

Analysis of Major Transport Non-Compliances 2010 and Specific Actions to Address them:

Table (1) Major non-compliances identified during routine transport inspections (DVO and VPHIS)

Category of non-compliance	Description	Type of Inspection	Action Taken	Analysis of non-compliance	Action plan to address specific non-compliance
1. Structural	1.1 Vehicle floor slippery and sharp projections likely to cause injury to animals.	National non-registered.	Legal notice served on owner of vehicle prohibiting the use of the vehicle until deficiencies addressed.	Such non-compliances occur as a result of normal wear and tear to transport vehicles. The structure of DAFF's inspection system will ensure that a large number of non registered transport vehicles are inspected yearly and therefore because these vehicles are not used commercially the likelihood of advanced wear and tear is increased.	In January 2011 the system for supervising and inspecting livestock marts was comprehensively revised and updated. In the new inspection forms and guidelines there is an increased emphasis on carrying out animal welfare checks particularly in relation to welfare during transport. This enhanced inspection system should ensure that non-compliant vehicles are identified and an appropriate action taken.
	1.2 Floor of vehicle structurally unsound	National non-registered	Legal notice served on the owner and a timeframe of 1 month given to address deficiencies. A re-inspection was also scheduled.	As above.	As above.

Structural contd	1.3 Water drinkers in one compartment of vehicle not functional	International Type 2	Legal notice served on driver instructing him/her to fix the water system on the vehicle.	This type of non-compliance will occur as a result of damage to water pipes due to wear and tear or adversely cold weather conditions such as was the case in late 2010. In the majority of cases the water system can be repaired on site before the animals are loaded. This however was not possible in this case and as the availability of water in all sections of an international transport vehicle is paramount, it was deemed appropriate to issue a legal notice in this case.	There is no specific action planned to address this issue as the normal inspection procedure for international type 2 vehicles prior to departure with a consignment of animals includes a check on water availability.
	1.4 Significant erosion of vehicle fixtures and wear and tear.	National non-registered	Referred to HQ and relevant DVO to follow up and ensure vehicle re-inspected.	As above such non-compliances will occur as a result of normal wear and tear to animal transport vehicles. This was a routine inspection of a keeper's vehicle at a slaughter plant and in order to ensure the appropriate follow up, the inspecting officer referred the issue to the relevant DVO so that a follow up inspection could be arranged. The issue was also referred to HQ.	As for point 1.1 above.
2. Procedures	2.1 Transporter not appropriately authorised and roof of vehicle in	National non-registered	This issue was referred to HQ: HQ requested to issue transporter	It is part of the normal vehicle inspection procedure at marts or slaughter plants to ensure that transporters are authorised as	IN 2006 and 2007 as part of the process of implementing Regulation 1/2005, in order to ensure that all commercial

Procedures contd	disrepair.		with appropriate authorisation if relevant criteria met. Time frame set for roof repairs.	appropriate. In this case though the transporter met the criteria for type 1 authorisation but he/she was not properly authorised.	transporters of animals were aware of the requirement to be authorised, the CCA initiated an information campaign which involved circulating posters and leaflets on the matter to all DVOs. To date this has been an effective method of ensuring such transporters are authorised. In addition the CCA believes that the normal inspection system which involves carrying out a large number of inspections of non-registered animal transport vehicles at marts and slaughter plants will aid in identifying transporters that are not appropriately authorised.
	2.2 Driver did not have the appropriate transporter authorisation even though he held a certificate of competency	National non-registered	This issue was referred to HQ: HQ requested to issue transporter with appropriate authorisation if relevant criteria met.	As above it is part of the normal vehicle inspection procedure at marts or slaughter plants to ensure that transporters are authorised as appropriate and that they hold a valid certificate of competency. In this case the transporter was not properly authorised.	As for point 2.1. above.
	2.3 Authorised transporter had no certificate of competency	National type 1	Referred to HQ. HQ issued letter to transporter re need for certificate of	As for points 2.1 and 2.2 above.	As for points 2.1 and 2.2 above.

