



# Eyes *on* Animals

Watching  
out for their  
welfare

## Overview of complaints made against Dutch animal transport companies from 2006 to 2008





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## Introduction

Eyes on Animals collected, from various sources, as many complaints made against Dutch transport companies as possible. They are all dated in 2006, 2007 and 2008. These complaints were made by officials and NGO's in France, Germany, Italy, Denmark, Romania, Poland, Czech Republic, Belgium, Luxembourg, Greece, Denmark, Slovenia, Austria, the United Kingdom and one from Singapore, the sole complaint concerning air transport of live animals (the rest involved transport by land). This report summarizes the findings of these complaints. It then attempts to draw conclusions as to why violations are committed by Dutch transporters and illustrates how these violations put animal protection at risk and in many cases caused serious suffering and even death.

It is to be noted that the total number of complaints does not represent the entire picture, there are likely many other complaints made that we are not aware of.

It is also important to realize that the summary only takes into account livestock trucks that were indeed stopped and checked. Although Eyes on Animals does not doubt that many Dutch trucks were checked that were in regulation, there are dozens of Dutch trucks on the roads every hour that go completely unchecked.

The complaints only concern Dutch owned transport companies, and not foreign transport companies that were transporting Dutch animals.

This summary report thus does not represent the complete reality, which can only be more problematic than what is presented in this report. This report is a best-case scenario of the reality.



## Summary of Findings



### From the 87 complaints against Dutch transport companies:

- 49 (56,33%)** had incomplete or incorrectly filled in transport documents. This could range from the veterinarian's signature being missing to an underestimated journey time in order to avoid unloading the animals during the journey.
- 26 (29,9%)** either had the wrong address of the destination given in TRACES or the entire journey was not inserted into the TRACES computer system on time, if at all.
- 22 (25,3%)** had exceeded the maximum permitted journey time for the animals.
- 18 (20,7%)** had dead animals on board.
- 14 (16,1%)** were overloaded.
- 14 (16,1%)** did not have a journey log or route plan.
- 13 (14,9%)** did not have any water available for the animals on board.
- 7 (8,0%)** did not have the same number of animals on board as written in the transport documents
- 7 (8,0%)** were checked by a veterinarian that did not do a thorough job at inspecting the animals, vehicle and papers correctly.
- 5 (5,7%)** of the vehicles did not have the mandatory ventilation system.
- 9 (10,3%)** had to pay an official fine (abroad).
- 9 (10,3%)** the transport company or the transport driver did not have an authorization to transport live animals.
- 5 (5,7%)** did not have the mandatory temperature measurement system.



## Type of Violation(s) by Transport Company

(VWA) complaint nr.	Transport Company	departure	destination	documents incorrectly filled in/incomplete	incorrectly, too late or not in TRACES	exceeded journey time	no rest	dead animals	overloaded	no journey log	no water	official fine	no transport/ driver authorization	different number of animals	non-thorough check by veterinarian	no ventilation	no temp measurement system
87	87	87	87	49	26	22	18	18	14	14	13	9	9	7	7	5	5
1	Andre v. Olst	NL	PL	x	x												
2	Berkmortel	NL	IT			x			x					x			
3	Berkmortel	unkn	IT	x				x	x								
4	Berkmortel	NL	IT	x					x		x						
5	Busser Benekomt	NL	IT	x			x	x			x					x	
6	Dick Maaijen	NL	PL		x					x							
7	Dijkstra	NL	RUS	x		x					x						
8	Drost Koekange	NL	RUS	x		x											x
9	Egelmeer	NL	ES	x													
10	Gebr. van Hunnik	NL	FR					x	x				x			x	
11	Gebroeders van Hunnik	NL	FR					x									
12	Geert Damen	unkn	unkn	x				x									
13	Gelissen Paardentr.	IT	NL							x		x	x				
14	Giaccio Giuseppe	NL	IT			x	x		x		x						
15	Hennentr. Hooijer	NL	PL	x	x			x						x			
16	Janssen Koningsbosch	NL	GR	x	x			x		x						x	
17	Janssen Neerkant	NL	IT		x	x											
18	KBR Transport BV	NL	PL	x	x					x							
19	Keus en Mollinck	DE	IT	x				x									
20	Keus en Mollinck	LT	unkn	x		x	x										
21	Keus en Mollinck	ES	DE							x							
22	Dick Maaijen	NL	PL		x					x							
23	Poll	NL	PL	x	x					x							
24	Poll	NL	IT													x	
25	Poll	NL	PL	x	x					x							
26	Posthouwer Boerkamp	NL	CZ	x									x				x
27	Posthouwer Boerkamp	NL	CZ									x					
28	Sleegers	NL	ES						x			x	x				
29	Swier	LT	NL			x	x						x		x		
30	Toka	NL	PL	x	x												
31	Toka	NL	PL	x	x					x							
32	unknown	NL	IT						x								
33	unknown	unkn	BIH	x													
34	unknown	NL	SGP					x									
35	unknown	NL	IT	x													
36	unknown	unkn	IT	x				x	x		x						
37	unknown	unkn	IT					x									
38	unknown	ES	IT			x	x										
39	unknown	NL	IT	x				x								x	
40	unknown	unkn	unkn		x			x	x		x						



