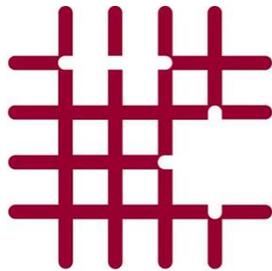


Horse Markets in the Netherlands

From the Horse's Mouth



RAAD VOOR DIERENAANGELEGHENEDEN

Cover letter

The Hague, 2 March 2017

Our reference: RDA.2017.036

Your Excellency,

On behalf of the Council on Animal Affairs, it is my pleasure to present you with the advisory report titled 'Horse Markets in the Netherlands – From the Horse's Mouth'. The Council has drawn up this report at your request, both in light of community concerns regarding the welfare of horses at horse markets, and in response to your question regarding the need to segregate horse markets and public events.

Given the wide variety of horse markets in the Netherlands, the Council does not believe that a one-size-fits-all solution is possible. The Council has taken the welfare of horses as the starting point, and formulated regulations for ensuring it is maintained. We then examined the existing regulations in statutory legislation and the Horse Market Welfare Protocol (*Protocol Welzijn Paardenmarkten*), which was drawn up jointly by the various stakeholders. The Council has also included the element of transport in its report, since transport forms an integral component of horse markets.

Based on the analyses, we conclude that a blanket rule banning horse markets or segregating them from public events is not necessary, on the express condition that the criteria specified in this advisory report are met. Currently, this is far from always the case.

The Council puts forward the following recommendations to ensure horses' welfare at markets.

1. Further tightening and expansion of the Horse Market Welfare Protocol;
2. Stepping up enforcement of legislation. One recommendation by the Council in this context is to include a mandatory 'welfare evaluation' for the competent authorities, to be completed by market organisers;
3. Preventing long journeys that can be avoided, and standardising horse Identification & Registration (I&R) processes.

Exhibitors, visitors and stakeholders of horse markets all have their own ideas and motives, leading to a risk that positions harden. The Council therefore wishes to make an appeal to all parties involved: the people at the market are what make the market, and are instrumental in forming its image. All parties are therefore expected to keep this in mind, and act accordingly.

At your request, the Council will also actively communicate with the municipal authorities where horse markets are held. Of course, the Council is also available to provide further information or answer questions regarding the implementation of recommendations in this advisory report.

Yours sincerely,

Mr M.H.W. Schakenraad
Secretary, Council on Animal Affairs (RDA)

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Procedure

This advisory report from the Council on Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA) was prepared by a panel of Council members comprising Ms H.M.G. (Hetty) van Beers-Schreurs (chair), Mr J.T. (Joost) de Jongh, M.M. (Marianne) Sloet van Oldruitenborgh-Oosterbaan and Ms H.M. (Helga) van Veen. Ms M.A. (Monique) van der Gaag, Ms M. (Maartje) Oonk and Mr M.H.W. (Marc) Schakenraad from the RDA agency supported the work of the panel. Ms E.K. (Kathalijne) Visser also contributed valuable specialist knowledge to chapter 4 concerning the health and welfare of horses.

Document overview

Chapter 1 briefly outlines the request made by the Minister to the Council on Animal Affairs for an advisory report on horse markets. Chapter 2 provides a short overview of the number and type of horse markets held in the Netherlands.

Chapter 3 summarises the legislation governing horse markets, including transportation to and from the markets. The current Horse Markets Welfare Protocol is also included in this chapter.

A description of what constitutes the horse welfare and the potential risk factors thereto are included in chapter 4, revealing a number of aspects that are important to the well-being of horses at markets.

Chapter 5 lists the identified aspects that are already covered (fully or partially) by existing legislation and the Protocol. Chapter 6 then describes the Council's considerations in making the recommendations presented in chapter 7 of this report. The conclusions are given in chapter 8, followed lastly by the list of references used. The appendices contain additional background information relevant to the advisory report.

Summary

The Minister for Agriculture has asked the Council on Animal Affairs to issue an advisory report on horse markets. The Minister's question focused on two points: firstly, the desire to segregate horse markets from stressful events so as to prevent discomfort (stress), and secondly, ways to prevent incidents. In order to give adequate treatment to these aspects, the Council has expanded the scope of the request to include ways to ensure the general welfare of market horses. Because transport to and from the market is an integral part of the market process, this aspect is also included.

