



Animal &  
Plant Health  
Agency

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[www.gov.uk/apha](http://www.gov.uk/apha)

[REDACTED]  
{By Email}

Our Ref: ATIC0991

7 December 2016

Dear [REDACTED]

## 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).

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](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](mailto: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-licence.htm>

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.



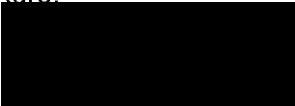
If you wish to request an internal review, please contact: The Access to Information Team at [enquiries@apha.gsi.gov.uk](mailto:enquiries@apha.gsi.gov.uk) or at the postal address at the top of this letter, who will arrange for an internal review of your case.

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



**Section 2: Place of Departure**

1. Keeper at the place of departure – Name and address (if different from the organiser mentioned in section (1) <sup>(a)</sup> ):		
		
2. Place and Member State of departure <sup>(b)</sup> :		
 UK		
3. Date and time of first animal loading <sup>(b)</sup> :	4. Number of animals loaded <sup>(b)</sup> :	5. Identification of the means of transport:
17-10-16 12:40	469	BZ-HX-63 BZ HX 63
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:		

<sup>(a)</sup> Keeper: see definition in Article 2(k) of Council Regulation (EC) No 1/2005  
<sup>(b)</sup> If different from Section 1.

**Section 3: Place of Destination**

1. Keeper at the place of destination/Official Veterinarian – Name and address <sup>(a)</sup> :			
2. Place and Member State of destination/Checking point <sup>(a)</sup> :		3. Date and time of the check:	
4. Checks Performed:		5. Outcome of the checks	
		5.1. COMPLIANCE	5.2. RESER-VATION(S)
4.1	Transporter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Authorisation number <sup>(b)</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2	Driver	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Number of the certificate of competence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.3	Means of transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Identification <sup>(c)</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.4	Space allowances	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Average space/animal in m <sup>2</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.5	Journey log records and journey time limits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.6 Animals (specify the number for each category)			
Total checked		U Unfit	D Dead
449		0	0
		F Fit	449
6. I, the keeper of the animals at the place of destination/official veterinarian, hereby declare that I have checked this consignment of animals. According my knowledge, at the time of the check the abovementioned findings were recorded. I am aware that the competent authorities must be informed as soon as possible of any reservation there and animals are discovered.			
7. Signature of the keeper at the place of destination/Official Veterinarian (with official stamp):			

<sup>(a)</sup> Delete as appropriate.  
<sup>(b)</sup> If different from Section 1.  
<sup>(c)</sup> If different from Section 2.



**Section 4: Declaration by the Transporter**

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.

**Actual itinerary – resting, transfer or exit points**

Place and address	Arrival		Departure		Length of stop	Reason
	Date	Time	Date	Time		
Solene fens Haussgale calais	17/10	20 <sup>00</sup>	15/10	04 <sup>30</sup>	842 hrs	Rest/Water
						ferry crossing
	15/10	0240	18/10	0345		Mid-journey break

Reason for any difference between actual and proposed itinerary/other observations:

Date and time of arrival at the place of destination:

15/10/16 17 00

Number and reason for animal injuries and/or deaths during the journey:

DRIVER(S)'s name and signature:

Transporter's name, authorisation number:

As the transporter, I hereby certify that the entries above are correct and I am aware that any incident during the journey that leads to animal's death must be declared to the competent authorities of the place of departure.

Date and place:

17/10/16

**Section 5 - Specimen Anomaly Report No.**

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. <b>DECLARANT'S</b> name, title and address:	
2. Place and Member State where the anomaly was observed:	3. Date and time when the anomaly was observed:
4. Type of anomaly (ies) pursuant to Council Regulation (EC) No 1/2005:	
4.1. Fitness for transport <sup>(1)</sup> <input type="checkbox"/>	4.6. Space allowances <sup>(6)</sup> <input type="checkbox"/>
4.2. Means of transport <sup>(2)</sup> <input type="checkbox"/>	4.7. Transporter's authorisation <sup>(7)</sup> <input type="checkbox"/>
4.3. Transport practices <sup>(3)</sup> <input type="checkbox"/>	4.8. Driver certificate of competence <sup>(8)</sup> <input type="checkbox"/>
4.4. Journey time limits <sup>(4)</sup> <input type="checkbox"/>	4.9. Journey log records <input type="checkbox"/>
4.5. Additional provisions for long journeys <sup>(5)</sup> <input type="checkbox"/>	4.10. Other <input type="checkbox"/>
4.11. Remarks:	
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:

- <sup>(1)</sup> Annex I, Chapter I and Chapter VI, paragraph 1.9.
- <sup>(2)</sup> Annex I, Chapters II and IV.
- <sup>(3)</sup> Annex I, Chapter III.
- <sup>(4)</sup> Annex I, Chapter V.
- <sup>(5)</sup> Annex I, Chapter VI.
- <sup>(6)</sup> Annex I, Chapter VII.
- <sup>(7)</sup> Article 6.
- <sup>(8)</sup> 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.