(VWA) complaint nr.	Transport Company	departure	destination	documents incorrectly filled in/incomplete	incorrectly, too late or not in TRACES	exceeded journey time	no rest	dead animals	overloaded	no journey log	no water	official fine	no transport/ driver authorization	different number of animals	non-thorough check by veterinarian	no ventilation	no temp measurement system
41	unknown	NL	CZ										x				x
42	unknown	IT	NL	x						x		x	x				
43	unknown	RO	NL		x	x	x										
44	unknown	FR	DE	x	x												
45	unknown	NL	CZ	x	x			x									
46	unknown	NL	HU		x					x							
47	unknown	NL	unkn	x	x												
48	unknown	NL	FR		x	x	x			x				x			
49	unknown	NL	IT	x													
50	unknown	unkn	unkn	x								x					
51	unknown	NL	IT								x						
52	unknown	NL	IT										x				
53	unknown	NL	IT			x	x								x		
54	unknown	NL	BE					x									
55	unknown	NL	IT			x	x				x	x					
56	unknown	NL	PL	x				x	x				x	x			
57	unknown	NL	IT	x	x	x											
58	unknown	unkn	unkn	x								x					
59	unknown	NL	unkn	x	x												
60	unknown	NL	GR	x	x									x			
61	VAEX	NL	PL	x						x							
62	VAEX	DK	IT	x													
63	VAEX	NL	IT	x				x									
64	VAEX	NL	RO			x					x						
65	VAEX	unkn	unkn	x			x							x			
66	VAEX	BE	IT						x		x						
67	VAEX	NL	IT			x						x					
68	VAEX	NL	SK	x	x				x		x	x					
69	van de Walle	LT	BE			x	x				x				x		
70	van de Walle	LT	BE			x	x				x				x		
71	van de Walle	RO	BE/NL		x												
72	van de Walle	NL	PL	x	x												
73	van de Wetering	DK	RUS	x													x
74	Van de Wetering	DK	RUS	x			x								x		
75	Van de Wetering	NL	RUS			x	x										
76	Van de Wetering	NL	GR	x			x	x			x				x		
77	van Dommelen	LT	NL	x		x	x		x						x		
78	van Rooi	NL	IT			x	x										
79	van Rooi	NL	IT	x		x											
80	van Rooi	NL	IT	x													
81	jan van den ?	NL	IT	x			x										
82	van Rooi	NL	PL	x	x					x				x			
83	jan van den ?	NL	IT	x													
84	van Veen Zuilichem	NL	IT						x								
85	van Veen Zuilichem	unkn	IT		x	x											
86	Van Veen, Angeren	DK	IT	x													
87	Verstraten Paarden	NL	IT														x



## Interpretation of Several Cases

To make the above table as concise as possible, we had to eliminate the finer details and form generalized categories. But to get an idea of what the various categories of violations entailed and how we interpreted them, please see the examples below:

