

ANNEX I

TECHNICAL RULES

(as referred to in Article 6(3), Article 8(1), Article 9(1) and (2)(a))

CHAPTER I

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 cause them injury or unnecessary suffering.
2. Animals that are injured or that present physiological weaknesses or pathological processes shall not be considered fit for transport and in particular if:
 - (a) they are unable to move independently without pain or to walk unassisted;
 - (b) they present a severe open wound, or prolapse;
 - (c) they are pregnant females for whom 90 % or more of the expected gestation period has already passed, or females who have given birth in the previous week;
 - (d) they are new-born mammals in which the navel has not completely healed;
 - (e) they are pigs of less than three weeks, lambs of less than one week and calves of less than ten days of age, unless they are transported less than 100 km;
 - (f) they are dogs and cats of less than eight weeks of age, unless they are accompanied by their mother;
 - (g) they are cervine animals in velvet.
3. However, sick or injured animals may be considered fit for transport if they are:
 - (a) slightly injured or ill and transport would not cause additional suffering; in cases of doubt, veterinary advice shall be sought;
 - (b) transported for the purposes of Council Directive 86/609/EEC ⁽¹⁾ if the illness or injury is part of a research programme;
 - (c) transported under veterinary supervision for or following veterinary treatment or diagnosis. However, such transport shall be permitted only where no unnecessary suffering or ill treatment is caused to the animals concerned;
 - (d) animals that have been submitted to veterinary procedures in relation to farming practices such as dehorning or castration, provided that wounds have completely healed.
4. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way which does not cause them any unnecessary suffering.
5. Sedatives shall not be used on animals to be transported unless strictly necessary to ensure the welfare of the animals and shall only be used under veterinary supervision.
6. Lactating females of bovine, ovine and caprine species not accompanied by their offspring shall be milked at intervals of not more than 12 hours.
7. Requirements of paragraphs 2(c) and 2(d) do not apply for registered Equidae if the purpose of the journeys is to improve the health and welfare conditions of birth, or for newly born foals with their registered mares, provided that in both cases the animals are permanently accompanied by an attendant, dedicated to them during the journey.

⁽¹⁾ OJ L 358, 18.12.1986 p. 1. Directive as last amended by Directive 2003/65/EC of the European Parliament and of the Council (OJ L 230, 16.9.2003, p. 32).

CHAPTER II

MEANS OF TRANSPORT

1. Provisions for all means of transport

- 1.1. Means of transport, containers and their fittings shall be designed, constructed, maintained and operated so as to:
- (a) avoid injury and suffering and to ensure the safety of the animals;
 - (b) protect the animals from inclement weather, extreme temperatures and adverse changes in climatic conditions;
 - (c) be cleaned and disinfected;
 - (d) prevent the animals escaping or falling out and be able to withstand the stresses of movements;
 - (e) ensure that air quality and quantity appropriate to the species transported can be maintained;
 - (f) provide access to the animals to allow them to be inspected and cared for;
 - (g) present a flooring surface that is anti-slip;
 - (h) present a flooring surface that minimises the leakage of urine or faeces;
 - (i) provide a means of lighting sufficient for inspection and care of the animals during transport.
- 1.2. Sufficient space shall be provided inside the animals' compartment and at each of its levels to ensure that there is adequate ventilation above the animals when they are in a naturally standing position, without on any account hindering their natural movement.
- 1.3. For wild animals and for species other than domestic Equidae or domestic animals of bovine, ovine, caprine and porcine species where appropriate, the following documents shall accompany the animals:
- (a) a notice indicating that the animals are wild, timid or dangerous;
 - (b) written instructions about feeding, watering and any special care required.
- 1.4. Partitions shall be strong enough to withstand the weight of animals. Fittings shall be designed for quick and easy operation.
- 1.5. Piglets of less than 10 kgs, lambs of less than 20 kgs, calves of less than six months and foals of less than four months of age shall be provided with appropriate bedding material or equivalent material which guarantees their comfort appropriate to the species, the number of animals being transported, the journey time, and the weather. This material has to ensure adequate absorption of urine and faeces.
- 1.6. Without prejudice to Community or national rules on crew and passenger safety, where transport on a vessel, an aircraft or a rail wagon is to last more than three hours, a means of killing suitable for the species shall be available to the attendant or a person on board who has the necessary skill to perform this task humanely and efficiently.