In drawing up this advisory report, the Council sourced information from organisers of horse markets, veterinarians, municipal authorities, livestock traders and civil society organisations, as well as from current scientific research on equine welfare, both from the literature and specialists in the field.

The Council focused first of all on the factors that influence a horse's sense of well-being, including individual characteristics of the animal itself and environmental factors. The former category includes aspects such as breed, age, individual history, character and health. The second includes factors such as accommodation, nutrition and how the animals are treated by grooms and others. Eleven parameters are listed that can be measured or identified in animals that give a good indication of a horse's well-being at any given time. As such assessments are made in public spaces or during transport, the only factors included are those evident in the horse's appearance (either physical or behavioural) to a person with knowledge and experience. Also included are twenty-two environmental risk factors that can adversely affect a horse's well-being either at a market or during transport. Evaluating the relevance of these factors requires no (or less-specific) knowledge of horses.

The Council has determined that horse husbandry (and with it, horse trading) is embedded in Dutch culture. Many sales channels exist; markets form one such channel, that is often combined with other social events.

The Council has concluded that markets form an acceptable avenue for trade in today's society, provided that the horses' welfare is not compromised either at the market itself or during transport. This can be attained using the recommendations given in this document. As long as these conditions are met, there is no need for horse markets to be segregated from other public events, as the animals will then be protected from the potential discomfort that such events can cause.

To this end, the Council has formulated the following recommendations:

- Further tightening and expansion of the Horse Market Welfare Protocol
- Setting professional competence standards for inspectors
- Adequate knowledge among owners on handling and caring for horses
- Monitoring the identities of horses and owners upon entry to markets
- More stringent supervision and enforcement (legislation), and inclusion of the Horse Market Welfare Protocol in general municipal by-laws
- Drawing up a welfare assessment for use by competent authorities
- Increasing transparency at horse markets
- Communicating with/informing all stakeholders via appropriate channels, and explaining the underlying reasoning behind agreements and regulations
- Clear definitions and interpretation of legislation
- Supplementary requirements applicable to long journeys

The above is not only about drawing up and enforcing regulations. Animal owners and market organisers retain ultimate responsibility for the animal's welfare. The supervision and assessment of whether their welfare is adequately provided for must be entrusted to a third party.

Potential long journeys to and from horse markets constitute a key welfare risk. The Council advises taking additional measures to prevent long journeys to and from markets. For horses, the time spent at a market is not a restful one.

Lastly, the people at the market are what make the market, and are instrumental in forming its image. All parties are therefore expected to keep this in mind, and act accordingly.

1. Introduction

1.1 Background and questions

The Council on Animal Affairs (below also: the Council) was requested by the Minister for Agriculture to draw up an advisory report on horse markets.

The Minister's letter stated the following:

1. *'Horse Market Protocol'*

I believe the current protocol needs to be updated, in order to adequately address:

- a. segregation of horse markets from stressful events, so that horses no longer experience discomfort (stress) as a result; and*
- b. mitigation of risks that can cause incidents at horse markets.*

2. *'Implementation of criteria by municipal authorities'.*

I would also ask that you consult with the relevant municipal authorities on how these assurances/new protocols will be incorporated into their procedures for issuing horse market permits.

The Minister's entire letter and formal request is included in Appendix 1 (in Dutch).

The present document is the advisory report produced by the Council regarding the first part of the request.

Following consultation with the Ministry of Economic Affairs, the Council will take the initiative to share its vision on horse markets with the municipalities where the markets are held.

1.2 Approach

In the Council's view, horse-market activities consist of transporting horses to the market, trading in the animals at the market, and transporting the animals away from the market. The Council has taken the welfare of horses at markets (i.e. including transportation) as its primary objective, with an emphasis on preventing negative influencers (pain, anxiety or other sources of discomfort).

The Council looked firstly at the risk factors affecting the welfare of horses at markets and during transport to and from the market, and compared them to current legislation and the Horse Market Welfare Protocol (hereinafter: the Protocol).

In order to create a risk and problem analysis for the above issue, information was initially collected in three ways.