**Complaint number 2** (see table) concerned the Dutch transport company van de Berkmortel. This truck was stopped and checked by the Italian authorities. Three violations were noted by the Italian authorities:

1. Different number of animals  
(In the transport plan 183 pigs were noted, whereas on the health certificate 185 was indicated).
2. Overloaded
3. Exceeded journey time

The Italian veterinarian inspector added at the bottom of his complaint that he was suspicious of fraud because the time of arrival was written in a different color pen. Although the Italian inspector was suspicious of fraud, we do not include this in the table as a documented violation of incorrectly filled in transport papers because this was only a suspicion and not an officially proven violation. You will see that we only inserted three crosses, one for different number of animals, and one for overloading and one for exceeded journey time.

**Complaint number 79** (see table) concerned the Dutch transport company van Rooi. This transport company regularly transports piglets from The Netherlands to Sardinia (Italy). Here the Italian veterinarian inspector documented the violations of:

1. Exceeded journey time
2. Incorrect information in the transport papers (journey time)

The veterinarian also made a personal comment at the bottom of the complaint in capital letters "How can the Dutch veterinarians approve transport plans that state that the journey from The Netherlands to Cagliari, Sardinia only takes 24hrs?" In reality, such a journey (which includes a ferry crossing of 10,5 hours) takes approximately 40 hours.

In the table you will see that we however only inserted two crosses, one next to exceeding journey time and one next to incorrect information on papers. We did not place a third cross next to "inadequate veterinarian check", although the check by the veterinarian in The Netherlands of the realistic journey time was indeed very non-thorough. In his complaint, the Italian veterinarian inspector had not listed this as a type of violation but only as a piece of advice/ friendly warning.

Later, Van Rooi was caught again twice committing the exact same violations! Please see **complaints 78 and 82** (in the table).



**Complaint number 5** (see table) concerned the Dutch transport company Busser. The 5 documented violations were:

1. Inadequate ventilation
2. No water available to the animals
3. No rest provided to the animals after the maximum journey time was reached
4. Time of departure indicated in the transport documents was false
5. 170 pigs were found dead on board.

In our table, you will see that we inserted only 5 crosses (each representing the 5 violations listed in the official complaint) and not a 6<sup>th</sup> one even though the journey time had very clearly been exceeded (and explains why the drivers had falsified their time of departure).



## Details of Violations that led to Serious Animal Suffering

**Complaint number 63** (see table) concerned the Dutch transport company Vaex. The time of departure noted in the transport plan was false (they claimed they departed later than in reality, so that the journey would appear shorter) and thus the pigs on board were not unloaded to be rested, watered and fed after the maximum journey time had been reached. 155 pigs died on this journey, and 14 others were in very poor condition.

**Complaint number 40** (see table, company name and destination unknown) concerns a livestock truck that had 5 dead animals and 10 with fractures on board at the time of the official inspection. The violations committed and documented in the official complaint were:

1. The consignment was overloaded
2. No water available for the animals
3. Documents not in TRACES.
4. Dead and injured animals.

**Complaint 76** (see table) concerned the transport of pregnant heifers by the Dutch transport company Van de Wetering.

In the complaint, the Greek inspector wrote that:

1. The papers were incorrectly filled in (no rest stop despite the long journey from The Netherlands to Greece requiring these provisions).
2. The drinking devices were broken.
3. The water tank was empty.
4. The chauffeur claimed to have had no idea what happened in his truck
5. The veterinarian at the place of departure did not check the condition of the animals thoroughly. Three cows were more than 90% into their gestation period, and as a result one cow gave birth during transport and died.
6. One cow had a large open wound on her chest and was found dead on the truck.
7. One cow had a large open wound on her right leg and was lying on the floor of the truck. She died shortly after arrival in Greece.
8. Three of the cows in far too advanced stages of gestation died during the 12 hours following unloading.
9. Nine cows showed signs of dehydration and weakness and died shortly after arrival in Greece.