2. Additional provisions for transport by road or rail

- 2.1. Vehicles in which animals are transported shall be clearly and visibly marked indicating the presence of live animals, except when the animals are transported in containers marked in accordance with paragraph 5.1.
- 2.2. Road vehicles shall carry suitable equipment for loading and unloading.
- 2.3. When assembling trains and during all other movement of rail wagons every precaution shall be taken to avoid jolting of a rail wagon containing animals.

3. Additional provisions for transport on roll-on-roll-off vessels

- 3.1. Before loading onto a vessel the master shall verify that when vehicles are loaded:
- (a) on enclosed decks, the vessel is equipped with an appropriate forced ventilation system and it is fitted with an alarm system and an adequate secondary source of power in case of failure;
 - (b) on open decks, adequate protection from sea water is provided.
- 3.2. Road vehicles and rail wagons shall be equipped with a sufficient number of adequately designed, positioned and maintained securing points enabling them to be securely fastened to the vessel. Road vehicles and rail wagons shall be secured to the vessel before the start of the sea journey to prevent them being displaced by the motion of the vessel.

4. Additional provisions for transport by air

- 4.1. Animals shall be transported in containers, pens or stalls appropriate for the species, which comply with International Air Transport Association (IATA) live animals Regulations, in its version referred to in Annex VI.
- 4.2. Animals shall be transported only in conditions where air quality, temperature and pressure can be maintained within an appropriate range during the entire journey, having regard to the species of animals.

5. Additional provisions for transport in containers

- 5.1. Containers in which animals are transported shall be clearly and visibly marked, indicating the presence of live animals and with a sign indicating the top of the container.
- 5.2. During transport and handling, containers shall always be kept upright and severe jolts or shaking shall be minimised. Containers shall be secured so as to prevent displacement due to the movement of the means of transport.
- 5.3. Containers of more than 50 kg shall be equipped with a sufficient number of adequately designed, positioned and maintained securing points enabling them to be securely fastened to the means of transport where they are to be loaded. Containers shall be secured to the means of transport before the start of the journey to prevent displacement due to the motion of the means of transport.

CHAPTER III

TRANSPORT PRACTICES

1. Loading, unloading and handling

- 1.1. Due regard shall be paid to the need of certain categories of animals, such as wild animals, to become acclimatised to the mode of transport prior to the proposed journey.
- 1.2. Where loading or unloading operations last for more than four hours, except for poultry:
- (a) appropriate facilities shall be available in order to keep, feed and water the animals outside the means of transport without being tied;
 - (b) operations shall be supervised by an authorised veterinarian and particular precautions shall be taken to ensure that the welfare of the animals is properly maintained during these operations.

Facilities and procedures

- 1.3. Facilities for loading and unloading, including the flooring, shall be designed, constructed, maintained and operated so as to:
- (a) prevent injury and suffering and minimise excitement and distress during animal movements as well as to ensure the safety of the animals. In particular, surfaces shall not be slippery and lateral protections shall be provided so as to prevent animals from escaping;
 - (b) be cleaned and disinfected.

- 1.4. (a) Ramps shall not be steeper than an angle of 20 degrees, that is 36,4 % to the horizontal for pigs, calves and horses and an angle of 26 degrees 34 minutes, that is 50 % to the horizontal for sheep and cattle other than calves. Where the slope is steeper than 10 degrees, that is 17,6 % to the horizontal, ramps shall be fitted with a system, such as provided by foot battens, which ensure that the animals climb or go down without risks or difficulties;
- (b) lifting platforms and upper floors shall have safety barriers so as to prevent animals falling or escaping during loading and unloading operations.
- 1.5. Goods which are being transported in the same means of transport as animals shall be positioned so that they do not cause injury, suffering or distress to the animals.
- 1.6. Appropriate lighting shall be provided during loading and unloading.
- 1.7. When containers loaded with animals are placed one on top of the other on the means of transport, the necessary precautions shall be taken:
- (a) to avoid, or in the case of poultry, rabbits and fur animals, to limit urine and faeces falling on the animals placed underneath;
- (b) to ensure stability of the containers;
- (c) to ensure that ventilation is not impeded.

