



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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Dear SVS secretariat,

Legal position on transport of cows using shackles

We are writing to alert you to the above issue and ask that you distribute this letter to your members to remind them of the legal position regarding transport cows using shackles. We have recently sent a letter (attached) about this to all hauliers who transport cows in GB and your members may receive queries on this from their clients as many of them also deal with cattle.

Animal and Plant Health Agency (APHA) has been made aware of this issue by OVs working for the Food Standards Agency (FSA) and Food Standards Scotland (FSS) in abattoirs. They have identified multiple occasions where cows were transported using/wearing shackles, sometimes over long distances, taking several hours to reach their destination. In some instances cows become recumbent during transport and were unable to stand back up at the abattoir. In order to protect cattle welfare, we feel that in addition to reminding hauliers about their responsibilities, it is also necessary to reiterate to veterinarians and farmers what the legal requirements for cattle transport in GB are, encompassing Defra's and Devolved Governments position on this matter.

Transport regulations in GB are detailed below:

The Welfare of Animals (Transport) Orders for England (2006) and Wales (2007) and Regulations for Scotland (2006) make it an offence to transport any animal in a way which causes, or is likely to cause, injury or unnecessary suffering to that animal. They implement Assimilated Council Regulation EC No 1/2005, which protects animals during transport and related operations.

Assimilated Council Regulation EC No 1/2005 states :

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.

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.

Injured animals, which includes cows that have "done the splits" must not be transported and should either be treated and fully recovered prior to transport or humanely dispatched on farm. Emergency slaughter on the day of injury is another option.

The use of shackles can have an important role in the treatment and management of down and injured cows on farm. However, where they are relied upon to support a cow when it is walking, then that animal is not to be considered fit for transport. A cow in shackles is more at risk of falling during transport, and is likely to find it difficult to stand again. Additionally, the cow will have increased difficulty during loading and unloading due to the angle of the ramps into the vehicle.

Prior to transport, farmers are advised to seek veterinary advice if they are unsure if an animal is fit for the entirety of the journey. A veterinarian's decision should be made based on knowledge of the animal's condition, proposed journey duration and the legislation.

Assimilated Council Regulation EC No 1/2005 Annex 1, Chapter I also states that:

However, sick or injured animals may be considered fit for transport if they are:
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:

This would allow for example transport of an injured cow a short distance from an out farm, back to the home farm for treatment, nursing and care.

Any animal arriving at a slaughterhouse wearing shackles is reported to the relevant Local Authority (LA) and APHA by the FSA and FSS, irrespective of the animal's condition on arrival. APHA and LA investigate these reports, including those responsible for all stages of the journey from farm of origin to abattoir, including any stops along the way such as at collection centers and markets.

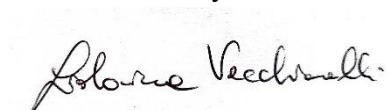
APHA carries out farm inspections to determine compliance with animal welfare legislation in Great Britain. Any farmer found to be non-compliant with the rules on transport is at risk of enforcement action and penalties.

In summary – cattle that need shackles are not fit for transport. Those that suffer an injury where the use of shackles aids management and supports recovery should remain on farm till they are fully recovered and fit for transport unassisted. If not, on farm culling should be considered.

For your awareness a similar letter to this has been sent to the BCVA secretariat for distribution to their members, however we are aware that while many members of SVS do a significant amount of cattle work, they may not be BCVA members.

I hope that this has fully explained the legal position. However, if you have any remaining questions then please do not hesitate to contact APHA welfare advice services (AHWAelfareVAs@apha.gov.uk)

Yours sincerely,



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