## Example Illustrating the Ineffectiveness of the Dutch Sanctioning System

The transport company VAEX was caught 8 times between 2006 and 2008.  
The Dutch authorities received these foreign complaints and were thus aware of them all.

### First time caught:

**Complaint number:** 67 (from Italy)

**Animals:** pigs from NL to I

1. Exceeded journey time without unloading the animals to be fed, watered and rested.

### Second time caught:

**Complaint number:** 68 (from Germany)

**Animals:** Pigs from NL to SK

1. Transport was not in TRACES.
2. Papers incorrectly filled in.
3. Time of departure was not filled in.
4. No water.
5. Overloaded.

### Third time caught:

**Complaint number:** 66 (from Luxembourg)

**Animals:** Pigs from BE to IT

1. Overloaded
2. No water

\*\* In the complaint it was written: *“This is the third time in a rather short time that the mentioned animal transport company was blocked for infringements against protection of animals during transport. In this case the dispositions of art. 26 of the above regulation provide effective, proportionate and dissuasive penalties”.*

### Fourth time caught:

**Complaint number:** 65 (from the United Kingdom)

**Animals:** Donkeys from RO to UK

1. Transport documents (route plan in this case) completely unacceptable.

\*\*the authorities indicate that:

Sect. 1: parts 2, 3.1, 3.2, 4.2 and 4.3 clearly incorrect for the length of the journey

Sect. 1: parts 3.1 and 4.1 no addresses of departure and destination

Sect. 1: part 6 does not contain rest or transfer points so that the intended route cannot be verified.

Sect. 4: transporter has failed to complete any of this section, so there are no details of the actual journey, rest stops made or transfer points, drivers name and signature is missing.

Sect. 5 is blank; this is significant due to the fact that 2 of the donkeys certified in Romania were not in fact loaded

### Fifth time caught:

**Complaint number:** 63 (from Italy)

**Animals:** Piglets from NL to IT

1. 192 dead piglets on board!



2. Surviving animals show characteristic signs of intense transport stress.
3. Incorrect time of departure from staging post near northern Rome (CE06PS).
4. No tachograf.

#### **Sixth time caught:**

**Complaint number:** 64 (from Romania)

**Animals:** Pigs from NL to RO

1. Incorrect journey time written in transport documents (23 hours written instead of the true 37 hours this journey took them. Driver claims technical failure during voyage).
2. No water
3. Animals were tired and showed signs of extreme thirst and hunger.

#### **Seventh time caught:**

**Complaint number:** 62 (from Denmark)

**Animals:** Pigs from DK to IT

1. False and missing information in the route plan (the keeper at the place of destination has not signed the journey log and Sect. 4 route plan has been corrected by hand).
2. Route plan stated transit through Germany and Austria with destination Italy, but the truck was stopped by the gendarmes in *France*.

#### **Eighth time caught:**

**Complaint number:** 61 (from Poland)

**Animals:** Pigs from NL to PL

1. Journey entered into the TRACES system too late.
2. Lack of a route plan.

Finally, after another serious incident in early 2008 (**9<sup>th</sup> time being caught**) involving Vaex whereby *70 pigs died* (this incident was not included in the complaints we collected but was made verbally known to Eyes on Animals), the Dutch authorities made the decision to remove Vaex's license to transport live animals for a period of 3 weeks.

It remains questionable why it took so long for such a decision to be made by the Dutch authorities. More importantly it must be asked why VAEX was not effectively penalized immediately after each violation by the Dutch authorities in order to prevent the company from repeatedly violating the legislation and causing animal suffering.

The removal of VAEX's license to transport animals was also not effective because of a serious loophole in the legislation- there is nothing forbidding livestock transport companies from renting out their trucks to other companies in order to continue business as usual but under a new name.

