

Animal and Plant Health Agency Access to Information Team Weybourne Building Ground Floor Woodham Lane New Haw Addlestone Surrey KT15 3NB F 01932 357608

www.gov.uk/apha

Our Ref: ATIC0991

{By Email}

7 December 2016

Dear

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about a live animal export which we received on 29 November 2016. Your request has been handled under the Freedom of Information Act 2000.

The information you requested and our response is detailed below:

"Please can you provide the paperwork requested below for the following livestock trucks:

- a) Cab reg 81 DHP 8 with trailer reg OJ 40 PN
- b) Cab reg BZ HX 63 with trailer reg OF 68 RN
- c) Cab & trailer reg KX60 HXK
- d) Cab & trailer reg AGZ 7319
- 1. Journey Log WIT07: The complete document including the returned section of the journey log.
- a) APHA have no record of vehicle 81 DHP 8/ OJ 40 PN, but do have a record of vehicle 81 BHP 8/OJ 40 PN. However, this information has been withheld under Section 21 of the FOIA, see below for further detail.
- b) For vehicle BZ HX 63/ OF 68 RN, please see Appendix 1 for the completed Journey Log (WIT07).
- c) The information for vehicle KX60 HXK has been withheld under Section 21 of the FOIA, see below for further detail.
- d) For vehicle AGZ 7319, please see Appendix 2 for the completed Journey Log (WIT07).

The Animal and Plant Health Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs working to safeguard animal and plant health for the benefit of people, the environment and the economy.

2. The Vehicle/Livestock Inspection Report WIT32 for both point of loading and portal inspections.

The information regarding all vehicles has been withheld under Section 21 of the FOIA, see below for further detail.

3. All Intra Trade Animal Health Certificates.

The information regarding all vehicles has been withheld under Section 21 of the FOIA, see below for further detail.

4. Any WIT08 or WIT09 notices served.

The information regarding all vehicles has been withheld under Section 21 of the FOIA, see below for further detail.

5. If any animals were refused loading, the ET45 form.

The information regarding all vehicles has been withheld under Section 21 of the FOIA, see below for further detail.

Please can you advise as to whether each vehicle received an inspection by APHA at Ramsgate Port?"

The information regarding all vehicles has been withheld under Section 21 of the FOIA, see below for further detail.

Clarity was then asked for and given as:

"Date in question is 17th October 2016."

Information has been redacted in the supplied documents under Section 38 and Section 40(2), read in conjunction with 40(3)(a)(i) of the FOIA, see below for further detail.

Section 21

Section 21 refers to information accessible to the applicant by other means. All information withheld in this request, using this exemption can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/567862/A TIC0969.pdf

Section 38

Section 38 refers to the exemption from the duty to provide information if it would, or would be likely to affect anyone's health or safety.

The exemption in Section 38 is subject to a Public Interest Test to ensure it is being appropriately applied.

Public Interest Test

We recognise that there is a general presumption in favour of transparency and openness concerning our work, and providing the general public with the right to request access to information held by public authorities.

We also recognise that there is a public interest in disclosure of this specific information in order to increase this transparency and aid well-informed debates concerning the welfare and transportation of animals, and the individuals associated with them.

However, we feel that there is a stronger public interest in withholding the information as the full addresses, including the county of origin, the destination and/or rest stops, transporter details and individual names would identify further information and would, or would be likely to, endanger the health and safety of staff. This poses a substantial risk to the health and safety of individuals associated with the transportation of animals that would be of significant severity and is likely to occur in some cases. We consider this to be a significant factor in favour of maintaining the exemption.

APHA has balanced the real threat to the health and safety of individuals which disclosure of the requested information would be likely to cause, against the public interest arguments in favour of disclosure. In this instance the APHA does not consider that disclosing the information requested in order to inform public debate and to promote accountability and transparency would justify the risk to individuals' health and safety.