1. Data was gathered on the number and various types of horse markets, the horse trading sector, horse markets as cultural heritage, legal frameworks and the various viewpoints regarding horse markets.
2. Information was obtained on the health and welfare of horses at markets, as well as on the real and potential risks thereto. Doing so involved consulting both international scientific literature as well as Dutch experts in the field of equine welfare.
3. Interviews were held with representatives from the various interest groups involved in horse markets, including the Horse Sector Council (*Sectorraad Paarden*), the Royal Dutch Society for Veterinary Medicine (KNMvD), the Dutch Society for the Protection of Animals (*Dierenbescherming*), the market organisations in the municipalities of Zuidlaren, Elst, Alblasterdam and Vianen, the Central Union of Horse Traders (*Centrale Bond voor Paardenhandelaren*, CEBOPA), Eyes on Animals, and the Netherlands Food and Consumer Product Safety Authority (NVWA). A number of horse markets of varying size were visited at different times.

The Council was not involved in either drawing up or revising the Horse Market Welfare Protocol, and as such, has limited itself to listing critical factors concerning equine welfare and to contributing constructive elements that may help improve the Protocol.

The above is all described in greater detail below. Wherever the present advisory report specifies 'horses', this should also be taken to mean ponies and donkeys. From an animal welfare standpoint, there are many similarities between horses, ponies and donkeys; all aspects listed as relevant to horses in this document therefore also apply to ponies and donkeys. Key differences are specified where applicable.

2. Horse Markets: An Overview

2.1 Horses in the Netherlands

Horse sports are very popular in the Netherlands. The Horse Sector Council estimates that around 450,000 horses are kept in the Netherlands, and that there are around half a million riders. Annual turnover in the horse sector is equal to around €1.5 million.

The fact that horses are kept in the Netherlands means that trading also occurs. There are two horse-trading organisations: the Dutch Sport Horse Traders Association (VSN) and the Central Union of Horse Traders (*Centrale Bond voor Paardenhandelaren*, CEBOPA). Around 60 (international and other) sport horse traders are members of the VSN, which specialises in the purchasing, sale and training of sport horses at all levels and in all disciplines. CEBOPA counts over 100 horse traders among its members, representing all areas within the horse sector. Traders also exist who are not members of any organisation. In addition to physical buying and selling via traders, markets and auctions, more and more horses are being traded online via digital marketplaces. Horse-trading between private individuals also takes place via direct trading, physical markets and increasingly online.

2.2 Horse markets

Some horse trading takes place at horse markets, which have a rich history. Records pointing to the organisation of a horse market in Valkenburg date back to as early as the year 840. Horse markets were held in the spring and autumn, allowing farmers to keep horses only in the seasons when they were needed. Around 100 horse markets are now held annually in the Netherlands, which mainly trade horses for recreation and slaughter. As mentioned in the introduction, 'horses' in this document also refers to ponies and donkeys.

The number of horses traded fluctuates through the years, but seems to show a downward trend. In 2010, three horse markets in the Netherlands (in Zuidlaren, Hedel and Elst) had a total horse count of over 2000 per market. In 2016, Zuidlaren and Hedel had over 1200 horses, and Elst nearly 900. The numbers at medium-sized markets (such as the spring market in Zuidlaren and the markets in Bemmelen, Lottum, Goor and Oudeschoot) vary between 500 and 1000. At most markets, the numbers vary between several dozen and several hundred. Wanroij has a fortnightly market, and Bennekom (formerly Barneveld) a weekly market. Each of these markets sees between 50 and 100 horses per occasion; the annual trading volume is therefore relatively high. International traders also visit Dutch horse markets, seemingly often to purchase animals for

slaughter. The larger markets in particular (and the Bennekom market) are frequented by traders from countries such as Germany, Denmark, Belgium, France and Italy. The major horse markets enable international traders to purchase large numbers of horses (and especially ponies) within a short time, and to organise their export and joint transportation. International private individuals also purchase horses at Dutch markets.

The markets also serve an economic purpose. The Netherlands has a constant superfluity of various horse and pony breeds. Enough mares must be born in order to keep a breed alive, however in addition to these fillies, equal numbers of foals are born. Although the demand for these animals in the Netherlands is relatively low, this is not the case abroad. In the Netherlands, slaughtering lighter animals in particular (i.e. low in weight) is not economically feasible, as the slaughtering and inspection costs are higher than the value of the meat itself. Without exports, these horses have a negative value in the Netherlands.

Roughly speaking, horse markets in the Netherlands can be divided into three different types:

- Type 1 Markets for trade only, without additional activities (e.g. those in Bennekom and Wanroij);
- Type 2 Markets primarily for trade, where additional activities are also organised (e.g. Elst, Hedel and Zuidlaren); and
- Type 3 Horse markets with a folklore character, where additional activities are usually also held. There are often very few horses at these markets (several dozen), and trade activities are either non-existent or secondary to the folklore aspects.

