

THE EXPORT OF LIVE FARM ANIMALS

A cruel trade that makes no economic sense

A COMPASSION IN WORLD FARMING

report by

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INTRODUCTION

On 22nd June 1995 the EC Council of Agriculture Ministers agreed new rules on the welfare of animals during transport. These rules have been heralded by some as solving the problems of animal transport; it is being argued that live exports can now continue with no further qualms as to the animals' well-being.

In essence, the new rules simply tinker at the edges of the problem. They fail to provide for the one policy change that is really needed, which is the replacement of long distance live transport by a meat trade.

Instead the new rules give the green light to the continuation of the live trade. The new journey limits turn out not to be journey limits at all. They are simply a break for food, water and rest, and 24 hours later the journey can be resumed.

UK animals will still be sent on prolonged journeys in overcrowded trucks only all too often to be brutally treated during unloading and at slaughter. UK calves will still end up in the veal crates of Holland and France. Enforcement of the welfare rules is likely to remain largely non-existent in much of the Community.

In the light of this Compassion in World Farming continues to believe that the export of live farm animals from the UK should be banned and that the EC should reconsider its position and replace the live trade with a carcass trade.

Over the last year a vigorous debate has been taking place on the export of live farm animals. In the course of that debate a number of misconceptions have arisen. It has been argued for example that in fact there are no significant welfare problems on the continent, that UK farmers would face economic devastation if the live trade came to an end, and that the UK is prevented by EC law from prohibiting live exports.

This paper sets out to examine the facts behind the trade. In particular it looks at:

- * the welfare implications for the animals involved
- * the economics of the trade
- * the legal position
- * the ethical considerations

WELFARE IMPLICATIONS

The journeys

In 1993 the UK exported some 2 million lambs and sheep and 500,000 young calves. Trade sources suggest that despite the ferry companies' ban, the volume of calf exports was maintained

in 1994 but that sheep exports were lower than in 1993. Once animals get to the continent they enter a world where welfare standards - both during the journeys and then at slaughter - are often appallingly low.

Animals are frequently given neither food nor water, even during journeys of 30 hours or more. For example, in 1994 World in Action followed a consignment of sheep transported from Somerset to southern France. The animals were given neither food nor water during the 28-hour journey. More recently pigs went for 37 hours without food or water on a journey from Britain to Portugal.

Lambs have been trailed going for over 40 hours without food and water on journeys from the UK to southern Italy. Similarly, young calves have been transported from the UK to the south of France going for well over 30 hours without food and water.

Indeed, in a 1993 Report the European Commission admitted that the EC laws on feeding and watering animals in transit are "systematically flouted" (Commission Report, 1993).

Unloading can be a brutal process on the continent with animals being beaten and kicked and the use of the electric goad being commonplace. In France sheep are sometimes dragged along by one front leg from the truck and into the slaughterhouse. At Anderlecht market in Brussels the author has witnessed an electric goad being used repeatedly over a 15-minute period on the flanks and anus of a cow during an attempt to load the animal.

In the summer the combination of hot weather and poor ventilation can be lethal. In July 1994, for example, 400 British sheep were sent to Greece; 300 died during the journey from heat exhaustion.

In its 1993 Report the European Commission accepted the gravity of the situation. It concluded that "long distance transport in overstocked vehicles, combined with dehydration and starvation, results in very poor welfare and often in high mortality".

Research published in 1993 by scientists, mainly from Bristol University, shows that transport is extremely stressful for lambs. The researchers looked at one group of lambs who had been transported for 9 hours and another group transported for 14 hours (Knowles et al, 1993).

They found that the lambs took a massive 144 hours to recover "almost completely". They added that the lambs needed 96 hours rest before being in an acceptable state to resume their journeys. It should be emphasised that these long recovery times were based on journeys of 9 and 14 hours. In reality, lambs are sometimes transported for 30 hours or more.

A more recent research paper concluded that "from a welfare point of view, transport distance and transport times should be kept to a minimum". It adds that "this study and previous work show that transport is a stressful process involving psychological and physical stress" (Knowles et al, 1995).

