

1. INTRODUZIONE

Il regolamento (CE) N. 1/2005 del Consiglio del 22 dicembre 2004, ha stabilito le misure per la protezione degli animali durante il trasporto all'interno della Comunità. Ai sensi dell'art. 27 del regolamento (CE) N.1/2005, gli Stati membri inviano annualmente alla Commissione Europea una relazione contenente il numero dei controlli effettuati in tale settore, suddivisi sulla base delle seguenti categorie:

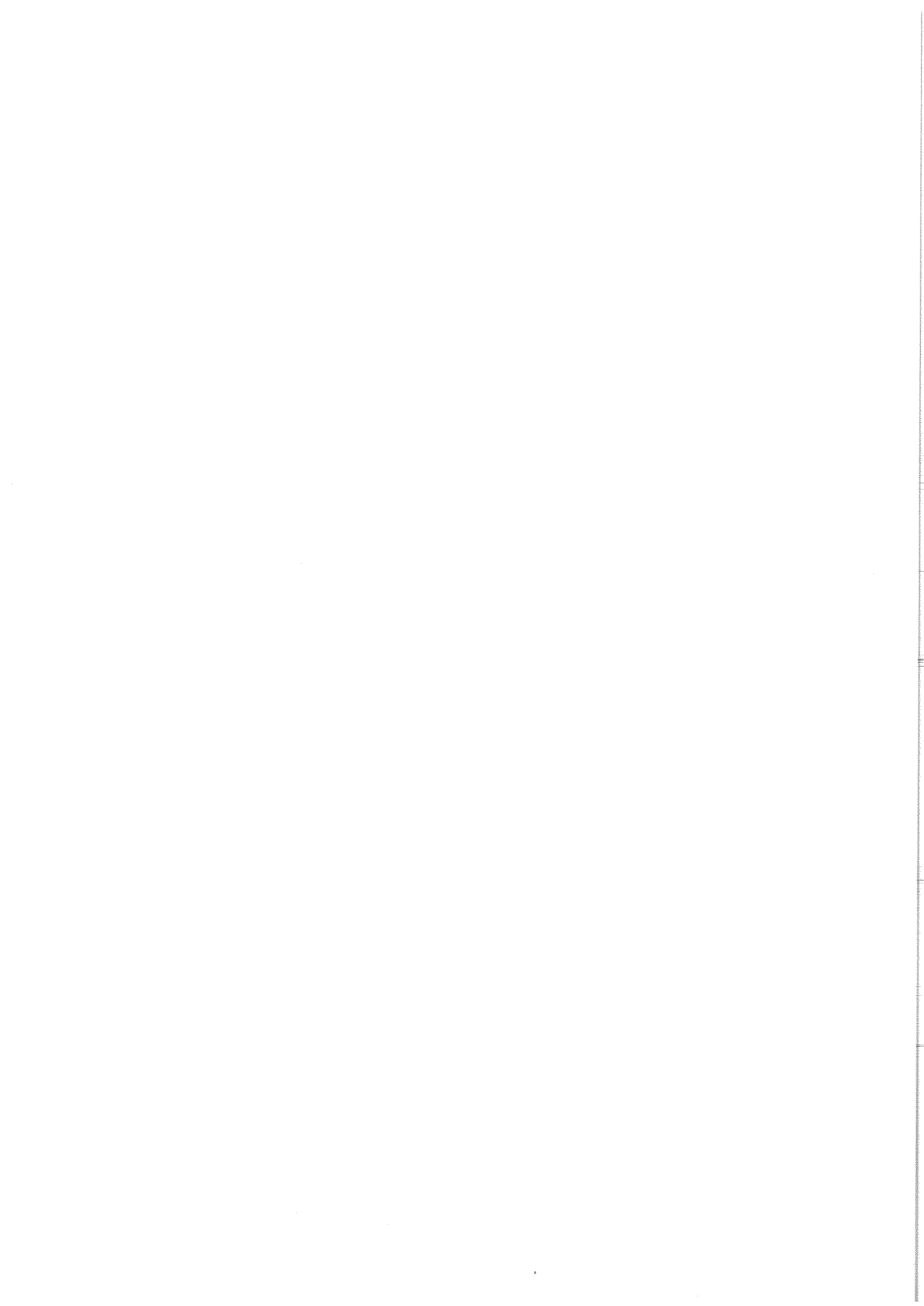
- 1) controlli dei mezzi di trasporto e degli animali durante il trasporto stradale;
- 2) controlli dei mezzi di trasporto e degli animali al momento del loro arrivo ai luoghi di destinazione;
- 3) controlli dei mezzi di trasporto e degli animali nei mercati, nei luoghi di partenza nonché nei punti di sosta e di trasferimento;
- 4) controlli delle indicazioni riportate nei documenti di accompagnamento.