*Vaex Transport continued with business as usual during this 3-week "penalty", under the name Roke Trading.*

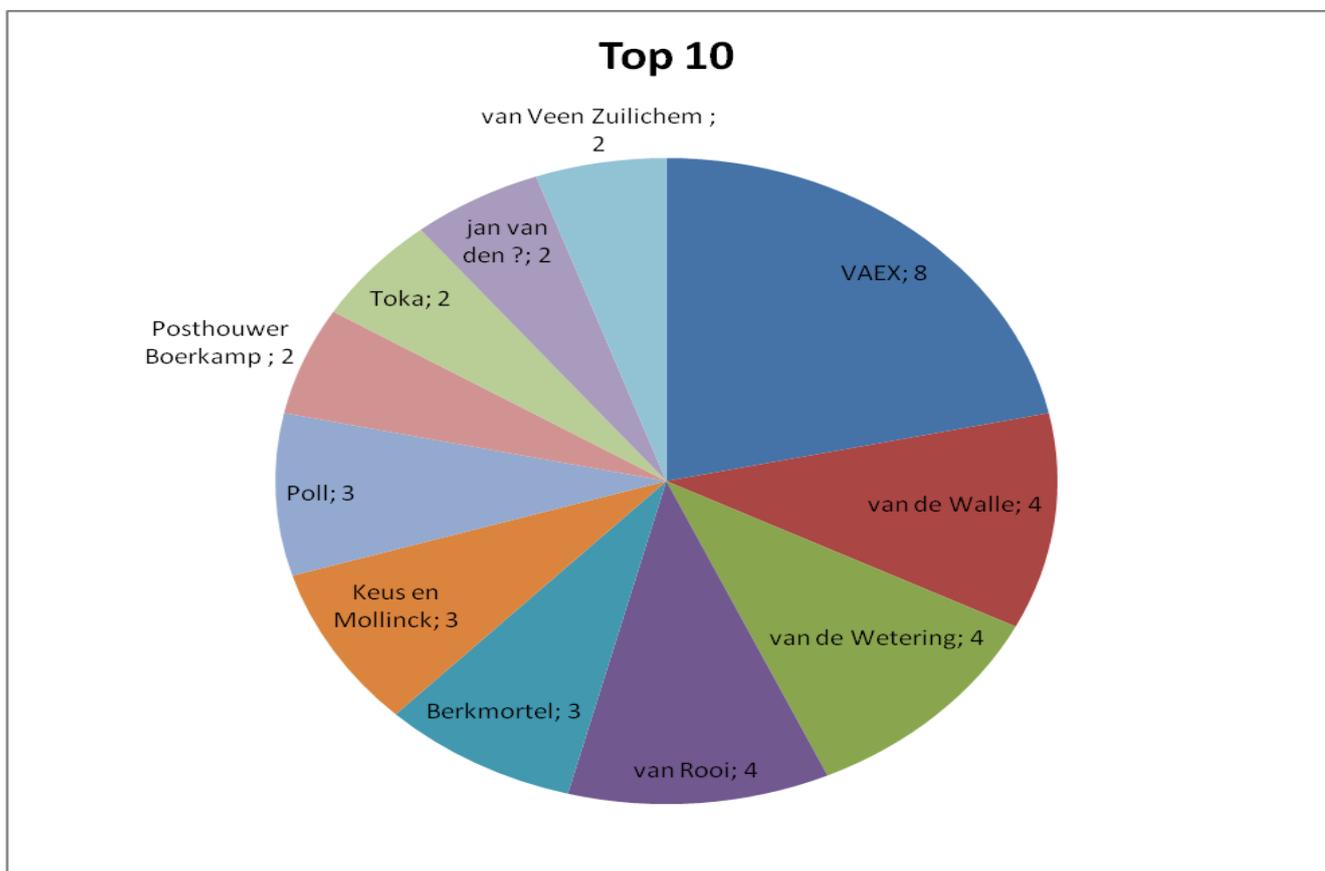


## What Does this all Mean?

When one reads the previous sections of this report and looks at the pie chart below, it becomes evident that not only do Dutch transport companies often violate the law, but worse, transport companies do so repeatedly. Studies have shown that when a penalty is strong enough, previous violators are more apt to respect the law. The EU animal protection legislation requires that all member states have a sanctioning system that is “*effective, proportionate and dissuasive*” to ensure this. The results below can only lead to one conclusion: the Dutch sanctioning system was not being put to use and as a result was not fulfilling its purpose to protect animals.