Slaughter

Compassion in World Farming (CIWF) videos have shown that some Spanish abattoirs slaughter sheep without first stunning them. Lambs are simply hung up by a rear leg. Then their throats are cut and they are left to bleed to death while fully conscious. This practice is in breach of EC law which requires animals to be stunned before slaughter.

Substantial welfare problems and breaches of EC law have also been filmed in slaughterhouses in Italy, Greece, Belgium and the Netherlands. CIWF's film "For A Few Pennies More" shows pigs which are too lame to walk being kicked and dragged to the slaughterhouse in Salerno, Italy. Such casualty animals should have been humanely slaughtered on the farm rather than being subjected to the rigours of transport to the abattoir. Once inside the slaughterhouse, CIWF's film shows a pig being slaughtered without first being stunned.

Nigel Durnford, an Animal Health & Welfare Officer with Wiltshire County Council, has examined transport and slaughter conditions in a number of European countries. He reports seeing a brutal method of unloading lambs from two-tier trucks at Rome abattoir - they are simply thrown from the upper tier to the ground. He adds that the lambs were stunned before slaughter - as long as the Official Veterinary Surgeon was present. Once he left, stunning was abandoned, with the lambs' throats being cut while they were conscious.

A film made by the principal Dutch animal welfare society portrays the transport of injured pigs and cattle in Holland. As with the Italian pigs, such casualty animals should have been humanely slaughtered on the farm, not taken to the abattoir. The film shows animals which are unable to move being dragged off trucks, often by their ears or by chains attached to a rear leg.

Some are lame, others appear terribly deformed. In the worst case a pig's inner organs have spilled out of its body - presumably through its anus. Still alive, it is being pushed and shoved forward.

At the slaughterhouse pigs are inefficiently stunned. Some need more than one application of the electrical tongs before being rendered unconscious. Sometimes the tongs are applied to completely the wrong head position for an effective stun.

Inability of exporters to assure welfare standards

It must be stressed that those exporting animals from the UK often do not know what the final destination of the animals will be and thus have no control over the animals' well-being. Exporters have sought to give assurances that they take steps to ensure the animals' well-being on the continental journeys. Frequently, however, the importer will almost immediately sell the animals on to another purchaser and the animals will be forced to undergo another journey, of which the UK exporter may have no knowledge and over which he will certainly have no control.

For example, in December 1994 CIWF trailed a consignment of calves flown out from Coventry Airport to France. The official journey plan submitted by the exporter to the Ministry of

Agriculture gave the final destination as Cherance, France. The calves indeed went to quite a reasonable farm in Cherance. Later the same day, however, they were loaded back on to a truck and driven a further 500 kilometres (a journey of some hours) to a particularly cruel veal crate farm near Angouleme.

Solution

Most of the animals involved in the live export trade will be slaughtered on, or soon after, arrival at their destination. It makes no sense to subject animals to the misery of long journeys only to slaughter them at the journey's end. CIWF believes that animals should be sent to a slaughterhouse as near as possible to the farm on which they have been reared. The meat can then be transported throughout the EC.

The European Commission's Scientific Veterinary Committee has echoed this approach stressing in a report that live transport "should be avoided whenever possible". They concluded that "the occurrence of poor welfare can be reduced considerably by slaughtering near the point of rearing and transporting meat" (SVC, 1992).

Calf exports

The majority of calves exported from the UK end up in veal crates in Holland and France, a system so cruel that it has been banned in the UK since 1990. CIWF thinks it is wrong to send calves for rearing abroad in a system which has been outlawed at home.

The usual veal crate is a solid-sided wooden box. It is so narrow that from the age of two weeks the calves cannot even turn round. Indeed they cannot even stand up or lie down without difficulty. The calves remain in these conditions until they are slaughtered at the age of five months. Throughout that time they will be kept in semi-darkness on bare wooden slats with no straw or other bedding material.

Professor John Webster, Head of the School of Veterinary Science at Bristol University, Britain's leading expert in dairy cattle welfare, has said that the veal crate system is "one of the most bizarre and, in my opinion, unequivocally cruel forms of livestock production" (Webster, 1993).

