



Animal &  
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Agency

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Our Ref: ATIC2742

[REDACTED]  
{By Email}

28 April 2022

Dear [REDACTED]

## PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about UK transporters, which APHA received on 11 March 2022. Your request has been handled under the Freedom of Information Act (FOIA) 2000.

The information you requested and the response is detailed below:

“1. Do UK transporters of laboratory animals require a licence or a transporters authorisation?”

The rules concerning the commercial transportation of animals are set out in Council Regulation (EC) 1/2005 (as Retained) on the protection of animals during transport and in domestic legislation, The Welfare of Animals (Transport) (England) Order 2006 (WATEO) with parallel legislation in Scotland and Wales. The retained EU legislation aims to protect the welfare of animals during transportation and applies to animals transported in connection with an economic activity on journeys over 65km. Where animals are being transported on commercial journeys of more than 65km, a UK Transporter Authorisation is required.

“2. If so, are these licences specific to named species?”

Yes, the Transporter Authorisation will state which species it applies to.

“3. Do drivers of such transportation need any specific qualifications to deal with any animal emergency situation?”

Transporters have a legal duty to protect the welfare of the animals in their care. Council Regulation (EC) No 1/2005 (as retained) imposes a statutory obligation that anyone engaged in the handling and transport of animals must do so in a way that does not or is not likely to cause injury or undue suffering to them. Transporters must demonstrate that they and their staff (if others are employed) are appropriately trained and competent and

have the appropriate equipment and operational procedures in place to transport animals in compliance with the Regulation.

Transporters should have contingency plans in place to ensure that animal welfare is not compromised, in the event of disruption to the journey or in an emergency situation. These plans should include identifying facilities which can be used to provide animals with appropriate rest periods, or veterinary care, using alternative routes or delaying the journey until delays have subsided.

“4.Is there a publicly available list of organisations that may transport laboratory (research) animals and can you provide it? If not who can and how?”

There is no publicly available list and the list held by APHA is exempt from release citing the following exemptions Section 38 and Section 40 of the Freedom of Information Act (FOIA) 2000.

### **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**

APHA 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.

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

However, APHA feel that there is a stronger public interest in withholding the information as the full addresses, transporter details and individual names would identify further information and would, or would be likely to, endanger the health and safety of staff carrying out this work. 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 likely to occur in some cases. APHA 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**

The information you have requested has been withheld under section 40(2), read in conjunction with 40(3A)(a), (third party personal data), of the FOIA as the information constitutes personal data relating to a third party. Section 40(2), read in conjunction with 40(3A)(a), of the FOIA provides that personal data relating to third parties is exempt information if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR).

APHA consider that disclosure of this information is likely to breach the first data protection principle in Article 5(1)(a) repeated in 35(1) DPA, which provides that personal data must be processed lawfully, fairly, and in a transparent manner in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure of that information would not be 'lawful'. APHA have concluded that this information is exempt from disclosure under section 40 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 FOI 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.

An Annex is attached 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.gov.uk](mailto:enquiries@apha.gov.uk)

## Annex

### Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can also be used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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### Complaints

If you are unhappy with the service you have received in relation to your request, you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Manager at the address at the top of this letter or email [enquiries@apha.gov.uk](mailto:enquiries@apha.gov.uk) and the team will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure. The ICO can be contacted at:

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

### Coronavirus

If you need to contact the ICO during the Coronavirus pandemic, it's best to do so online. Please click [here](#) for contact details. You can also call them on 0303 123 1113.