

**DISEASES OF ANIMALS (PROTECTION OF ANIMALS DURING TRANSPORT)  
(AMENDMENT) ORDER 1997**

I, Joe Walsh, Minister for Agriculture and Food, in exercise of the powers conferred on me by sections 3 of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture, Food and Forestry (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 302 of 1997), and for the purpose of giving effect to Council Directive No. 95/29/EC of 29 June 1995(1), hereby order as follows:

(1) O.J. No. L148 of 30.6.1995, p.52.

**REG 1**

1. (1) This Order may be cited as the Diseases of Animals (Protection of Animals during Transport) (Amendment) Order, 1997.

(2) The Principal Order and this Order may be cited together as the Diseases of Animals (Protection of Animals during Transport) Orders, 1995 and 1997.

**REG 2**

2. In this Order "the Principal Order" means the Diseases of Animals (Protection of Animals during Transport) Order, 1995 (S.I. No. 98 of 1995).

**REG 3**

3. Article 2 of the Principal Order is hereby amended by—

( a ) the substitution for the definition of "the Council Directive" of the following definition:

' "the Council Directive" means Council Directive No. 91/628/EEC of 19 November 1991 (2), as amended by Council Decision No. 92/438/EEC of 13 July 1992(3), Commission Decision No. 94/96/EC of 3 February 1994(4) and Council Directive No. 95/29/EC of 29 June 1995(1);",

(2) O.J. No. L340 of 11.12.1991, p.17.

(3) O.J. No. L243 of 25.8.1992, p.27.

(4) O.J. No. L50 of 22.2.1994, p.13.

( b ) the insertion before the definition of "master" of the following definition:

"'journey' means transport from place of departure to place of destination;"

( c ) the insertion before the definition of "Member State" of the following definition:

"'means of transport' means those parts of road vehicles, rail vehicles, vessels and aircraft used for loading and carrying animals, as well as containers for land, sea or air transport;"

( d ) the insertion after the definition of "Minister" of the following definition:

"'place of departure' means the place at which the animal is first

loaded on to a means of transport, or any place where the animals have been unloaded and accommodated for 24 hours, watered, fed and, if necessary, cared for, but excluding a staging or transfer point;"

( e ) the insertion before the definition of "port" of the following definition:

"'place of destination' means the place at which an animal is finally unloaded from a means of transport, but excluding a staging point or transfer point;"

( f ) the insertion before the definition of "third country" of the following definition:

" 'staging point' means a place where the journey is interrupted to rest, feed or water the animals;"

( g ) the insertion before the definition of "transport" of the following definition:

"'transfer point' means a place where transport is interrupted to transfer animals from one means of transport to another;"

( h ) the insertion before the definition of "transporter" of the following definition:

"'transport' means any movement of animals, effected by a means of transport, which involves loading and unloading the animals;"

( i ) the substitution for the definition of "transporter" of the following definition:

"'transporter' means any person, and in the case of animals being transported in a road vehicle on board a vessel the person in charge of the animals, transporting animals—

( a ) on his own account, or

( b ) for the account of a third party, or

( c ) by providing a third party with a means of transport of animals

where such transport is of a commercial nature and is carried out for the purpose of gain;"

#### REG 4

4. The Principal Order is hereby amended by the substitution for Chapter VII of the First Schedule of the following Chapter:

#### "CHAPTER VII

Watering and Feeding Intervals, Journey Times and Rest Periods

48. (1) For the purposes of this Chapter, journey times shall be deemed to commence from the time the animals are loaded into the means of transport. Journey times shall not exceed 8 hours, but this period may be extended as set down in subparagraphs (2) and (3) where the transporting vehicle meets the following additional requirements:

( a ) there is sufficient bedding on the floor of the vehicle,

( b ) the vehicle carries appropriate feed for the animal species transported and for the journey time,

( c ) there is direct access to the animals,

( d ) there is adequate ventilation which can be adjusted depending on the temperature (inside and outside); in the case of pig transport, this ventilation must be mechanical ventilation,

( e ) there are movable panels for creating separate compartments,

( f ) the vehicle is equipped for connection to a water supply during stops,

( g ) in the case of a vehicle for transporting pigs, sufficient water is carried for watering during the journey.

(2) Subject to the provisions of Article 10, the transporter or person in charge shall ensure that the transport of animals by road in a road vehicle complies with the following requirements:

( a ) Unweaned calves, lambs, kids and foals which are still on a milk diet, as well as unweaned piglets—

(i) shall, after a maximum of 9 hours of transport, be given a rest period of at least 1 hour sufficient in particular for them to be given liquid and if necessary fed. After this rest period, transport may continue for a further 9 hours;

(ii) at the end of such transport, shall be unloaded, given a feed adapted to their physiological needs, watered, and rested for at least 24 hours.

Transport may recommence 24 hours after unloading in accordance with the above requirements of this clause.

( b ) Domestic solidungulates (except registered equidae within the meaning of Council Directive 90426/EEC) (5)—

(5) O.J. No. L224 of 18.8.1990, p.42.

(i) may be transported for a maximum period of 24 hours;

(ii) shall be watered and if necessary fed every 8 hours;

(iii) at the end of such transport, shall be unloaded, fed and watered and rested for 24 hours.

Transport may recommence 24 hours after unloading in accordance with the above requirements of this clause.

( c ) Bovine animals, sheep and goats, other than those referred to in clause (a) of this subparagraph—

(i) shall, after 14 hours of travel be given a rest period of at least 1 hour sufficient for them in particular to be given liquid and if necessary fed. After this rest period transport may continue for a further 14 hours;

(ii) at the end of such transport, shall be unloaded, fed and watered and rested for 24 hours.

Transport may recommence 24 hours after unloading in accordance with the above requirements of this clause.

( d ) Pigs, other than unweaned piglets referred to in clause (a) of this subparagraph—

(i) may be transported for a maximum period of 24 hours;

(ii) shall have continuous access to water during the journey;

(iii) shall, at the end of such transport, be unloaded, fed and watered and rested for 24 hours.

Transport may recommence 24 hours after unloading in accordance with the above requirements of this clause.

( e ) In the case of transport by sea in a road vehicle on a

regular and direct link between two geographical points of the European Union, a rest period of 12 hours shall be provided after the animals are unloaded at the port of destination or in its immediate vicinity, unless the journey time at sea is such that the voyage may be included as part of the general scheme set out in this subparagraph. In any event, such animals shall be watered.

(3) In the interest of the animals, the journey times provided in subparagraph (2) may be extended by 2 hours, taking account in particular of proximity to the place of destination."

GIVEN under my hand, this 28th day of July, 1997.

JOE WALSH,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

This Order gives effect to Council Directive No. 95/29/EC of 29 June, 1995, which provides inter alia detailed rules on the watering and feeding intervals, journey times and rest periods for animals during transportation.