One key problem in veal crate systems is the diet. Continental consumers prize the very pale meat known as "white veal". To achieve this the calves are fed throughout their lives on a completely unhealthy all-liquid diet (calves should have fibre in their diet from the age of 2 weeks). Professor Webster has condemned this diet stating that "it completely distorts the normal development of the rumen", the calf's stomach system (Webster et al, 1986). In a desperate attempt to get solid food the calves lick the wooden boxes and swallow their own hair. The iron content of the diet is also kept extremely low in a further attempt to keep the flesh pale. Many of the calves are verging on clinical anaemia by the time they are slaughtered.

Professor Webster has added that the incidence of infectious disease in veal crate units is high and often kept under control only by liberal and repeated administration of antibiotics (Webster et al, 1986). Professor Donald Broom, Professor of Animal Welfare at the Department of Clinical Veterinary Medicine at the University of Cambridge has stated that, in general, calves

kept in crates have to be given extra medication to ensure that they are going to survive (Broom, 1994).

The majority of calves being exported are the male calves born to dairy cows. The calf is separated from the mother at the age of just one or two days old; this causes great distress to both animals. When they are about one week old the calves are taken to market. From there they will go by road to a seaport or airport. Once in Europe they will endure another road journey to the farm.

It is completely unacceptable for tiny, week-old calves to be sent on long journeys to Europe, journeys which can last over 20 or even 30 hours. Research carried out by Trunkfield and Broom (1990) of Cambridge University's Department of Clinical Veterinary Medicine concluded that "transport normally leads to poor welfare in calves". The researchers added that "The disturbance for the animal is psychological as well as physical and physiological. Calf welfare during transit may be very poor".

A legitimate trade?

Exporters are fond of proclaiming that theirs is a lawful and legitimate trade. It is indeed not against the law to export live animals. Many people, however, believe it to be an immoral trade and hence campaign for the law to be changed to make the trade illegal. The law is, moreover, not infrequently broken during the course of the trade; some of Britain's major exporters have been convicted of offences associated with the live export trade.

When last year Brittany Ferries decided to continue carrying live animals, they imposed their own welfare code. Eventually in November 1994 they joined the other ferry companies in pulling out of the trade altogether, saying that they were "saddened and shocked by the total disregard the majority of livestock exporters have shown" for the Brittany code. They added that their code had been "cynically disregarded by a large proportion of livestock exporters".

As for the trade's legitimacy, many would agree with Compassion in World Farming's view that a trade which routinely involves animal suffering can have no claims to legitimacy.

Enforcement

In many EC Member States, enforcement of the welfare rules is all but non-existent. The European Commission is supposed to ensure that Member States enforce EC laws in their territory. The full extent of the Commission's inactivity in this sphere was revealed when the former Agriculture Commissioner, René Steichen, admitted in answer to a Parliamentary Question, that the number of Community veterinary inspectors was so small in relation to its field of activity that it has not yet been possible to make any checks on compliance with the welfare rules. (All the inspectors' time is spent on checking on compliance with veterinary public health rules such as those on meat hygiene).

Replying to a further Parliamentary Question in 1994, the Commission stated that it had neither the funding nor the staff to monitor compliance with the EC's transport rules. It admitted that "no checks have been made on compliance with Community rules on protection of animals during transport".

Clearly enforcement of the welfare rules is given a very low priority by both the Community and many of the Member States.

ECONOMICS OF THE TRADE

Exporting live animals is considerably more expensive than exporting carcasses. It costs on average four times more to transport a live animal abroad than to transport a carcass. This is in part due to the fact that a given vehicle can carry fewer live animals than carcasses. For example, in 1994 the cost of transporting live sheep from the UK to northern France was about £4.50 per head. This compares with a cost of about 90p for transporting a carcass over the same distance.

Some exporters argue that continental consumers want locally killed meat and so will not accept British meat as a substitute for our live animals. As 80% of our exports are already in carcass form, this argument is simply not borne out by the facts. Europeans clearly have no fundamental objection to buying British meat. We are told that British lambs lead the way on quality in Europe. Skilful marketing by the Meat & Livestock Commission on the continent should ensure that the loss of live exports can be compensated for by an increase in meat exports.