Handling

- 1.8. It shall be prohibited to:
- (a) strike or kick the animals;
- (b) apply pressure to any particularly sensitive part of the body in such a way as to cause them unnecessary pain or suffering;
- (c) suspend the animals themselves by mechanical means;
- (d) lift or drag the animals by head, ears, horns, legs, tail or fleece, or handle them in such a way as to cause them unnecessary pain or suffering;
- (e) use prods or other implements with pointed ends;
- (f) knowingly obstruct any animal which is being driven or led through any part where animals are handled.
- 1.9. The use of instruments which administer electric shocks shall be avoided as far as possible. In any case, these instruments shall only be used for adult bovine animals and adult pigs which refuse to move and only when they have room ahead of them in which to move. The shocks shall last no longer than one second, be adequately spaced and shall only be applied to the muscles of the hindquarters. Shocks shall not be used repeatedly if the animal fails to respond.
- 1.10. Markets or assembly centres shall provide equipment for tethering animals when necessary. Animals not used to being tied shall remain untied. Animals shall have access to water.
- 1.11. Animals shall not be tied by the horns, the antlers, the nose rings nor by legs tied together. Calves shall not be muzzled. Domestic Equidae older than eight months shall wear halters during transport except for unbroken horses.

When animals need to be tied, the ropes, tethers or other means used shall be:

- (a) strong enough not to break during normal transport conditions;
- (b) such as to allow the animals, if necessary, to lie down and to eat and drink;
- (c) designed in such a way as to eliminate any danger of strangulation or injury, and so as to allow animals to be quickly released.

Separation

1.12. Animals shall be handled and transported separately in the following cases:

- (a) animals of different species;
- (b) animals of significantly different sizes or ages;
- (c) adult breeding boars or stallions;
- (d) sexually mature males from females;
- (e) animals with horns from animals without horns;
- (f) animals hostile to each other;
- (g) tied animals from untied animals.

1.13. Points (a), (b), (c) and (e) of paragraph 1.12. shall not apply where the animals have been raised in compatible groups, are accustomed to each other, where separation will cause distress or where females are accompanied by dependent young.

2. During transport

- 2.1. Space allowances shall at least comply with the figures laid down, in respect of the animals and the means of transport referred to, in Chapter VII.
- 2.2. Domestic Equidae except mares travelling with their foals shall be transported in individual stalls when the vehicle is loaded onto a Roll-on-Roll-off vessel. Derogation to this provision may be granted under national rules provided that they are notified by the Member States to the Standing Committee on the food Chain and Animal Health.
- 2.3. Equidae shall not be transported in multi-deck vehicles except if animals are loaded on the lowest deck with no animals on higher deck. The minimum internal height of compartment shall be at least 75 cm higher than the height of the withers of the highest animal.
- 2.4. Unbroken Equidae shall not be transported in groups of more than four individuals.
- 2.5. Paragraphs 1.10. to 1.13. shall apply *mutatis mutandis* to the means of transport.
- 2.6. Sufficient ventilation shall be provided to ensure that the needs of the animals are fully met taking into account in particular the number and type of the animals to be transported and the expected weather conditions during the journey. Containers shall be stored in a way which does not impede their ventilation.
- 2.7. During transport, animals shall be offered water, feed and the opportunity to rest as appropriate to their species and age, at suitable intervals and in particular as referred to in Chapter V. If not otherwise specified, Mammals and Birds shall be fed at least every 24 hours and watered at least every 12 hours. The water and feed shall be of good quality and presented to the animals in a way which minimises contamination. Due regard shall be paid to the need of animals to become accustomed to the mode of feeding and watering.