

9 January 2020

Mairi Gougeon MSP  
Minister for Rural Affairs and the Natural Environment  
The Scottish Government  
St. Andrew's House, Regent Road  
Edinburgh EH1 3DG

Your ref: 2019/0030238

Dear Minister

### **Export of unweaned calves**

Thank you for your letter of 26 November in reply to mine of 3 October 2019.

I welcome the steps described in your letter being taken by the Scottish Government and the dairy sector to find economically viable uses in Scotland for male pure dairy breed calves and, through sexed semen, to reduce the number of male dairy calves.

Thank you for your offer to discuss practical suggestions for how conditions for calves during transport could be improved and how a productive life for male dairy calves can be provided. I would welcome having a meeting with you to discuss these issues.

In my letter of 3 October, I pointed out that Regulation 1/2005 limits export journeys to a maximum of eight hours and only permits longer journeys if certain conditions can be met. One such condition is that after nine hours travel, unweaned calves are given a rest period of at least one hour during which they are given water and are "if necessary fed". Feed in the case of unweaned calves takes the form of milk replacer.

Both our letters acknowledge that it is not practical to provide feed in the form of milk replacer to a load of calves on a lorry. Compassion in World Farming believes that it is necessary for unweaned calves to be fed after nine hours travel as failure to do so may lead to hunger and insufficient intake of energy and protein, and may impair the calves' immune system. The stress of being transported entails an increased risk of disease for the calves.

In your letter you say that rather than unloading the calves after nine hours travel so that they can be fed, "it is the Scottish Government's view that it is preferable for the welfare of the calves for them to complete the journey to the control post or final destination as quickly as possible so they can be given individual attention in specialised facilities".

However, Regulation 1/2005 does not enable the Scottish Government to opt for this course of action; it does not provide the Government with a discretion to decide that, as unweaned calves cannot be given feed on board the lorry, the calves should after the one hour rest continue to be transported for up to another nine hours. The only choices open to the Scottish Government under Regulation 1/2005 are:

- to require the calves to be unloaded after the first nine hour stage of the journey so that they can be given feed, or
- to refuse to approve a journey log for the export of unweaned calves on a journey over eight hours. If the calves are not going to be fed after nine hours travel, the proposed journey does not meet one of the conditions precedent for undertaking

journeys over eight hours. Accordingly, a journey log for the export of unweaned calves on a journey over eight hours should not be approved by the Scottish Government or by APHA acting on its behalf.

I would be grateful if you would let me know whether the Scottish Government will instruct APHA to stop approving journey logs under Article 14.1 of Regulation 1/2005 for the export of unweaned calves on journeys over eight hours other than when the journey log indicates that the calves will be unloaded after nine hours travel so that they can be fed.

Alternatively, please let me know if the Scottish Government, or APHA on its behalf, intends to continue to approve journey logs for the export of unweaned calves on journeys over eight hours when the journey log indicates that the calves will not be unloaded after nine hours travel so that they can be fed.

If the Scottish Government or APHA intends to continue to approve journey logs in the circumstances described in the previous paragraph, Compassion in World Farming will give serious consideration to seeking permission to bring judicial review proceedings.

I am copying this letter to Chris Hadkiss, Chief Executive at APHA.

Yours sincerely

A handwritten signature in dark ink that reads "Peter Stevenson". The signature is written in a cursive, slightly slanted style.

Peter Stevenson  
Chief Policy Advisor  
Compassion in World Farming