

Nobel House  
17 Smith Square  
London SW1P 3JR

Telephone 08459 335577  
Email [alun.michael@defra.gsi.gov.uk](mailto:alun.michael@defra.gsi.gov.uk)  
Website [www.defra.gov.uk](http://www.defra.gov.uk)



Dr Caroline Lucas MEP  
European Parliament  
Office 8G103  
Rue Wiertz  
B-1047 Brussels  
Belguim

Our ref: 195453/MG

*6th April 2004*

**From the Minister for Rural Affairs and Local Environmental Quality**  
The Rt Hon Alun Michael MP

*Dear Caroline,*

Thank you for your letter of 23 February to Margaret Beckett about the welfare of horses.

There is clearly some anxiety that proposed changes to the European Transport Directive might lead to a resumption in the long extinct export trade in horses for slaughter abroad. These fears have been fed by misinformation in the media and some poorly informed campaigns. I would like to clarify the situation and inform you about the positive action the government is taking.

Put simply, the Government wants to see the end of the long distance transport of animals for slaughter. As regards horses, there has never been a legal ban on the 'export' of horses and ponies from this country for slaughter but our minimum values rules and other restrictions have helped to prevent the 'export' of unfit or low value horses and ponies. However, it is clear that these rules are no longer sustainable in their current form. That is not just my view based on legal advice but was confirmed by Commissioner Byrne when an Opposition MEP raised the issue with him recently.

Our approach in responding to the negotiations on the Transport Directive has been as follows:

- to reaffirm our intention to maintain the system of minimum values until we are satisfied that any new system affords the same or better protection for horses as is currently the case
- to seek higher standards for horses under the Directive so that particular rules can be applied to protect the welfare of horses during transport both within the UK, and for horses travelling from the UK to other countries
- to work with organisations concerned with equines to set the highest standards of horse welfare
- to seek better enforcement of live transport rules throughout the EU, including within the countries that will join the EU shortly.

Further details on bullet point 2 are given in the attached note.

Horse welfare will also be strengthened by the Government's approach to horse passports. Failure to extend their introduction to all equines ran the very real risk that many commonly used veterinary treatments would be prohibited by the European Commission. The introduction of passports was strongly supported by the horse industry as an opportunity to boost horse welfare and the opportunity is also being taken to develop a comprehensive database which will benefit all aspects of the horse industry in this country.

Horse owners are required to indicate on the passport whether the horse is 'intended to be slaughtered for human consumption' or not. We do not have a culture of viewing horses as a food species, but tough decisions do have to be taken at the end of a horse's life about its disposal, and some owners elect to send their horse to an abattoir to be killed humanely. At present, it is unclear what the effect of the requirement for a declaration will be on the number of horses currently sent to abattoirs. There have been fears that the effect might be to reduce the number of horses that are currently eligible to go for slaughter, and lead to an increase in the export trade, or abandonments and damage to horse welfare.

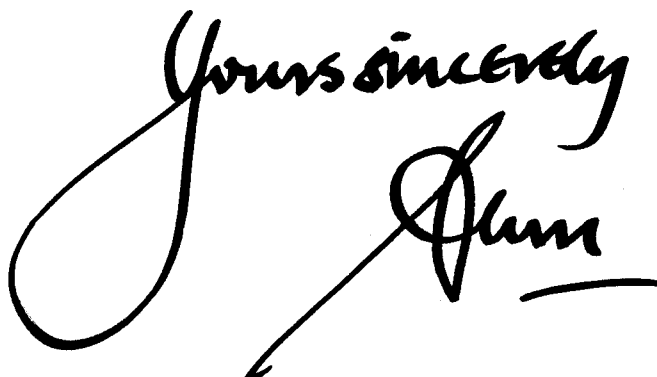
I can make it absolutely clear that, in our negotiations with the EC we intend to negotiate regulations on the transport of horses so that horses which are currently slaughtered in the UK are not in future exported instead. It is precisely the control of horse welfare in transport that we are making stronger rather than weaker.

What is rarely stated honestly and clearly is that there is a trade in horse meat for the food chain from this country and always has been. The minimum values rule has at best prevented the transport of low value ponies and working horses and has acted as a proxy for preventing the export of horses for slaughter.

I have met horse welfare organisations including the RSPCA and the International League for the Protection of Horses. They tell us that a reduction in the number of horses being slaughtered in the UK for export as meat could cause real problems. They agree with the industry that abattoir closure could follow. I am considering whether greater flexibility on when the Horse Passport declaration has to be made might help here, but I have pointed out that they need to help shape public opinion with a clean and honest statement about what is best for horse welfare if they are to promote such an approach successfully.

It has been suggested that the Government could somehow seek an outright ban on the export of horses for slaughter, because of the British public's special relationship with horses and the widespread public feeling about this issue. Animal welfare organisations accept that it is difficult to argue that it is morally wrong to slaughter horses abroad when we slaughter horses in this country for human consumption. On the other hand there are strong objections to long-distance travel for slaughter abroad. During a Westminster Hall debate on 31 March I spelt out some of the problems that would undermine the effectiveness of a 'simple ban' but we will look at the proposal supported by the European Parliament with care once we have considered view of the Commission.