Section 40

Section 40(2), read in conjunction with 40(3)(a)(i) of the FOIA, refers to other people's personal information. Some of the information contained within the requested documents has been withheld under section 40(2) and 40(3)(a)(i) (third party personal data) of the FOIA as the information constitutes personal data relating to a third party. Section 40(2) and 40(3)(a)(i) of the FOIA provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

APHA consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 of the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

I attach an Annex which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below or postal address at the top of this letter.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gsi.gov.uk

Annex

Copyright

The information supplied to you is Crown copyright, unless otherwise stated, and is protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including for the purposes of news reporting. You can find details on the arrangements for re-using Crown copyright information at:

http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government

Information you receive which is **not** subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non Crown Copyright) information.

Complaints

If you are unhappy with the result of your request for information you may request an internal review within 40 working days of the date of this letter.

If you wish to request an internal review, please contact: The Access to Information Team at <u>enquiries@apha.gsi.gov.uk</u> or at the postal address at the top of this letter, who will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted APHA's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Council Regulation EC No. 1/200 protection of animals during tra JOURNEY LOG During the journey the consign animals MUST be accompanied journey log	AP	APHA office address for submissions and returns of Journey Logs Welfare in Transport Team Centre for International Trade Eden Bridge House Lowther Street Carlisle CA3 8DX					
1.1 Organiser's Name and address (*)(*)))			·	arge of the journey		
			1.3 Telephone				
2 Total expected duration (hours/days	s) 23 hours		4.1 Diago and		instion		
3.1 Place and country of departure			".' Place and	country of dest German	y.		
United Kingdom.							
3.2 Date 3.3 Time			4.2 Date 18/10/201	6 4.	3 Time 11:00		
17/10/2016 12:0 5.1 Species 5.2. Num Ovines 460	u ber of anim	als	5.3 Veterinary	/ certificate(s) n 3.2016.0027486	umber(s) 3.		
Weaned YES. Unweane 5.4 Estimated total weight of the const 15800 kgs	gnment (in l		5.5 Total space 100	ce provided for	the consignment (in m ²):		
6 List of scheduled resting, transfer of 6.1 Name of the place where animals are to be rested, or transferred	6.2 A	s: rrival Time	6.3 Length (in hou	auti	nsporter's name and horisation No (if different in the organiser)		
(including exit points) Ramsgate Port.	17/10/ 2018	18:00					
Calais Port, Calais, France.	17/10/ 2016	23:58	One hour	Mid Jourr	ley Break.		
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					· · · · · · · · · · · · · · · · · · ·		
			<u>_</u>				
		ļ					
7. I, the organiser, hereby declare the responsible for the organisation of abovementioned journey and I has arrangements to safeguard the was animals throughout the journey in the provisions of Council Regulat 1/2005	if the ive made si elfare of the accordance	e with		Officials			
8. Signature o				APHA Journey I 0966	og Reference		

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	Section 2: Place of Departure
1.	Keeper at the place of departure – Name and address (if different from the organiser mentioned in section (1)(^a):
2.	Place and Member State of departure (^b):
3.	Date and time of first animal 4. Number of animals loaded (^b): 5. Identification of the means of transport: $B \ge -HX - C = \frac{1}{12} + \frac{1}{1$
6.	I, the keeper of the animals at the place of departure, hereby declare that I have been present at the loading of the animals. According to my knowledge, at the time of loading the above mentioned animals were fit for transport and the facilities and procedures for handling the animals were in accordance with the provisions of Regulation (EC) No 1/2005 on the protection of animals during transport and related operations. Signature of the keeper at the place of departure:
8.	Additional checks at departure:
9.	Veterinarian at the place of departure (name and address):
10.	I, Veterinarian, hereby declare that I have checked and approved the loading of the animals mentioned above. According to my knowledge, at the time of departure, the animals were fit for transport and the means of transport and the transport practices were in accordance with the provisions of Council Regulation (EC) No 1/2005.
11.	Signature of the Veterinarian:

(^b) If different from Section 1.