La relazione deve, altresì, essere corredata di: a) un'analisi delle principali irregolarità riscontrate e b) di un piano d'azione per porre rimedio alle criticità riscontrate.

Sono riportate, di seguito, oltre ad un breve prospetto della legislazione nazionale vigente e delle Autorità competenti nel settore, le informazioni richieste dalla Commissione.

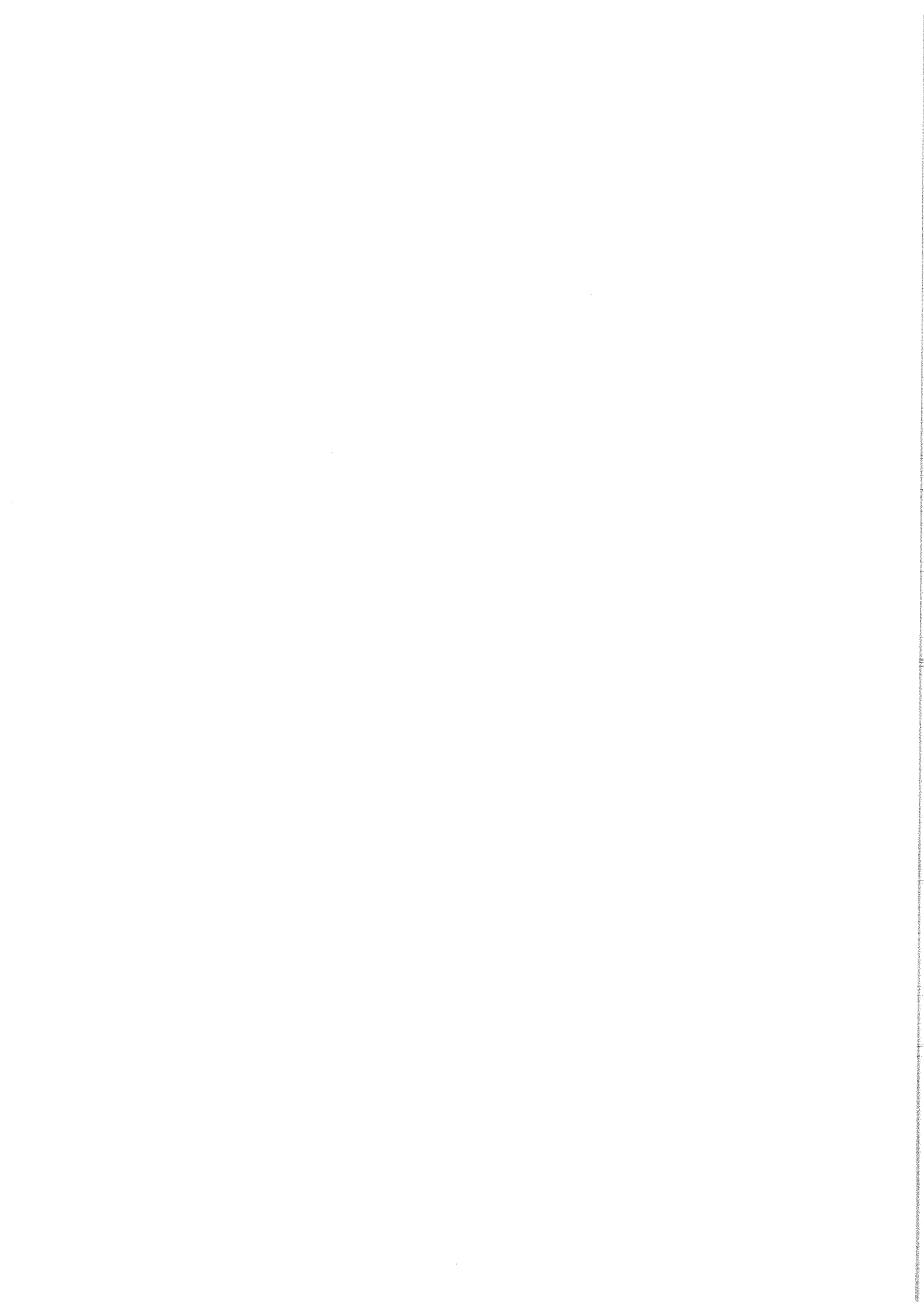
2. LEGISLAZIONE DI RIFERIMENTO

Regolamento di Polizia Veterinaria approvato con D.P.R. 8 febbraio 1954, n. 320
Legge 12 aprile 1973, n. 222 - Ratifica ed esecuzione della Convenzione Europea sulla protezione degli animali nei trasporti internazionali
Legge 28 aprile 1982, n. 244 - Ratifica del protocollo addizionale alla Convenzione Europea sulla protezione degli animali nei trasporti internazionali
Regolamento (CE) N. 1255/97 del Consiglio del 25 giugno 1997 riguardante i criteri comunitari per i punti di sosta e che adatta il ruolino di marcia previsto dall'Allegato della direttiva 91/628/CEE
Regolamento (CE) N.639/2003 della Commissione del 9 aprile 2003 recante modalità di applicazione del regolamento (CE) n. 1254/1999 del Consiglio per quanto riguarda le norme in materia di benessere degli animali vivi della specie bovina durante il trasporto ai fini della concessione di restituzioni all'esportazione
Regolamento (CE) N. 1040/2003 del Consiglio dell' 11 giugno 2003 che modifica il regolamento (CE) N. 1255/97 per quanto concerne l'utilizzo dei punti di sosta
Regolamento (CE) N. 1/2005 del Consiglio del 22 dicembre 2004 sulla protezione degli animali durante il trasporto e le operazioni correlate che modifica le direttive 64/432/CEE e 93/11/CE e il regolamento (CE) n. 1255/97
Decreto Legislativo 25 luglio 2007, n. 151 – Disposizioni sanzionatorie per la violazione delle disposizioni del regolamento (CE) n. 1/2005 sulla protezione degli animali durante il trasporto e le operazioni correlate



3. **COMPETENT AUTHORITIES**

Level	Competent authority	Functions
Central	<p>Ministry of Employment, Health and Social Policies Department of Veterinary Public Health, Nutrition and Food Safety Directorate-General for Animal Health and Veterinary Medicine — Rome</p> <p>Border Inspection Posts (BIPs)</p> <p>Veterinary Offices for Compliance with Community Requirements (UVACs)</p>	<ul style="list-style-type: none"> • Steering and coordinating activities at national level • Collection and aggregation of data from the Regions and Ministry of Health field units (BIPs, UVACs) • Exchange of information with Member States (Articles 24 and 26 of Regulation (EC) No 1/2005) third countries and international organisations • Participation in EU, Council of Europe and OIE working groups • Live animal import and export checks • Collection of data on checks carried out, and forwarding to the Ministry of Health • Coordination of the activities of the ASLs' veterinary services in connection with intra-Community trade in live animals • Planning of remote checks by ASLs • Possibility of direct inspections in the field and adoption of the necessary measures in the event of infringements • Forwarding of details of infringements encountered to the Member States (Article 26 of Regulation (EC) No 1/2005)
Regional	<p>Regional Veterinary Services in each of the 19 regions and two autonomous provinces</p>	<ul style="list-style-type: none"> • Steering and coordinating the activities of the ASLs' veterinary services • Collection and aggregation of data on checks carried out by the ASLs, and forwarding to the Ministry of Health
Local	<p>Local Health Boards (ASLs), of which there are around 220 in the country. The area for which they are responsible varies from one or a few municipalities to an entire province. Within each ASL there is a veterinary service (Area C – hygiene of holdings and livestock production facilities) which is responsible for checks and monitoring of animal protection and welfare.</p>	<ul style="list-style-type: none"> • Issuing of animal transport permits pursuant to DPR 320/54 and Regulation (EC) No 1/2005 • Issuing of accompanying documents for animal transport • Random checks and inspections pursuant to Articles 15 and 27 of Regulation (EC) No 1/2005 • Adoption of the necessary measures in the event of infringements (remedial action, penalties, reports to the legal authorities) • Collection of data on checks carried out and infringements encountered; annual forwarding of data to the respective regional authorities • Inspection activity for surveillance purposes



6. ANALYSIS OF THE MAIN IRREGULARITIES OBSERVED

(by Professor Nanni Costa, Università degli Studi di Bologna)

This analysis refers to the list of the main infringements found in 2008, involving 117 vehicles, of which 34 were used for the transportation of bovine animals, 24 for pigs, 24 for horses, 22 for sheep and/or goats, two for buffalo, two for cattle and pigs together, one for transporting different species together (ponies, rabbits, emus, geese), one for transporting fish and seven for which the animal species transported was not indicated.