Our focus is on legislation based firmly on greatly strengthening the animal welfare legislation which will have an impact here and improve the welfare of horses across the whole of the enlarged European Union. We have some way to go before the new measures are agreed and implemented but I believe our approach is right and – as I have said repeatedly - we will continue to operate our current rules until new rules have been agreed.

*Yours sincerely*  


## Briefing note

### EXPORT OF HORSES AND PONIES FROM GREAT BRITAIN

The Government is working with equine organisations on measures to protect the welfare of horses and ponies and to meet the horse welfare challenges of today's world.

The new measures will be robust and based on the UK's success in improving horse welfare requirements throughout Europe, including the accession states. This includes

- EU export health rules that ensure that animals are fit to travel
- New EU rules that improve the welfare of horses during transport
- New EU rules restricting the transport of "unbroken" horses

Our current GB rules based on controls introduced in the Exportation of Horses Act 1937 and the Ponies Act 1969 apply minimum values to certain categories of working horses, only if they are exported for work, and to ponies. They also restrict the export of ponies to animals that are intended for breeding, riding or exhibition. They do not explicitly ban the export of horses or ponies for slaughter. Although a small number of horses may be slaughtered after leaving this country each year, there is no evidence of support for a commercial export trade, and there is considerable public opposition to export for slaughter. Our GB rules ensure that only animals that are fit to travel are exported to Europe and that they are adequately fed, watered and rested before transport. It is not an option to continue to operate these rules unchanged. We believe that the measures set out below provide similar or better controls than those we have now.

This is how we are addressing the future of each of our current controls:

#### **Minimum values for ponies**

To replace controls based on the value of each animal, we propose, and have support of other EU countries for, the inclusion of a requirement in the new EU regulations on the welfare of animals during transport that any horse that cannot be tied or led by the halter without causing avoidable excitement, pain or suffering must be transported only for a short journey by road and only in a groups of no more than four animals. This rules out sea or air transport for these animals (they are not carried in the Channel Tunnel). This is an important improvement in the welfare controls for these animals that are stressed by handling and transport.

#### **Minimum values for horses**

Working horses (heavy draft horses, vanners, mules, jennets and asses) if they are exported as working animals must meet minimum age and value requirements. These provisions have not been used in at least the past seven years and probably not for several years before then. Animals of this type are likely to be exported for breeding, showing or competition, when

minimum values do not apply. We do not intend to continue these controls once they have been replaced by general requirements on fitness for transport.

### **Fitness for transport**

EU animal health certification now requires that horses are examined by a veterinary inspector before they are exported and must be certified as fit for the intended journey. This replaces the GB requirement for an inspection specific to horses on fitness for transport. As an additional control we shall ask veterinary inspectors to check whether the animals can be handled and transported, in particular, that they are easily haltered, lead and tied up and that they have been transported before.

### **Rest, feed and water**

Since 1997, EU welfare in transport rules have set down rules for journey times, feed, water and rest intervals that apply throughout the journey. They require that animals are watered, fed and if necessary cared for in the 24 hours before travel. These rules have replaced the GB requirement that horses must be rested for 10 hours before embarkation.

### **Improved protection during transport throughout the EU**

#### Horses

The proposals for a new regulation to replace the current EU rules on welfare during transport include a requirement that all horses transported on journeys longer than nine hours must be transported in single partitions. Mares with foals at foot and weaned foals would be exempt. This provision, is supported by all EU countries and will have a significant effect on the cruel trade in horses into the EU for slaughter from a variety of sources. We have sought additional protection that would ensure that all horses transported in a vehicle on a roll-on roll-off ferry must also be transported in single partitions.

#### Enforcement

The proposals also include requirements for improved enforcement and co-operation between EU countries to ensure that those who do not comply with the rules are properly dealt with and these have our full support. We recognise that effective enforcement is key to the success of the new rules, and for the protection of animals. We have always strictly enforced welfare during transport rules in this country, and we shall continue to do so, as well as continuing to encourage and support better enforcement throughout the EU

### **Public morality**

It has been suggested that the UK, and other EU countries, should be allowed to ban the export of horses for slaughter on the grounds of public morality. This is not our present legal position and there are no grounds on which we could seek a ban.

Current rules along with strong enforcement exist to protect the welfare of horses during transport and slaughter, and we are looking to improve the transport rules further, including enforcement, in the current round of negotiations. Given that rules exist, it would be against EU trade rules (Article 29 of the Treaty of Rome) to introduce a restriction on the legitimate movement of animals.

We also do not believe that we can ban the export of equines for morality reasons (Article 30 of the Treaty) when horses are slaughtered in this country and the meat is exported for human consumption and there never has been a ban on the consumption of horse-meat. Closing slaughter facilities in this country, could result in serious problems associated with aged or infirm horses that would have been slaughtered suffering or being abandoned. There would also be pressure for an export trade for slaughter, pressure that does not exist now. Our aim is to put in place effective measures of horse welfare across the enlarged Europe – surely an aim well worth pursuing.

Defra  
February 2004