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	,	Section 3: Place	of Destination				
1.							
			Genran	•			
2.	Place and Member Sta	ate of destination/Cheeking p	oin t (ª):		ne_of the check:		
		Germany.		15/10/16	17-10-		
4.	Checks Performed:			5. Outcome o	f the checks		
				5.1. COMPLIANCE	5.2. RESER-VATION(S)		
4.1	Transporter			4			
	Authorisation number	(^b)		Ø			
4.2	Driver						
	Number of the certific	ate of competence					
	Means of transport	Trucia	·····				
	v (°) الطالح	65 Rull					
4.4	Space allowances	1 105					
	Average space/anima	$\lim m^2 \left(\cos \frac{1}{2} - \cos \frac{1}{2} \right)$	33~^				
4.5	Journey log records a	nd journey time limits					
4.6	Animals (specify the r	number for each category)			1		
	Total checked イモダ	U Unfit ب	D De ن		$ \begin{array}{c} F Fit \\ i f f c_{f} \\ i f f c_{f} \end{array} $		
6.	checked this consignr abovementioned findi soon as possible of a		y knowledge, at	the time of the chec etent authorities mu id animals are disc	ck the ust be informed as covered.		
7.	Signature of the keep	er at the place of d		rian (with official s	samp):		
(^a) (^b) (^c)	Delete as appropriate. If different from Section 1 If different from Section 2						

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b be completed by the driver during the course of the journey and to be	available to the	compete	ent author	ities of the	place of departure	within one month of the date of
rival at the place of destination.					·····	
Actual itiner	ary – resting, t				· · · · · · · · · · · · · · · · · · ·	·
Place and address	An Date	rival Time	Depa	arture Time	Length of stop	Reason
solve fenne hausgale cala	i1/10	20	15/10	04.30	342 hus	Vin 1/Wern
solve fense hausgale calu						PRIVY CUUSSING
	15/10	0240	18/10	03:145		Mid-joung De
					<u></u>	
		-				
ason for any difference between actual and proposed itinerary/other of	observations:			<u> </u>	L	Date and time of arrival at the place of destination: $\frac{15}{10}$
mber and reason for animal injuries and/or deaths during the journey:	:					
PIVER(S)'s name and signature:		Transp	orter's r	name, auth	norisation number:	
	ct and I am awa	are that a	ny incia	entauring	the journey that i	eaus to ammars death mus
the transporter, I hereby certify that the entries above are correc clared to the competent authorities of the place of departure.						

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Castion 6	CHAAIMAN	Anomaiv	REMARKING.
Section 5 -	aueumen	AIIUIIIAIY	ILC DOLL HOL
Section 5 -	~ · · · · · · · · · · · · · · · ·		

A copy of the anomaly report accompanied by a copy of Section 1 of the journey log shall be transmitted to the competent authority.

1.	DECLARANT'S name, title and address:				
2.	Place and Member State where the anomaly wa observed:	35	3.	Date and time when the anomaly wa observed:	S
4.	Type of anomaly (ies) pursuant to Council Regu	ulation (E	C) No 1	/2005:	
4.1.	Fitness for transport (1)		46.	Space allowances (⁶)	
4.2.	Means of transport (²)		4.7.	Transporter's authorisation (7)	
4.3.	Transport practices (³)		4.8.	Driver certificate of competence (8)	
4.4.	Journey time limits (⁴)		4.9.	Journey log records	
4.5.	Additional provisions for long journeys (⁵)		4.10	Other	
4.11.	Remarks:				
F	I hereby declare that I have checked the consi the reservations detailed in this report concern No 1/2005 on the protection of animals during	ing comp	ilance v	ated operations	essed on (EC
6.	Date and time of the declaration to competent authority:		7.	Signature of the declarant:	
$\begin{pmatrix} 1 \\ 2 \\ (3) \\ (4) \\ (5) \\ (6) \end{pmatrix}$	Annex I, Chapter I and Chapter VI, paragraph 1.9. Annex I, Chapters II and IV. Annex I, Chapter III. Annex I, Chapter V. Annex I, Chapter VI. Annex I, Chapter VII.	÷			

Article 6. (⁷) (⁸)

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Article 6(5).