			competency.		
	2.4 Three pigs on the consignment were deemed unfit for transport on arrival at slaughter plant on welfare grounds.	National non-registered.	Legal notice served on owner re fitness for transport.	DAFF's policy includes a zero tolerance in relation to the transport of unfit animals. While there is scope for the occasional animal becoming ill/injured during a journey, in this case it is not likely the case. It is therefore important that a strong and definitive action such as issuing a legal notice to the keeper is taken which was the case here.	No specific action will be taken in relation to this issue. DAFF is confident that its officers are aware of the importance attached to ensuring the fitness to transport rules are adhered to and that they will take the appropriate action if not.
	2.5 One animal in consignment deemed unfit for transport on arrival at slaughter plant on welfare grounds (lame)	National non-registered	Cross compliance report issued and forwarded to Relevant DVO and referred to HQ.	In the case of serious breaches of welfare regulations one of the tools available to inspectors is to recommend that the keeper is penalised under the cross compliance legislation. In this case a cross compliance report was issued and forwarded to the relevant sections in DAFF recommending the keeper be penalised for the welfare breach.	The action taken in this case indicates that the cross compliance system is working well in relation to animal welfare breaches.

Table (2) International Type 2 Transporter Infringements (all 2010)

Category of non-compliance refers to	Description	No. of non-compliances identified in 2010	Further detail and analysis of non-compliance	Action plan to address specific non-compliance
<p>1. Journey Logs</p>	<p>1.1 Journey log not completed properly</p>	<p>3</p>	<p>Two of these non compliances were in relation to a transporter from another member state where there was a failure to enter a full description of the journey in section 1 of the journey log. A report was sent to the member state involved by HQ Transport Division. The other case referred to a journey by an Irish transporter which began in another member state. The journey log was therefore not assessed by DAFF staff as would be the case for all journeys originating in Ireland. The journey log was incomplete and the journey also appeared to breach journey time and rest period requirements. The transporter was written to by HQ Transport Division and a copy of the completed journey log was submitted. The maximum journey time of 29 hours was exceeded by 3.5 hours due to extreme weather conditions at the time. However according to the information available to us the welfare of the animals was not unduly compromised as the total journey time journey included and 4 hour stop to rest and feed and there were only 2 animals in the consignment.</p>	<p>No specific action will be taken to address this issue. The CA will continue to ensure that journey logs for journeys originating in the Republic of Ireland are assessed by DAFF staff in advance of any journey taking place to ensure that they are completed properly and that the journey times are realistic.</p>

<p>Journey Logs contd</p>	<p>1.2 Journey recorded in section 4 different from actual journey</p>	<p>2</p>	<p>1 infringement related to a transporter from another member state and a report was sent to member state by HQ Transport Division. The second infringement in this category related to a journey where the travelling time from Dover Port to the control post in France as recorded in section 4 of the returned journey log was not realistic and different significantly to the time allocated to this leg of the journey in section 1. The transporter involved was written to and asked for an explanation. He indicated that the driver involved had completed section 4 of the journey log after the journey was completed and therefore had made a clerical error in doing so. The transporter undertook to ensure that all drivers were aware of the importance of completing section 4 accurately and in real time.</p>	<p>No specific action will be taken in relation to this type of infringement as DAFF is satisfied that its current system for assessing and following up on non-compliant journey logs is adequate. However it should be noted that a database of all such infringements is maintained by HQ Transport Division and is retained on each transporter's individual file. A transporter's compliance history will always be taken into account when deciding on the sanction to be applied in the case of any repeat/additional infringements.</p>
----------------------------------	--	----------	---	---