Horses at the type-2 markets serve the dual purpose of trade and attracting visitors. In markets of type 3, horses are solely for the purposes of attracting visitors, and form part of the folklore of the relevant annual/other markets. At some type-3 markets where horse numbers are diminishing, traders are paid a horse levy so that they will still bring their horses and ponies to the markets. These levies range between several and 20 euros per horse. Markets also exist where levies are paid for animals that take part in inspections and are not intended for sale (e.g. Beusichem).

The vast majority of the 100 horse markets are of type 2. They are extremely diverse in nature, varying from large markets with myriad extra activities held at a distance from the horse market, to small markets involving hardly any trade, and where folklore-related activities are run in the immediate vicinity of horses. Horse markets of the third

type, where there is no intention to trade, are in truth not horse 'markets' but horse 'events'. This document addresses the welfare of horses at horse markets. From the horse's perspective, however, the Council sees no reason to draw a distinction in its conclusions between different types of horse markets.

Welfare regulations are the same for all horses, as are the potential risk factors to their welfare. The ways in which horses potentially respond to these risk factors depend partly on the individual horse. This aspect is discussed in further detail in chapter 4. The number of risk factors at a market will depend in part on the type of market. For example, the risks of ancillary activities are not relevant to markets that are not held in combination with other events or activities (type 1).

A number of horse markets in the Netherlands are included in the National Inventory of Intangible Cultural Heritage, namely those in Elst, Alblasterdam, Valkenburg and Vianen. This list is coordinated by the Knowledge Centre for Intangible Cultural Heritage (*Kenniscentrum Immaterieel Erfgoed Nederland*). The Centre's vision is as follows: 'Immaterial cultural heritage connects people, gives meaning to life and colour to society, creates a sense of continuity and identity and reflects the cultural diversity of the Netherlands. It is of great social importance. Immaterial cultural heritage is a significant branch of heritage, borne by the people of today, who wish to pass on their heritage to future generations. Our aim as the Knowledge Centre is to support and increase the visibility of this process.'

3. Legal Frameworks and the Horse Market Welfare Protocol

3.1 National and international legislation

There is no legislation specific to horse markets. Legislation does exist that governs the ownership and treatment of animals and their transport, which also applies to transport to and from horse markets and to the time the horses spend there. The legislation of greatest relevance to the welfare of horses is contained in the Animals Act (*Wet Dieren*), the Animal Keepers Decree (*Besluit houders van dieren*) and the European Transport Regulation. The Transport Regulation includes articles on 'assembly centres', under which horse markets fall. Specific legislation also applies to importing and exporting horses, such as the Regulation on Trade in Live Animals and Live Products and the Regulation on the Prevention, Control and Monitoring of Infectious Animal Diseases, Zoonoses and TSEs. These have not been explicitly incorporated in this advisory report.

Animals Act and the Animal Keepers Decree

The Animals Act concentrates on the animal's intrinsic value, which means that animals have value unto themselves. They are creatures with feelings. Animal welfare deals with animals' quality of life. The Animal Keepers Decree Falls under the Animals Act, and outlines how animals should be treated and the criteria applicable to the environments in which animals are kept.

Transport Regulation

The European Transport Regulation only applies to the transport of horses as part of economic activity (e.g. for sale, lease, slaughter) and not to other forms of horse transport (such as to and from veterinary treatment, exhibitions, examinations or competitions). Much transport of horses to and from markets therefore falls under the Transport Regulation, as horse trading is involved. The Transport Regulation sets more stringent criteria for long journeys (more than 8 hours and/or 65 km).

Interpreting the legislation

Practical enquiries among different public and private parties involved in horse markets has revealed a lack of clarity and/or differences in the interpretation of various components of the Regulation, complicating effective compliance and clear enforcement. Several examples encountered by the Council in this process that are relevant to horse welfare at markets are given below.

- The Transport Regulation (1/2005) and the Equine Passport Implementing Regulation (2015/262) concerning the methods for the identification of equidae

make reference to registered horses, and horses for breeding, general use and slaughter. It also makes reference to 'farm animals, including domestic solipeds'. The inconsistency in terminology and the fact that horses' status can change in certain cases causes confusion in practice. What is more, the terminology is also sometimes explained differently by different organisations/employees. From a welfare standpoint, a clear distinction between registered and non-registered horses is essential, as some regulations apply only to non-registered horses. Given that most horses in the Netherlands are registered, this permits greater freedom in their transport as they are subject to less legislation, constituting a risk to their welfare.