43% of the UK sheep flock is exported, either live or as meat. Of that 43%, only 20% is exported live. In other words, only 8% of the UK sheep flock is exported live. With only 8% of the flock being affected, it is hard to believe that the ending of live exports would prove to be the disaster predicted by some farmers.

An NFU report has said that if there was a complete ban on live sheep exports "we would expect most but not all of the current live exports to be replaced by carcass exports in the long term" (NFU, 1995). A Meat & Livestock Commission report has predicted that an end to sheep live exports would lead to a drop in average producer returns of just 5-6% (MLC, 1995). Both these statements suggest that an end to the live export of sheep would not have major financial consequences for farmers (in fact lamb prices have held up since the ferry companies stopped carrying live animals for export.)

Nonetheless, farmers are protesting that the prices of live sheep and lambs may fall if the demand from foreign buyers were to dry up. If this happens it should lead to lower lamb prices in the shops to the benefit of UK consumers. In the last few years high prices have been driving consumers away to such an extent that the trade is concerned that people may lose the taste for lamb. Lower prices could well lead to an increase in domestic lamb consumption, thereby allowing farmers to become less dependent on exports.

Similarly, CIWF does not believe that dairy farmers would suffer serious financial damage from an end to calf exports. Indeed, the NFU report referred to earlier admitted that calf exports account for less than 10% of a dairy farmer's total receipts. In other words, as one may imagine, dairy farmers primarily earn their living by producing milk, not by exporting calves.

The vast majority of the calves exported from the UK are male calves born to the dairy herd. Dairy farmers claim that nothing could be done with the "surplus" calves if live exports were stopped.

Their argument pre-supposes that the current level of dairy production inevitably leads to there being some 500,000 calves which are "surplus" to requirements and for which no proper use can be found in the UK. This is simply not the case. In the late 1960's the UK's dairy consumption was higher than it is now, and yet at that time we exported only 25,000 calves annually not the current level of 500,000. Clearly there is no inflexible rule which determines that with the UK's current level of dairy consumption we are bound to have a large number of "surplus" calves.

There is no reason why the calves that presently are exported should not be reared and slaughtered in this country. Dairy farmers who wish to export their calves argue that there is no use for the animals in the UK as calves born to dairy cows produce poor quality beef. UK beef farmers, however, have made it clear that they are perfectly willing to buy these calves and rear them on for beef. There is an ample market for beef of a range of different qualities; for example, more than 40% of the beef sold in the UK is sold as mince.

What deters UK beef farmers from buying dairy calves at present are the high prices of the animals. These prices have been inflated by the presence in the market of continental veal crate producers who are prepared to bid high for UK calves. Their activity has effectively raised the price of calves to a point which significantly cuts into the potential profits of UK beef farmers. A spokesman for Dalgety's has been quoted as saying "such a buoyant [live] export market is clearly not in the best interests of the British beef industry ... it makes calves too expensive for local buyers (The Journal, 1995).

Moreover, UK abattoirs would clearly welcome the enhanced throughput that would arise if the calves that are presently exported were reared and slaughtered in this country. The Meat Trades Journal has written that "several abattoir owners claim the veal trade to France and the Netherlands is bleeding their industry dry" (MTJ, 1993). One industry spokesman has been quoted as saying "Calves are the seed corn of our future and if they are exported live we can't process them. The industry is alarmed about the depth of leakage which is estimated at the equivalent of the throughput of ten large abattoirs" (MTJ, 1993).

The meat trade's concern about live exports is not confined to calf exports. UK abattoirs generally have been under great economic pressure from live exports. The fact that so many of our animals are exported for slaughter abroad means that UK abattoirs are suffering from significantly reduced throughputs. This in turn is leading to a loss of jobs in the slaughtering sector. Indeed, live exports have been identified by the President of the National Federation of Meat Traders as one of the principal causes of concern for the meat trade. He has written that "jobs, profits and businesses throughout the meat trade in this country are in jeopardy" (MTJ, 1994).

