The public's emotional outcry was strong, and members of Parliament were pressured to do something to change the perceived situation. As a result, legislation was brought in without research by people who do not have the knowledge."

Animal welfare legislation was implemented in January 2007 and now governs all 27 member states and candidate countries upon their entry to the EU. The legislated regulations are a major step up in stringency from animal welfare directives that had been in place in the EU since the

late 1990s and that allowed for individual interpretation by member country. However, the new legislation is so precise it leaves no room for interpretation.

The regulations address the animal activists' perceived areas of concern, such as maximum journey times for livestock; feeding, watering and rest periods for livestock; transport vehicle standards; authorization to transport animals; and driver competence and training requirements.

## Pending permission

To transport animals anywhere in the EU you must now have permission and prove your competency.

"We're not just talking about commercial hauling of livestock," Harper explains. "If you and

two family pets decide to take a trip by car, you must have an authorization and hold a certificate of competence or else you'll be breaking the law."

All persons transporting animals more than 65 kilometers (km), or about 40 miles, must have this "certificate of competence." Assessment and certification varies by each member state, but Harper explains that typically you must take a one- or two-day training course and then pass a test administered by a veterinarian.

There are separate training requirements and competency certificates for trips shorter than eight hours, called short hauls, and those longer than eight hours, called long hauls. Drivers planning long hauls must also pass an hour-and-a-half driving test with animals loaded.

After proving your competency, you must receive an authorization before each planned trip longer than 65 km, Harper explains. Vehicles that are used for long hauls must be inspected and meet standards

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set by each member state. All new livestock-hauling vehicles produced since January 2007 that are used for long hauls must be equipped with global positioning system (GPS) tracking units, and all other long-haul vehicles must be retrofitted with the equipment by 2009.

### Jumping through hoops

With your certificate of competence and authorization in hand, there are still several more factors to consider before you're allowed to hit the road.

**Temperature.** Animals can be transported only when environmental temperatures are between 5° C and 30° C (approximately 41° F and 86° F).

"Animals can be loaded on-farm when temperatures are outside of the legal range; however, they cannot leave the farm until temperatures are within the legal range," Harper explains.

Vehicles must also have mechanical ventilation and a monitoring system that includes in-cab warnings and data recording. The monitoring systems, called on-board units (OBUs), cost about the equivalent of \$1,000 per truck to install.

While in transit, temperatures cannot exceed or drop below the legal temperature range by more than 5° C for 15 minutes in any four-hour time frame.

"If that happens, you are breaking the law. Never mind the fact that you can't control the temperature. The OBU will have recorded the infraction, and if any enforcement officer in any of the 27 member states asks for your OBU's data printout and sees that, you will be prosecuted," Harper explains.

**Maximum travel time.** "We have three sets of laws for travel time to contend with — one set for the animals and two different and conflicting sets for drivers — and none of them match up," Harper says. "For example, cattle can be hauled for 28 hours, but even a double-manned vehicle can only go for 20 hours."

With a maximum of six weekly shifts and daily driving time not to exceed nine hours, haulers can drive 54 hours per week with 11 hours rest per day. However, the EU's working time directive (WTD) for haulers permits them to work a maximum of 48 hours per week during an 18-week period.

Calculation of the work time includes time spent loading, unloading and washing out trailers, not just actual drive time.

Rest for livestock is regulated more closely than rest for drivers. Unweaned cattle may be transported for a maximum of nine hours with at least a one-hour rest midjourney, with a further maximum of nine hours after that rest. Generally, other cattle may be transported a maximum of 14 hours with at least a one-hour rest midjourney, with a further maximum of 14 hours after that rest. In either case, the regulations state the one-hour midjourney rest can actually be up to 23 hours.

"However, if you trolley that one (haul a load with that long of a midjourney rest) you'll be prosecuted for undue delay, so you can't win either way," Harper laments.

After all maximum journey times, animals must be unloaded,

receive 24 hours rest off the vehicle, and be offered feed and water off the vehicle.

"We're having problems with this mandatory unloading because, as all livestock people know, loading and unloading is the most stressful part of transit for animals. The mandatory unloading is decreasing animals' health status, and some companies are refusing to accept such animals," he says.

**Other considerations.** Livestock transport vehicles must be able to carry 1.5% of the trailer payload in water. "So for a load weighing 20 metric tonnes [about 44,100 pounds (lb.)], we have to carry something like 300 liters [about 80 gallons (gal.)] of water in insulated tanks that the animals can access through a watering system built into the hauling compartments," Harper explains.

Stocking densities and trailer dimensions and configurations are also closely regulated.

### Enforcement

Abattoirs (harvest facilities) very closely monitor animal welfare on the loads they receive, Harper says, noting that any bruising or marks on the livestock are cause for an investigation of that hauler.

"If there's a problem with animal welfare, you can bet that the first person to be called to court will be the driver, not the animals' owner," Harper says. Because of this

liability, drivers are granted the authority to determine which of the owner's animals they will haul, reserving the right to refuse to load and haul unfit animals — an authority that drivers in the United States don't have.

Along the journey, enforcement of the animal welfare regulations could come at any moment thanks to inspections, the OBU's records and a five-page journey log that must be kept for each haul. The mandatory GPS tracking units installed in all long-haul trailers can also be used for enforcement.

"The journey log is quite a bit of work," Harper says. "Very detailed records must be kept." The first page must be submitted in advance of your travel to your local government authority to be approved, and you cannot start your journey until you have received the approval page back. The animals' owner must fill out one page, the driver fills out another page, and the receiver at the end of the journey fills out another page. Within one month of completion of your journey, you must submit the last page back to your local government authority, which includes a detailed travel report.

"Any of the 27 member states can ask to see your journey log at any point, and of course, you're breaking the law if it's not in your possession and filled out correctly," Harper says.

### The future of their industry

The cost of doing business as a livestock hauler in the EU has skyrocketed as companies work to conform to the strict regulations. As an example, the cost of purchasing one new, fully compliant trailer is equivalent to about \$400,000. And there's a shortage of drivers now, too, as many have left their jobs because of the threats they've received from animal rights groups.

"So what's the future of livestock transportation? Well, in Great Britain we're wondering if we have a future," Harper says. "I'd hate to see some of the problems that we've had manifest themselves over here in America.

"I can't emphasize to you enough that you have to take a stand; you have to take the lead. I can assure you that these people (animal activists opposed to livestock transportation) will not go away," he continues. "They have money and will reach the masses through advertising and through politicians, as they've already shown.

"Not so many years ago we were guilty of ignoring those who don't support our industry. And look what's happened to us."

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