- The Transport Regulation (1/2005), Animals Act and the Equine Passport Implementing Regulation (2015/262) all give different definitions of the term 'keeper', allowing for differences in interpretation.
- In watering horses, it is unclear whether water must be constantly available or whether it is sufficient to provide water several times a day, and if so, how often. There are various formulations of this aspect in existing legislation and regulations.
- Officially, horses may only be exported via certified assembly centres or from the primary holding. There are currently no certified horse assembly centres in the Netherlands. Legislation provides general requirements for certified assembly centres, as well as specific standards per species. Specific standards for horse assembly centres are currently under development. Currently, the national government sets up export locations at horse markets that meet the criteria set by the Netherlands Food and Consumer Product Safety Authority (NVWA), where the Authority takes care of the required assessments and administration. This is the case at five major annual markets, and at one weekly market. Dutch legislation on horse assembly centres is expected to be completed soon.
- Various sources of legislation prescribe periods of rest, however what this exactly entails and the conditions to be met are not described. The value of a certain period of rest depends significantly on the horse's ability to experience it as such. Horses that are about to undertake a long journey must be fit and rested.
- There is no uncertainty about the fact that all horses must have passports, and since 1 July 2009 all EU horses (including ponies, donkeys and other equidae) must also be chipped. Because registration requirements have changed over the years,

not all horses fall under the same legislation. The Dutch registration system is currently not consistent.

- What is the status of horse markets? Do they qualify as a transfer site during transport, or are they viewed as a location where transport is interrupted (counting as resting time) and as a new departure point? On this topic: 'departure points' are subject to criteria that current horse markets fail to meet.
- The Transport Regulation draws a distinction between animal transport for economic purposes, and other transport (non-commercial). There are clear situations when the type of transport is obvious, such as when two riders take their horses to the beach in a trailer for a ride (non-commercial), or when dealers transport a truck full of horses for slaughter (commercial). The situation is not always this black-and-white, however, making it hard to determine whether some journeys should be subject to the additional requirements for commercial transport. Interpretations also differ between countries, which affects journeys traversing more than one country.

3.2 Municipal legislation and regulations

The Municipalities Act (*Gemeentewet*) authorises municipal authorities to issue additional legislation. The most extensive municipal regulations are the general municipal by-laws (APVs in Dutch): general guidelines by the municipal authorities for maintaining public order. The APVs enable municipalities to set specific additional criteria that horse markets must meet (transport to and from the market, and time spent at the market itself). The municipal authorities are responsible for enforcing and sanctioning any violations of the APVs.

Failing to comply with by-laws (which is a criminal offence) is one such violation. The penalty for failure to comply with a by-law under Article 154 of the Municipalities Act stipulates detention of up to three months or a category-2 fine, with or without public disclosure. Public events also often require an event permit, stipulating the criteria applicable to the activity in question. Here, too, municipal authorities are responsible for enforcement and sanctions.

3.3 The Horse Market Welfare protocol 2011

The Horse Market Welfare Protocol was drawn up by the Royal Dutch Society for Veterinary Medicine (KNMvD), the Horse Sector Council (*Sectorraad Paarden*, SRP), the Dutch Society for the Protection of Animals, and the market organisations in Zuidlaren,

Hedel and Elst. These bodies believed that there should be guarantees in place to protect the welfare of horses and ponies at horse markets. To this end, the above bodies drew up the recommendations listed below, which the parties believe municipalities should apply as criteria when issuing horse-market permits. The Horse Market Welfare Protocol is supplementary to statutory measures, and its authors stress the continued necessity of regular monitoring of compliance with statutory provisions by enforcement organisations. The Horse Market Welfare Protocol was adopted in May 2011, and contains the following recommendations:

1. All horses must be inspected upon arrival by a veterinarian. Horses displaying wounds, signs of neglect and/or possible infectious diseases must not be admitted;
2. Horses with docked tails are not to be admitted, with the exception of horses docked prior to 1/9/2001;
3. Adequate fresh drinking water must be available and accessible to the horses;
4. All horses must have access to good-quality roughage, and be given regular opportunities to eat;
5. Horses must stand on suitable ground that is not slippery;
6. Horses and ponies must be tethered in a manner safe for the animal in question. Horses must not be tethered for periods longer than 8 hours. To permit exercise, a walking area must be located in the vicinity of the horse market (e.g. a display track);
7. Horses must be kept at a sufficient distance from the public so as to prevent accidents;
8. Unnecessary disturbances (such as noise from fairground attractions) that can cause animals to flee must be avoided;
9. Information on keeping horses must be available at a central market location;
10. Offering animals as prizes directly or indirectly (via raffles, etc.) is not permitted;
11. Animals constituting a danger to themselves, other horses or to visitors must be removed from the market grounds or housed separately.