	1.3 Journey log not returned to place of departure within 1 month	15	<p>In late 2010 the DAFF implemented a new system whereby the return of all journey logs within the required 30 day period is monitored and recorded on a database maintained by DAFF staff at Rosslare port. The database is also available on one of DAFF's shared drives so that all relevant DVO staff have access to it. This system has streamlined the system for monitoring the return of journey logs and the majority are returned within 1 month as required. However in a small number of cases further follow up is required. 3 of the 15 infringements were in relation to transporters from another member state and these were referred to that member state for further action. In the case of the remaining 12, HQ Transport Division wrote to each one and in all cases a satisfactory response was received.</p>	<p>The CCA is satisfied that the system of centrally monitoring the return of journey logs at Rosslare port is working well. The system is however under constant review and will be modified and improved as necessary.</p>
--	---	----	--	--

<p>2. Journey times and rest periods</p>	<p>2.1 Journey times and rest periods not adhered to</p>	<p>5</p>	<p>2 infringements related to a transporter from another member state. And in both cases a report on the infringement was sent to the member state involved by HQ Transport Division.</p> <p>2 infringements related to journeys where the maximum journey time of 29 hours was exceeded by 1 hour in one case and 4 hours in another. In both cases the transporters were formally written to by HQ Transport Division and asked for an explanation. In both cases they indicated that delays which were outside of the drivers' control resulted in delay in reaching the control post in France. Both transporters were written to for a second time and reminded of their obligations regarding adherence to journey times and rest periods. In both cases the infringements were formally recorded on the transporter files and in the event of a similar or repeat offence these infringement will be taken into account when deciding on the sanction to be applied. The final infringement related to a journey where the driver failed to stop at a control post in France after 29 hours travelling. In this case the infringement was brought to DAFF's attention by the Italian authorities who noted the discrepancy when the driver arrived at the final destination and the transporter was fined €1000.</p>	<p>In February 2010 DAFF initiated a system of collaboration with the French authorities to ensure that the journey time and rest period requirements for all consignments of animals leaving Ireland for the continent are adhered to. Further detail on the operation of this system are available in the main document under the heading "Ongoing action plan to promote welfare standards during transport". It is envisaged that this system will significantly reduce the occurrence of journey time and rest period infringements.</p>
---	--	----------	---	---

<p>3. Fitness to transport</p>	<p>3.1 A number of animals (end of lay hens in this case) deemed as being unfit for transport on arrival at destination</p>	<p>1</p>	<p>This non-compliance refers to a case where 2 consignments of poultry were transported to the UK from Northern Ireland by an Irish authorised transporter. On arrival at the place of destination a number of birds were dead and some of the remaining birds were in poor condition. The transport took place in particularly cold weather and the vehicles used did not provide enough protection from the cold. Welfare issues in relation to the holding of origin were dealt with by DARDNI. The transporter involved was written to by HQ Transport Division and warned that he must ensure that all animals transported are fit for the intended journey and that the vehicles used must provide adequate protection from adverse weather conditions. He was also formally warned that any further failure to comply with these requirements would result in the withdrawal of type 2 authorisation.</p>	<p>Such infringements are uncommon and are viewed as very serious by DAFF. As outlined at point 1.2 above the infringement will be recorded on the transporter's individual file and may have an impact on the sanction applied should there be any future infringements.</p>
---------------------------------------	---	----------	---	---

4. Means of transport	4.1 Absence of satellite navigation system	1	Due to the lack of guidance at European level in relation to the specific requirements of a satellite navigation system some confusion existed in relation to this issue. The transporter involved was contacted directly by HQ in this case and instructed to install a suitable satellite navigation system. The transporter complied with this instruction.	In November 2010 a letter issued to all transporters reminding them of the requirement to have a satellite navigation system in place and setting out a basic specification for such a system. They were also advised to ensure that the system installed could be upgraded should that be required as a result of future legislative or policy changes.
	4.2 Vehicle not properly equipped to protect the animals (poultry in this case) from inclement weather conditions.	1	This non-compliance refers to a case where a consignment of poultry was transported to the UK in a vehicle that did not adequately protect the birds from the cold weather conditions at the time. The transporter involved was formally warned in a letter from HQ Transport Division to ensure that future consignments are adequately protected from the cold (see also point 3.1 above). He was informed that failure to do this would result in his transporter authorisation being removed.	See point 3.1 above.