There were serious ethical and economical consequences because of this ineffective and seemingly non-existent sanctioning system. Most importantly, many animals were suffering and even dying during transport. They were overcrowded, transported without water, and on journeys that exceeded the maximum allowed time. Some animals were in advanced stages of gestation and gave birth on the truck, dying shortly thereafter. Others were unfit for transport, and suffered from sickness and injury. This suffering is difficult to fathom, but must be acknowledged and thought of.

Another concern was economical (but also with moral implications); those transport companies that were respecting the legislation were actually being financially penalized. Judging from the fact that violations were being repeated even after being caught, it obviously paid better to break the law and face the pathetic Dutch sanctioning system, than respect the law and avoid facing the Dutch sanctioning system.





## Dutch Veterinarians also Part of the Problem

The Dutch sanctioning system was not the only culprit. Dutch veterinarians approving these export consignments were often part of the problem, permitting “illegal” consignments of animals to exit the country.

**Complaint number 76** (see table) concerned the transport company Van de Wetering. As mentioned earlier in this report, on board were *pregnant* Dutch heifers destined for Greece, a journey of at least 2358 km.

Certain heifers were already *past* their calving date at the very start of the journey. As a result a number of them calved during transport and directly after unloading. A total of 15 cows and calves died as a result of this illegal transport consignment. The dates of insemination of these cows were not checked by the veterinarian, despite the cows showing clear signs of being in advanced stages of gestation.

A very common export route for Dutch piglets is to slaughterhouses in Sardinia, Italy. The Dutch transport company Van Rooi is principally involved, although others can also be found on this route. **Complaint numbers 78 and 79** (see table) both had a letter attached, written by the Italian veterinarian inspector in Sardinia informing the Dutch authorities that a journey from The Netherlands to the slaughterhouse in Sardinia can never be reached in 24 hours and questioning why journey plans stating 24 hrs are routinely being signed and approved in The Netherlands. Despite the Italians alerting the Dutch officials to this problem, the Dutch veterinarians continued to approve transport plans indicating 24 hrs on them, with no control post planned to unload the piglets! Why had the Dutch veterinarians, certifying the export of the thousands of piglets on this route not learned their lesson?

It should be noted that to this day, Eyes on Animals knows that Van Rooi has not had to pay a fine in The Netherlands, nor has had its licence to transport animals removed. Van Rooi has been visited frequently by the VWA and AID inspectors and is under a scrutinous eye, but no serious penalty has yet been given.

**Complaint number 3** concerns the transport company Berkmortel. On board were “slaughter” pigs destined for Italy. The Dutch veterinarian signed the export papers despite the loading density being 260kg/m<sup>2</sup> instead of the EU maximum of 235kg/m<sup>2</sup>. Further, the veterinarian signed the transport documents even though the place and time of the first loaded animal was not indicated. The journey took place during the early summer, at a time when pigs are particularly susceptible to heat stress and the EU legislation requiring that loading density be decreased by up to 20%. At least 11 animals died during transport and two after arriving at the slaughterhouse. The cause of death was pulmonary edema.



## Conclusion

There is an immediate need for Dutch inspectors responsible for inspecting export consignments to be properly trained and tested -there remains a lack of knowledge regarding the EU legislation for animal protection during transport and errors are being made. There is still too much discrepancy between what many Dutch veterinarians are permitting and foreign veterinarian inspectors are willing to accept.

Errors such as the Van de Wetering case (with the pregnant heifers) should absolutely not happen. Those veterinarians making such grave errors and acting in a non-thorough manner should be barred from approving future export consignments and face a proportionate penalty. Other veterinarian inspectors wishing to do their job effectively and responsibly should be given the tools and support from the Ministry to learn the legislation and apply it properly.