3.4 Roles and responsibilities

Many parties are involved in the welfare of horses at horse markets, and joint responsibility exists for creating horse markets that effectively cater for the interests of humans and animals alike. This section examines the roles of each of the parties with respect to the welfare of horses.

Horse keepers

Horse keepers are responsible for horse welfare. The Equine Passport Regulation defines horse keepers as 'any natural or legal person having possession of, or being charged

with, the keeping of equidae, whether or not for financial reward, and whether on a temporary or permanent basis, including during transportation, at markets, or during competitions, races or cultural events'. Keepers may also be owners (the natural or legal person with the right to ownership), but not necessarily. The Transport Regulation defines 'keepers' as natural or legal persons with the exception of transporters, who are responsible for or deal with animals on a permanent or temporary basis. The term 'keeper' is therefore not clearly defined. In personal correspondence with the Ministry of Economic Affairs, it was stated that although transporters are not keepers, they are responsible for compliance with regulations during transport.

The style of the driver and their route selection partly determine how horses will be affected by the journey.

Firstly, keepers are responsible for ensuring that horses are fit and healthy for both transport to and attendance at a horse market. The welfare of horses at markets is determined by the interplay between the characteristics of the individual animal and aspects of the environment, including the keeper. All horses at the market must have a keeper who is responsible for supervision and care.

Market organisation

The market organisation is responsible for creating suitable conditions (which must be listed in the general municipal by-laws and/or permits to enable enforcement), and also acts as the point of contact for all administrative affairs during the market. For example: the organisation must ensure sufficient space, safe logistics, fresh drinking water and roughage. Keepers are then responsible for the correct application of these resources. Registration of horses and their responsible keepers upon arrival at the market is desirable, and may also include any comments/concerns noted during the entry inspection.

It can generally be said that supervision and enforcement benefit from improved registration of horses and their responsible keepers at markets, e.g. by recording each animal's chip number along with the name (and preferably also the telephone number) of the responsible keeper. Keepers could also be asked for proof of identification, which is often not the case. According to current information, there is not a single horse market that records which horses and keepers are present. This could be taken care of by the municipal authorities, by including it as a requirement in the general municipal by-laws and permits.

Veterinarians

Veterinarians that perform the examinations upon admission to and during the market must be independent and have sufficient expertise. Major pressure can arise if vets must inspect their own clients' horses. Veterinarians must be in a position to carry out the checks critically and professionally, in a setting such as that found at horse markets. A list of mandatory examination items can help in this regard. Additional training on statutory requirements is also essential, and provides a framework to help reveal potential violations. Veterinarians are not enforcers, and must be able to appeal to the relevant national or local legislative enforcement body in the case of any irregularities. Lastly, enough veterinarians must be present while there are horses at the market, in order to evaluate (and examine if necessary) the number of animals present.

The Municipal Authorities

The municipal authorities are responsible for setting the criteria applicable to the organisation and running of horse markets, as well as for their supervision and enforcement. Inclusion of the Horse Market Welfare Protocol in general municipal by-laws and/or permit regulations will give municipal authorities more enforcement and sanctioning options. To ensure competent supervision, authorities may hire people to assist in this regard. A team including a professional assessor and an officer from the competent authority would allow immediate action to be taken in the event of any breaches to regulations. This can be arranged in various ways, e.g. by deploying suitable internal staff, by hiring independent professionals, or by outsourcing supervision to an appropriate body that supports the enforcer.

The National Government

The national government is responsible for drawing up national laws and legislation, and for their clear interpretation (see Section 3.1). It is also responsible for supervision and enforcement of national and international legislation, and may be supported by municipal authorities in this regard. Effective registration of horses and keepers at markets will simplify enforceability in the event of any violations.

4. Health and Welfare of Horses

4.1 Welfare of Horses

Acknowledgement of the intrinsic value of animals and the fact that they are sentient beings gives rise to the moral responsibility among humans to consider the welfare of animals in our actions. There are many different definitions of animal welfare in use. This document chooses to use the definition as published by the Horse Sector Council: 'Welfare is a mental state of well-being resulting from animals' ability to adequately fulfil their natural needs while remaining free of pain and other discomforts.'