Clearly UK abattoirs would benefit greatly from the ending of live exports. So too would the leather industry, which has been finding it increasingly difficult to secure enough high quality skins and hides as these are being exported on the backs of our animals.

Indeed, CIWF believes that the UK economy as a whole would benefit from an end to live exports. If, instead of sending animals for slaughter abroad, they were reared and slaughtered in this country, thousands of new jobs would be created on UK farms, in UK abattoirs and in allied processing industries. Put simply, the UK economy would benefit from the added value derived

from processing animals in this country rather than exporting them. So, in addition to being inhumane, live exports make no economic sense.

Indeed, in February 1995 the Federation of Fresh Meat Wholesalers argued that an end to live exports would result in a gain of £400 million per annum to the UK economy as a result of increased work and economic activity in the UK.

Live exporters point to the fact that the live trade contributes £185 million per annum to the UK's export earnings. What they neglect to point out is that the UK imports much more meat than it exports. By exporting live animals we are sacrificing the opportunity of reducing our imports bill. Indeed, slaughtering at home would lead to bigger savings on imports than losses on exports. This is because if kept in the UK, some of the animals would be fattened before slaughter thereby increasing their value by the time they get to slaughter age.

THE LEGAL POSITION

Some have argued that the EC's free trade rules prevent the UK from imposing a unilateral prohibition on live exports. It is indeed the case that Article 34 of the Treaty of Rome prohibits EC Member States from imposing restrictions on exports.

Article 36 of the Treaty, however, provides an exception to this rule. It enables a Member State to impose restrictions on exports (and imports) where these can be justified on grounds of public morality or public policy, or amongst other things, the protection of the health and life of animals.

The European Court of Justice has over the years limited the scope of Article 36 by ruling that a Member State can no longer rely on Article 36 in a particular field of the law once the EC has made a Directive covering that field (this is known as the "occupied fields" principle). Thus it has been argued that the UK could not prohibit live exports because the fields of calf rearing and transport are occupied respectively by EC Directive 91/629 laying down minimum standards for the protection of calves and EC Directive 91/628 on the protection of animals during transport.

CIWF's view is that neither of these Directives properly occupy their respective fields. The European Court of Justice has repeatedly stated that Member States cannot be deprived of their freedom to rely on Article 36 unless the Community has adopted legislation to harmonise completely the field in question. In case 247/84 Leon Motte [1987] 1 CMLR 663 the Court stated:

"The Court has consistently held that it is only when Community Directives make provision for the full harmonisation of all the measures needed to ensure the protection of [the interests in question] and institute Community procedures to monitor compliance therewith that recourse to Article 36 ceases to be justified".

In CIWF's view the EC Calves Directive fails properly to occupy the field of calf protection for the following reasons:

1. According to established scientific veterinary opinion the Directive fails, in respect of one category of calves, i.e. those reared in veal crates, to afford protection to the health of calves (the Directive sanctions the continued use of the veal crate and the liquid-only diet in the EC).
2. The Directive only establishes minimum standards and therefore plainly does not constitute a complete legal regime for the protection of the health of calves.
3. The Directive fails to meet the Community's international law obligations under the European Convention on the Protection of Animals Kept for Farming Purposes and the Recommendation concerning cattle made thereunder. The European Convention and its Recommendation lay down standards for the rearing of calves which are much stricter than the EC Directive. (Although the term 'Recommendations' would, of course, normally refer to provisions which are not binding, some of the European Convention's Recommendations are in our view legally binding.) A Directive that fails to meet the Community's obligations under international law can hardly be said properly to occupy the field of calf protection.

As the EC Calves Directive is in breach of the Community's obligations under international law, it cannot preclude an EC Member State from relying on Article 36 in order to justify restricting the export of calves to another Member State whose domestic legislation fails to meet the requirements of the European Convention and its Recommendation.