The abovementioned infringements were recorded by staff of the Local Health Authorities in the regions of Piedmont, Lombardy, Friuli-Venezia Giulia, Veneto, Emilia-Romagna, Tuscany, Lazio, Umbria, Campania, Calabria and Apulia, staff at the UVAC offices of Valle d'Aosta, Piedmont, Lombardy, Friuli-Venezia Giulia, Liguria and Lazio, and agents of the traffic police, Nucleo Carabinieri per la Sanità (NAS) and Forestry Corps.

The vehicles originated from 15 different European countries (Spain, the Netherlands, Romania, France, Germany, Ireland, Denmark, Poland, Bulgaria, Belgium, Austria, the United Kingdom, Czech Republic, Hungary and Greece) and almost all (94 %) were destined for Italy. The other destinations were Greece (2.6 %), Spain (1.7 %), Malta (0.8 %) and the Netherlands (0.8 %).

A total of 218 infringements were recorded in relation to Regulation (EC) No 1/2005, of which 59 involved vehicles transporting cattle, 53 vehicles transporting pigs, 35 vehicles transporting sheep and goats, 55 vehicles transporting horses, five vehicles transporting buffalo and the remaining 11 vehicles transporting species which were not indicated, multiple species or fish.

For evaluation purposes, the infringements considered are those concerning transportation of the commonest species (cattle, pigs, horses, sheep and goats), broken down for each type into those involving the vehicle, animal welfare, or accompanying documentation as appropriate. **Tables 1, 2 and 3** show the numerical and percentage incidences of the different infringements.

The 55 infringements encountered in the *transportation of cattle* most frequently involved accompanying documentation (54.2 %), particularly the journey log (missing, incomplete, non-compliant), which was involved in 47.5 % of cases. Infringements regarding animal welfare, which accounted for a quarter of the total infringements (25.4 %), were related to non-adherence to resting times (16.9 %), overcrowded conditions (3.4 %), presence of dead animals (3.4 %), and excessive temperature (1.7 %). The total overall incidence of infringements concerning the vehicle was 20.3 %, split between faulty operation of temperature regulation systems (8.5 %), drinking systems (6.8 %), and mechanical ventilation systems (5.1 %).

The 53 irregularities found in the *transportation of pigs* were characterised by a particularly high level of documentation infringements, which accounted for over 50 % of the infringements recorded. Of these infringements, 20.7 % concerned non-conformity of the journey log (missing, incomplete, non-compliant), 9.4 % the vehicle approval certificate, 7.5 % the driver's certificate of competence, and 5.7 % transporter authorisation. With regard to welfare infringements, incidences of failure to comply with resting times (17.0 %), overcrowded conditions (9.4 %) and the presence of dead or

suffering animals (5.7 %) were not infrequent. Vehicle infringements mainly concerned faulty operation of drinking systems, which accounted for 9.4 % overall, with lower incidences of infringements relating to mechanical ventilation, temperature regulation and loading systems.

The 55 irregularities found in the *transportation of horses* mainly concerned accompanying documentation, which accounted for just under 50 % of total infringements (47.2 %). Half of the documentation infringements involved irregularities in the journey logs, which although present in all cases were incomplete (7.3 %), non-compliant (12.7 %) or contained corrections and cancellations (3.6 %). Animal welfare violations accounted for 14.5 % of the total infringements, resulting from excessive journey times and non-respect of resting times (5.5 % each), overcrowded conditions (1.8 %), and the presence of dead or wounded animals (1.8 %). Absence of partitions was the most commonly encountered infringement relating to transportation, accounting for over a quarter (27.3 %) of the total. Infringements relating to the drinking system (5.5 %), loading ramp (3.8 %) and mechanical ventilation system were less frequent.

Of the total of 35 infringements of Regulation (EC) No 1/2005 regarding *transportation of sheep and goats*, the majority concerned documentation (65.7 % of the total infringements regarding the two species). These infringements particularly concerned non-conformity of the journey log (28.6 %) and the absence of the driver's certificate of competence (20.0 %). Irregularities relating to welfare included overcrowded conditions (11.4 %) and non-adherence to resting times (8.6 %), while infringements relating to the vehicle concerned the absence of partitions (8.6 %), unusable drinking devices (5.7 %) and inadequate bedding (2.9 %).