The Animal and Plant Health Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs working to safeguard animal and plant health for the benefit of people, the environment and the economy.

Council Regulation EC No. 1/2005 on the protection of animals during transport. JOURNEY LOG During the journey the consignment of				API	A office address for and returns of Journ Welfare in Transpo Centre for Internatio	ney Logs ort Team	Animal & Plant Healt			
a a	animals MUST be accompanied by THI journey log				Eden Bridge Ho Lowther Stre Carlisie CA3 8DX		Agency			
1.1	Organiser's Name and	d address (එ(⁾)			1.2 Name of the s	<u>person in charge</u>	of the journey			
		<i>a</i> 11			1.3 Telephone/Fa	X				
2 3.1	Total expected duration Place and country of United Kingdom.	ieparture		2.	4.1 Place and co	untry of destina Germany.	lion			
					· · · · ·	×				
3.2	Date	3.3 Time			4.2 Date 18/10/2016	4.3	Time 11:00			
5.1	17/10/2016 12:00 5.1 Species 5.2. Number 000000000000000000000000000000000000			nals	5.3 Veterinary certificate(s) number(s) INTRA.GB.2016.0027485.					
Weaned YES. Unweaned 5.4 Estimated total weight of the consign 15800 kgs				kg);	5.5 Total space r 100	provided for the	for the consignment (in m			
6 6.1				s: rrival	6.3 Length	6.4 Transpo	orter's name and			
0.1	are to be rested, or th	ansferred	6,2 A Date	Time	(In hours)		ation No (if different organiser)			
Ran	(including exit points)		17/10/	18:00	1					
Cal	ais Port, Calais, France		17/10/ 2016	23:59	One hour	Mid Journey I	Break.			
	•				-					
					CENTRAL O	99				
					CARISIF	ĺ.				
					<u>09 NOV 20</u>					
					RECEIVEI) ·				
7.	I, the organiser, here responsible for the or abovementioned jour arrangements to sat animals throughout the provisions of Co 1/2005	rganisation of imey and I hav eguard the we the journey in a uncil Regulation	the re made su ifare of the accordance on (EC) No	e with	. من و معرف و المراجع من	Official stam	President and a second se			
8	Signature o				APH	A Journey Log F JL10965	eference			
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	e.	Section 2: Place of Departure	
1.	Keeper at the place of departure (1)(^a):	e – Name and address (if different from t	he organiser mentioned in section
2.	Place and Member State of dep	arture (^b):	
		England,	
3.	Date and time of first animal loading (^b):	4. Number of animals loaded (^b):	 Identification of the means of transport:
ĩ	1/10/16	419,	A427391
6. 7.	I, the keeper of the animals at the of the animals. According to my transport and the facilities and p	he place of departure, hereby declare the knowledge, at the time of loading the ab procedures for handling the animals were he protection of animals during transpor	pove mentioned animals were fit for e in accordance with the provisions of
7.	Signature of the keeper at the p		
8.	Additional checks at departure:		
9.	Veterinarian at the place of dep	arture (name and address):	
10.	According to my knowledge, at	that I have checked and approved the lo the time of departure, the animals were stices were in accordance with the provis	fit for transport and the means of
11.	Signature of the Veterinarian:		
(^a) (^b)	Keeper: see definition in Article 2(k) If different from Section 1.	of Council Regulation (EC) No 1/2005	
		×.	