**Section 2: Place of Departure**

1. Keeper at the place of departure – Name and address (if different from the organiser mentioned in section (1)<sup>(a)</sup>):

[Redacted]

2. Place and Member State of departure <sup>(b)</sup>:

[Redacted] England

3. Date and time of first animal loading <sup>(b)</sup>:

17/10/16

4. Number of animals loaded <sup>(b)</sup>:

419

5. Identification of the means of transport:

AG27391

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.

7. Signature of the keeper at the place of departure:

[Redacted Signature]

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:

<sup>(a)</sup> Keeper: see definition in Article 2(k) of Council Regulation (EC) No 1/2005

<sup>(b)</sup> If different from Section 1.

**Section 3: Place of Destination**

1. Keeper at the place of destination/Official Veterinarian – Name and address <sup>(a)</sup> : [REDACTED] DE			
2. Place and Member State of destination/Checking point <sup>(a)</sup> : [REDACTED] GERMANY		3. Date and time of the check: 18/10/16 17-20	
4. Checks Performed:		5. Outcome of the checks	
		5.1. COMPLIANCE	5.2. RESER-VATION(S)
4.1 Transporter Authorisation number <sup>(b)</sup>	[REDACTED]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2 Driver Number of the certificate of competence	[REDACTED]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.3 Means of transport Identification <sup>(c)</sup>	TRUCK AGZ 7391	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.4 Space allowances Average space/animal in m <sup>2</sup>	0.24	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.5 Journey log records and journey time limits		<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.6 Animals (specify the number for each category)			
Total checked	U Unfit	D Dead	F Fit
419	0	0	419
6. I, the keeper of the animals at the place of destination/official veterinarian, hereby declare that I have checked this consignment of animals. According my knowledge, at the time of the check the abovementioned findings were recorded. I am aware that the competent authorities must be informed as soon as possible of any reservation there may be and each time dead animals are discovered.			
7. Signature of the keeper at the place of destination/Official Veterinarian (with official stamp): [REDACTED]			

<sup>(a)</sup> Delete as appropriate.  
<sup>(b)</sup> If different from Section 1.  
<sup>(c)</sup> If different from Section 2.

**Section 4: Declaration by the Transporter**

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.

**Actual itinerary – resting, transfer or exit points**

Place and address	Arrival		Departure		Length of stop	Reason
	Date	Time	Date	Time		
Ramsgate Port	17/10	19:30	17/10	20:00		
Calais Port	18/10	03:36	18/10	04:45	1 hour	MID JOURNEY BREAK

Reason for any difference between actual and proposed itinerary/other observations:

Date and time of arrival at the place of destination:

8/10/16 17:10

Number and reason for animal injuries and/or deaths during the journey:

DRIVER(S)'s name and signature:

[Redacted Signature]

Transporter's name, authorisation number:

[Redacted Name/Number]

As the transporter, I hereby certify that the entries above are correct and I am aware that any incident during the journey that leads to animal's death must be declared to the competent authorities of the place of departure.

Date and place:

24/10/16

Signature

[Redacted Signature]

**Section 5 - Specimen Anomaly Report No.**

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. <b>DECLARANT'S</b> name, title and address:	
2. Place and Member State where the anomaly was observed:	3. Date and time when the anomaly was observed:
4. Type of anomaly (ies) pursuant to Council Regulation (EC) No 1/2005:	
4.1. Fitness for transport <sup>(1)</sup> <input type="checkbox"/>	4.6. Space allowances <sup>(6)</sup> <input type="checkbox"/>
4.2. Means of transport <sup>(2)</sup> <input type="checkbox"/>	4.7. Transporter's authorisation <sup>(7)</sup> <input type="checkbox"/>
4.3. Transport practices <sup>(3)</sup> <input type="checkbox"/>	4.8. Driver certificate of competence <sup>(8)</sup> <input type="checkbox"/>
4.4. Journey time limits <sup>(4)</sup> <input type="checkbox"/>	4.9. Journey log records <input type="checkbox"/>
4.5. Additional provisions for long journeys <sup>(5)</sup> <input type="checkbox"/>	4.10. Other <input type="checkbox"/>
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:

- <sup>(1)</sup> Annex I, Chapter I and Chapter VI, paragraph 1.9.
- <sup>(2)</sup> Annex I, Chapters II and IV.
- <sup>(3)</sup> Annex I, Chapter III.
- <sup>(4)</sup> Annex I, Chapter V.
- <sup>(5)</sup> Annex I, Chapter VI.
- <sup>(6)</sup> Annex I, Chapter VII.
- <sup>(7)</sup> Article 6.
- <sup>(8)</sup> Article 6(5).

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