The infringements in the two cases of transportation of buffalo concerned only documentation and were related to the journey log, veterinary certification, and the driver's certificate of competence. Of the nine infringements recorded in which the animal species transported was not specified, seven concerned documentation and two animal welfare, both of which related to non-adherence to resting times. The authorisation document was missing for the transportation of fish, while in the case of the transportation of multiple species, the veterinary certificate was missing and the vehicle had not observed the necessary resting periods.

Overall, analysis of the above data shows that:

- of the total of 218 infringements found, 121 (55.5 %) were observed in relation to accompanying documentation, indicating the ongoing difficulty of adapting to the new documentation requirements introduced in Regulation No 1/2005. In confirmation of this, the data show that this difficulty is irrespective of the species transported;
- considering the species most commonly encountered in vehicles penalised as a result of the controls, the greatest incidence of animal welfare infringements involved pigs, which accounted for 33.9 % of all such infringements, compared to 25.4 % for cattle, 20 % for sheep and goats, and 14.5 % for horses;
- non-adherence to resting times was one of the most frequently encountered animal welfare infringements, irrespective of the species transported;
- the vehicle load irregularities encountered more frequently concerned the absence of devices which are already compulsory for vehicles making long

journeys (partitions and functioning drinking devices) rather than devices introduced by the new regulation (temperature gauges).

The number of vehicles in which infringements were encountered rose from 47 in 2007 to 117 in 2008. This could be attributed both to the fact that the decree implementing Regulation (EC) No 1/2005 came into force at the end of 2007, and to increased cooperation between all the institutions authorised to carry out controls on vehicles used for the transportation of animals. In that respect, an increase in information resulting from controls carried out by traffic police was recorded in comparison to the previous year. Overall, the data showed a high level of consistency in the identification and description of infringements on the part of the various parties that carried out controls on vehicles, indicating the effectiveness of training and information aimed at staff of control bodies. Overall, data analysis confirmed the results of the analysis of infringements in 2007 with regard to the difficulties transporters face in applying the travel documentation provisions of Regulation No 1/2005. While such difficulties could be expected in 2007, which was the first year in which the new Regulation was in force, in 2008 the situation not only did not improve but seemed to deteriorate. Pending full implementation of the satellite control systems, which will not only supplement controls but also make documentation simpler, it would be advisable to focus greater attention on the content of the journey log. Legislation should also support this effort by simplifying those aspects relating to the most important information for the purpose of animal welfare controls.

The 2008 data show that implementation of the satellite system, although still limited to new vehicles, seems to have led to a reduction in the incidence of infringements concerning journey and resting times, particularly in the transportation of cattle, in relation to the total number of infringements.

As in the previous year, the vehicle load irregularities encountered in 2008 were connected to failure to use or incorrect use of devices which are compulsory for vehicles making long journeys. Adaptation to the new standards and informing and educating those involved is the only way to remedy this type of non-compliance and to make long distance transport vehicles fully compliant.

Table 1. – Incidence and percentage frequency of infringement types concerning transport vehicles in the field of animal protection during transportation – year 2008.

Irregularity	Cattle		Pigs		Sheep/goats		Horses	
	No.	%	No.	%	No.	%	No.	%
<i>Partitions</i>								
absent					1	2.9	1.5	27.3
non-compliant					2	5.7		
<i>Drinking devices</i>								
absent			1	1.9			1	1.8
drinking devices empty			1	1.9				
drinking devices fouled	1	1.7						
blocked			2	3.8				
insufficient					1	2.9	1	1.8
tanks empty of water			1	1.9	1	2.9		
equipment not adapted to the species	3	5.1						
<i>Ventilation</i>								
absent			1	1.9				
insufficient	1	1.7					1	1.8
not operational	1	1.7						
unsuitable design	1	1.7						
<i>Load platform</i>								
insufficient height								
ramp non-compliant			1	1.9			2	3.6
<i>Temperature control system</i>								
absent	3	5.1	1	1.9				
not operational	2	3.4						
<i>Bedding</i>								
insufficient					1	2.9		
Total	12	20.3	8	15.1	6	17.1	21	38.2

Table 2. – Incidence and percentage frequency of infringement types concerning animal welfare in the field of animal protection during transportation – year 2008.