-	Section 3: Place of Destination					
1.	Keeper at the place of	destination/Official Veterinari	an – Name and	address (^a):		
						DE
2.	Place and Member Sta	ate of destination/Checking po	pint (ª):			ne of the check:
		GERMAN-	1 ·	18/10	0116	17.20
4.	Checks Performed:			5. Outco	ome of	f the checks
				5.1. COMPLIAN	NCE	5.2. RESER-VATION(S)
4.1	Transporter Authorisation number	(^b)		/		
4.2	Driver	ate of competence	Ø	/		
4.3	Means of transport					
4.0	Identification (°)	TRUCIC AGZ 7391		D	/	
4.4	Space allowances Average space/anima		4	V		
4.5	Journey log records a	ind journey time limits		Ľ		
4.6	Animals (specify the r	number for each category)				-
	Total checked	D De	ad		F Fit	
	419	0	C)		419
6.	f I d' I ff internation horoby dooloro that I have					
7.	Signature of the keer	per at the place of destination	/Official Veterin	arian (with of	ticial s	stamp):
(^a)	Delete as appropriate.					

(^b) If different from Section 1.
 (^c) If different from Section 2.

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Section 4: Declaration by the Transporter

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the termination of the second se	
To be completed by the driver during the course of the journey and to be available to the competent authorities of the place of departure within one month of the date of	
arrival at the place of destination.	
anival at the place of destination.	

Actual itinerary – r	esting, t	ransfer c	or exit	t poi	nts	· <u></u>	
	Ar	rival	ival Departure		I are with a findam	Reason	
Place and address	Date	Time	Da	ate	Time	Length of stop	Reason
Ramsgate Port	17/10	1930	14	10	20:00		
Ransgate Port Calais Port	18/10	1	1 7 8		04:45	1 hour	MID JOURNEY BREAK
		-					
	ļ						
Reason for any difference between actual and proposed itinerary/other observation	ations:	<u> </u>					Date and time of arrival at the place of destination: Blick = 17.10
Number and reason for animal injuries and/or deaths during the journey:		<u></u>					
DRIVER(S)'s name and signature:						norisation number:	
As the transporter, I hereby certify that the entries above are correct and declared to the competent authorities of the place of departure.	l am aw	are that	any`if	hcid	ent during	g the journey that	leads to animal's death must be
Date and place: 24(10)16							sgnature
	<u>-</u>					2	

Section 5 - Specimen Anomaly Report No.

A copy of the anomaly report accompanied by a copy of Section	n 1 of the journey log shall be transmitted to the
competent authority.	

1.	DECLARANT'S name, title and address:				
2.	Place and Member State where the anomaly was observed:	3	3.	Date and time when the anomaly wa observed:	S
4.	Type of anomaly (ies) pursuant to Council Regulation (EC) No 1/2005:				
4.1.	Fitness for transport (¹)		4.6.	Space allowances (⁶)	
4.2.	Means of transport (²)		4.7.	Transporter's authorisation (⁷)	
4.3.	Transport practices (³)		4.8.	Driver certificate of competence (8)	
4.4.	Journey time limits (⁴)		4.9.	Journey log records	
4.5.	Additional provisions for long journeys (⁵)		4.10.	Other	
4.11.	Remarks:				
5.	I hereby declare that I have checked the consignment of the abovementioned animals and have expressed the reservations detailed in this report concerning compliance with the provisions of Council Regulation (EC No 1/2005 on the protection of animals during transport and related operations				
6.	Date and time of the declaration to competent authority:		7.	Signature of the declarant:	
(1) (2) (3) (4) (5)	Annex I, Chapter I and Chapter VI, paragraph 1.9. Annex I, Chapters II and IV. Annex I, Chapter III. Annex I, Chapter V. Annex I, Chapter VI.		<u> </u>	<u> </u>	

Annex I, Chapter VII. Article 6.

- (°) (′) (°)

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Article 6(5).

The Animal and Plant Health Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs working to safeguard animal and plant health for the benefit of people, the environment and the economy.