At horse markets (including transport to and from the market), the emphasis lies on preventing negative influences on welfare (pain, anxiety or other discomfort).

A horse's welfare at any given point is determined by a large number of factors. A horse's breed and temperament, for example, can influence how the animal will respond to situations and stimuli. The animal's history (their past life experience) can also affect this aspect.

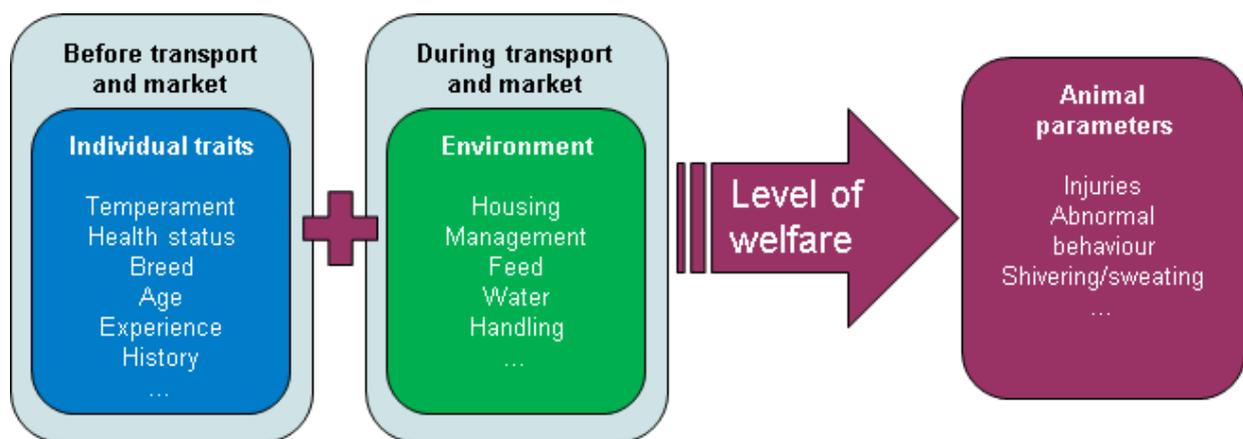


Figure 1: Horse welfare while travelling and at the market is the product of individual traits and environmental aspects, that can be observed in the form of animal parameters.

Animal traits are characteristics of the individual animal. Animal parameters are variables that are observable or measurable from the animal's appearance, and give an accurate idea of what an individual horse is experiencing, and how the animal feels. These parameters may be objectively measurable (such as heart rate or visible injuries), or may be more complex. Identifying the more complex parameters (such as anxiety, restlessness or aggression) and determining the underlying cause demands specialist knowledge and training. Some parameters have no immediate cause and/or do not reveal themselves for some time, such as incorrect posture due to hoof abnormalities, or a deviant Body Condition Score (BCS, i.e. being over or underweight). Although these

latter parameters are included in the assessment of whether an animal can be admitted to market, their direct cause does not lie in the market conditions or the inbound journey. The correct assessment of animal parameters requires specialist knowledge, as variance between animals (resulting from aspects such as breed or age) must be considered when making the assessment.

Environmental factors also affect horses' welfare during their journey to or presence at the market. The evaluation of environmental factors (such as adequate provision of water and feed or protection from the elements) is objective, and requires no specialist knowledge. These parameters can usually be checked off with a 'yes' or 'no'.

Environmental factors also exist that require more detailed explanation, such as potential injury risks in the immediate vicinity, or elements that may cause the horse to feel anxious.

The environmental parameters create the preconditions for positive animal welfare. The severity of the effects of sub-optimal conditions will depend partly on the individual horse's background and experiences. Horses can respond to their environments in a variety of ways, which can also vary at different times. Correctly estimating the effects of the interaction between the environment and the horse therefore requires a knowledge of horses.

Horses in good physical and mental condition are better equipped to cope with stressful situations. Horses that are overtired or injured, mares in the final stages of pregnancy or very young or old animals are more likely to become exhausted. By law, mares that are more than 300 days pregnant (past 90% of the gestation period) and mares with foals younger than a week old must not be transported, and are therefore unable/not permitted to attend markets. The same also applies to any animals whose physical condition is not adequate for travel, and to horses that will not yet tolerate a halter. There are also individual differences between horses with regard to sensitivity to stress and anxiety. These differences are partly due to genetic predisposition (sensitivity to stress and the development of abnormal behaviour are partly hereditary traits), and are partly influenced by the individual horse's past experiences, both in similar situations and in relation to the animals around it.