Irregularity	Cattle		Pigs		Sheep/goats		Horses	
	No.	%	No.	%	No.	%	No.	%
ANIMAL WELFARE								
excessive temperature	1	1.7	1	1.9				
dead or suffering animals	2	3.4	3	5.7			1	1.8
overcrowded conditions	2	3.4	5	9.4	4	11.4	1	1.8
resting times not respected	10	16.9	9	17.0	3	8.6	6	5.5
Total	15	25.4	18	34.0	7	20.0	8	14.5

Table 3. – Incidence and percentage frequency of infringement types concerning accompanying documentation in the field of animal protection during transportation – year 2008.

Irregularity	Cattle		Pigs		Sheep/goats		Horses	
	No.	%	No.	%	No.	%	No.	%
TRAVEL DOCUMENTATION								
<i>Journey log</i>								
absent	5	8.5	1	1.9	2	5.7		
incomplete	5	8.5	3	5.7	3	8.6	4	7.3
non-compliant	18	30.5	7	13.2	4	11.4	7	12.7
corrections and cancellations							2	3.6
<i>Veterinary certification</i>								
absent			1	1.9			2	3.6
<i>Transport authorisation</i>								
absent			1	1.9			2	3.6
<i>Long journey authorisation</i>								
absent	1	1.7	1	1.9				
<i>Transporter authorisation</i>								
absent					1	2.9	1	1.8
non-compliant			3	5.7			1	1.8
<i>Driver certificate of competence</i>								
absent			2	3.8	7	20.0	3	5.5
non-compliant			2	3.8				
<i>Vehicle certification</i>								
absent	1	1.7						
non-compliant			1	1.9	2	5.7	5	9.1
<i>Vehicle approval certificate</i>								
absent	1	1.7	2	3.8	1	2.9		
non-compliant	1	1.7	3	5.7			1	1.8
Total	32	54.2	27	50.9	20	62.9	26	47.3

7. ACTION PLAN

Analysis of the main irregularities found indicates that information and education for those involved in the animal transport sector should be viewed as essential in remedying the non-compliances encountered, as well as training staff responsible for monitoring compliance with the rules on animal protection during transportation.

As already mentioned in previous reports, this process began in May 2007 with the organisation of courses resulting in the issue of certificates of competency for drivers and attendants, as provided for by Regulation (EC) No 1/2005 which, with the financial assistance of the Ministry of Employment, Health and Social Policy, enabled a consistent training programme to be implemented across the entire country. This training programme finished in early 2008 and, as well as resulting in certificates of competence being issued to drivers and attendants, created a nucleus of veterinary trainers for the Ministry of Health, the Regions and Local Health Authorities (AUSLs), who continue to ensure consistency of training for all new operators requiring certificates of competence.

The Veterinary Services of the Regions and the AUSLs, in collaboration with the Associazione Italiana Allevatori (Italian Breeders Association), have also implemented the second phase of a new training programme designed to train and inform breeders (owners or keepers of animals) and slaughterhouse workers. As indicated in the previous report, this training programme began in May 2008 and the first phase was completed in September 2008, providing training to 300 official veterinarians and 120 representatives of the Breeders Association (veterinarians or equivalent professionals). The second phase of the programme has so far provided training for 2 751 breeders, through 63 courses which have already been completed and 15 courses which are still ongoing.

In collaboration with the Ministry of Health, FNOVI (Federazione Nazionale degli Ordini dei Veterinari Italiani – Italian National Veterinarians' Federation) in December 2008 also implemented an e-learning training course aimed at all State and self-employed veterinary surgeons, with the same training contents, with the aim of broadening knowledge on the subject. 1 144 veterinarians have so far been trained through this course.

Furthermore, as regards training for slaughterhouse workers, the National Reference Centre for Animal Welfare is finalising production of audiovisual material and brochures which will soon be distributed to the Veterinary Services of the Local Health Authorities and industry associations. An e-learning course on animal protection during slaughter will also be produced by December 2008.

Finally, as regards training for staff responsible for monitoring compliance with the rules on animal protection during transportation, in addition to the manual on animal protection during transportation (which is also available on the websites of the Ministry of Health, Ministry of the Interior, Anti-Vivisection League and Animals' Angels), training courses will be organised periodically with the active participation of experts from the Veterinary Services of the Ministry, the Regions and the Local Health Authorities, as well as experts from the Anti-Vivisection League and Animals' Angels animal protection associations.