Within The Netherlands itself there is also too much discrepancy between how the law is applied by different veterinarian inspectors. Eyes on Animals was made aware of a recent case where eight cows from the Leeuwarden market were approved by the veterinarian present, but upon arrival at the Nijmegen slaughterhouse the veterinarian inspector at the plant euthanised them all saying that they were far too thin and weak and should never have been transported.

For violations that are occurring once outside of The Netherlands, beyond the export veterinarian's control, the Dutch transport companies must be held 100% accountable and face dissuasive, effective and proportionate sanctions once they return to their home country. Any repetition of violations must be tackled immediately in such a way that the companies learn from their mistakes. A letter of warning or a small fine will not do the job, only severe financial damage will. Imagine getting caught speeding on the Dutch highways and receiving a letter of warning in the mail. Would this do anything to dissuade users of the highway from driving recklessly when in a rush?

From this report, it is also clear that the Dutch sanctioning system was not working or being used to suit its purpose. Since January 1st 2009, The Netherlands has a new administrative sanctioning system. Upon first glance it appears more promising, but there remain loopholes in it as well. In the old sanctioning system there were three steps. For the first official complaint, the authorities reviewed the seriousness of the violations committed and then made a decision whether a verbal warning was to be given to the transport company (or not). Should the transport company be caught a second time committing a serious violation, an official letter of warning was sent out. Should a third official complaint be made and considered serious, a process could be started with the aim of revoking the transport company's licence to transport live animals.

Under the old sanctioning system there was not any explicit „weighing“ of offences, degrees of seriousness are not mentioned at all (as they are in the new „Beleidsregels“). There were two written warnings, and in the second the minister (read: VWA) explained that the transporters' licence could be revoked if, within the next two years, another offence was committed.

Under the new sanctioning system, all complaints are sent from the VWA Veetransport office to a sub-department of the VWA called “Juridische Zaken”(Legal Affairs). The main difference is that should even a first violation be considered serious, they now have the option to impose a penalty



payment of up to 20,000 euro or start a process to revoke the licence immediately. However, Eyes on Animals is worried about the term “serious“ and how it will be interpreted and applied. Additionally, for violations considered “minimal“ or “normal“, a simple verbal warning will still be used as the “penalty“ after the first 3 „minimal“ incidences. Minimal violations are considered “administrative“ without any negative effect on animals. Eyes on Animals cannot think of an administrative error that does not have the potential to cause welfare problems. A field left blank in the transport documents could mean there are actually more animals on board than known, or that the journey started hours earlier than in reality. Thus it remains to be seen if this new sanctioning system will be correctly applied, effective and dissuasive.

It also remains to be seen how the new Dutch sanctioning system can prevent transport companies that have had their licence removed from continuing business as usual under a different name, as seen in the Vaex case of 2008. Eyes on Animals highly recommends that instead of revoking their transport licence, the authorities immobilize the company’s truck or trucks with a wheel clamp or something equivalent. Only this will guarantee severe financial damage, and thus effectively dissuade companies from violating the law.

But our biggest concern is that flaws in a system cannot be solved via another new document. The Netherlands had a sanctioning system prior to 2009, and it was not applied as it should have been. Why would the Dutch authorities now make any better use of this new sanctioning system? A sanctioning system itself will not help animals, only its *application* will. Who is supervising the Dutch authorities, checking that they are indeed applying this new sanctioning system? A sanctioning system is only as good as the people that enforce it, have these people changed their attitude and motivation?

The Netherlands is Europe’s greatest exporter of live animals and takes pride in its economic success. It remains an embarrassment that its transport companies repeatedly violate the law, and that these violations are often going undetected by the Dutch veterinarians only to be caught by highway police and veterinarian inspectors in foreign countries.

Eyes on Animals, as well as other European welfare organisations, together with the highway police in numerous other member states, are keeping their eyes out. The chance for a Dutch truck to be checked in a foreign country is increasing. It is up to the Dutch authorities to take the measures necessary to ensure that everyone (veterinary inspectors, transport companies, chauffeurs, export stations and so on) be up to par on current legislation and respecting it.



**Eyes on Animals has written this report with our thoughts constantly directed to those animals that needlessly suffer or die in transport.**