ETHICAL CONSIDERATIONS

Some people have recognised that animal suffering is involved in long distance transport and the veal crate, but have gone on to argue that the UK should not prohibit live exports as to do so would be detrimental to UK farmers. They have sometimes added that continental veal crate producers and slaughterhouses would in any event obtain the animals they need from other countries if the UK refused to supply them.

As indicated above, CIWF believes that the income of UK farmers would not be significantly affected by a live exports ban and indeed that the UK economy as a whole could benefit from such a ban. In addition, however, there are strong ethical arguments for ending a trade which entails animal suffering even if that trade happens to be profitable.

In its recent report the Banner Committee (appointed by the government to consider the ethical implications of emerging technologies in the breeding of farm animals) considered the question of whether the UK should be prepared to take unilateral action to safeguard animal welfare. The Committee concluded that:

"Whilst it is obviously highly desirable that provisions relating to farm animal welfare be adopted in Europe, we do not accept the contention that the UK Government should in all cases decline to take action prior to agreement at the European level.

Doubtless abolition of child labour in nineteenth century Britain could have been opposed on the grounds that it would have disadvantaged British manufacturers and simply result in the export of our child welfare problems, but neither contention should have been found persuasive.

Of course moral conduct can be costly, but it can hardly be argued that we should delay behaving properly until we can guarantee that so behaving will cost us nothing. ... Nor does the point about 'exporting our welfare problems' carry much weight. The fact that someone else is prepared to do something which we judge to be wrong and which we consequently decline to do, is certainly regrettable - but it does not usually persuade us to behave wrongly in the first place. If a car is left unattended with its keys in, it is almost certain to be stolen, but if one were to steal it one should not expect to be excused blame by pleading that someone else would have done it in any case.

The task of the Government is to establish appropriate protection for farm animals in Britain whether or not that protection commends itself to our European partners ... we recognise that in some cases there may be costs in acting unilaterally on welfare matters, but as we have already observed, the claims made upon us by ethical principles cannot simply be suspended where those principles seem to conflict with self-interest" (Banner, 1995).

CIWF wholeheartedly concurs with the above views of the Banner Committee.

Ultimately this issue must be decided not on its economics but as a moral question. CIWF believes that it is morally unjustifiable for the UK to engage in a trade that involves massive and regular animal suffering. We do not believe that the UK economy would suffer from an end to live exports. But even if it did, the live trade should be brought to an end as a trade which involves cruelty to animals has no legitimate part to play in a civilised society. The UK should give a moral lead to Europe by saying that we will take no further part in this callous trade.

CONCLUSIONS

1. The live export trade frequently imposes suffering on the animals involved. Animals regularly undergo prolonged journeys in overcrowded trucks only then in all too many cases to be slaughtered in an abattoir which ignores the welfare rules. The vast majority of calves exported from the UK end up in narrow veal crates in the Netherlands and France, a system so cruel that its use has been illegal in the UK since 1990.
2. The majority of the animals involved in the trade will be slaughtered on, or soon after, arrival at their destination. It makes no sense to subject animals to the misery of long journeys only to slaughter them at the journey's end. Animals should instead be sent to a slaughterhouse as near as possible to the farm on which they have been reared; the meat can then be transported to wherever it is wanted.
3. UK farmers need not be significantly disadvantaged by a live exports ban. The UK economy as a whole could benefit from an end to live exports. If, instead of being sent for slaughter abroad, animals were reared and slaughtered in this country, thousands of new jobs would be created on UK farms, in UK abattoirs and in allied processing industries. So, in addition to being inhumane, live exports make no economic sense.
4. Compassion in World Farming does not accept that the UK is prevented by EC law from prohibiting live exports. There are strong EC law arguments on which the government could rely to justify a live exports ban.

5. Compassion in World Farming believes that a trade which involves cruelty to animals is morally unacceptable. We totally agree with the Banner Committee's conclusion that "the claims made upon us by ethical principles cannot simply be suspended where those principles seem to conflict with self-interest". Compassion in World Farming believes that the time has come for a fundamental reappraisal of the trade. The UK should end live exports and the EC as a whole should move quickly to abandon the trade in live animals and replace it with a carcass trade.

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