This chapter deals with the animal parameters first, and the environmental parameters afterwards. Potential risk factors are listed for each parameter, as well as the steps that can be taken at a horse market.

4.2 Animal Parameters

The parameters that provide information on the health and welfare of horses are numerous. This section is limited to parameters that can be observed in horses while at

markets, with particular attention to visible external irregularities (both in terms of physical appearance and behaviour).

Pained facial expression

Whether a horse is in pain can be established principally by looking at its facial expression (and its score on the 'grimace scale'). The 'Equine Utrecht University Scale for Facial Assessment of Pain' examines nine variables (environmental awareness, position of the eyelids, nostrils, lips and corners of the mouth, the muscle tone of the facial muscles, flehming or yawning, teeth-grinding or sighing, and the position of the ears). Horses that are reserved, stop paying attention to their surroundings and point their ears straight backwards with eyes closed (or wide open) and tense facial muscles are probably experiencing moderate to severe pain. Recognising these signs requires expertise, however. It must also be noted that there are major differences between breeds, and between individuals within a breed. Coldbloods and the heavier breeds of pony (Fjord, Haflinger) in particular demonstrate only clinically perceptible symptoms when in severe pain.

1. A relevant checklist item when determining whether to admit a horse to a market and during its stay: examine its facial expression to detect any pain.

Environmental awareness

After its facial expression, a horse's awareness of its environment can also evince signs of compromised welfare. The animal's experiences are also relevant here – horses that are accustomed to hectic events will respond differently to new environments than horses that are not. Pain can also cause horses to be less attentive to their surroundings, as can any sedatives (calming drugs) that may have been administered. Some such drugs are (or used to be) freely available, and may affect the suitability of the animal for slaughter. Again, assessing this aspect requires expertise and experience with horses.

2. A relevant checklist item when determining whether to admit a horse to a market and during its stay: examine its environmental awareness to detect pain, anxiety, discomfort or use of sedatives.

Exhaustion

Exhaustion is far from always easy to recognise. However, examination by a veterinarian is essential in horses that: cease to show interest in their surroundings, do not respond to stimuli (noise or offers of water or food), rest their neck or head on a fence or other support and/or can no longer stand independently and/or lie down in an uncomfortable place (on a wet surface or cramped space, if they display signs of restlessness, or if their halter lead is actually not long enough for them to lie down).

3. A relevant checklist item when determining whether to admit a horse to a market and during its stay: the horse's level of exhaustion.

Injuries

Injuries (more serious than superficial grazes) directly affect a horse's well-being. Wounds can have multiple causes, such as protruding or loose objects in the surroundings, or the actions of other horses. Wounds can occur prior to departure for the market, during travel, or at the market itself. Horses brought onto the market grounds with serious injuries should not be admitted. Injuries that occur while at the market must be adequately seen to.

4. A relevant checklist item when determining whether to admit a horse to a market and during its stay: Does the horse have any injuries?

Aberrant nutrition

Emaciated or extremely overweight horses do not belong at market. The relevance of this aspect to horse markets has more to do with public opinion than any potential acute problems on the day itself, and in this sense underfeeding is more of a problem than overfeeding. A method for determining the Body Condition Score (BCS) can be employed during the admission checks to establish an animal's level of nutrition. The method states which aspects require evaluation, and what the abnormal levels are.

5. A relevant checklist item when determining whether to admit a horse to a market and during its stay: the horse's level of nutrition.

Respiratory problems

At rest, healthy horses respire at a frequency of 8-14 breaths per minute. Higher frequencies can have various causes. High ambient temperatures, excitement and strain, as well as pain and fever can all result in faster breathing. Chronic respiratory conditions are a common reason for saying goodbye to an animal, such as by selling it at market. Clinical symptoms of respiratory problems include coughing, nasal discharge, shortness of breath and reduced endurance. Acutely ill animals with dirty noses, bad coughs and obvious difficulty breathing should not be at market.

6. A relevant checklist item when determining whether to admit a horse to a market and during its stay: respiratory problems.

Gait abnormalities

Musculoskeletal conditions are common among horses, and are the reason why most horses lose their usefulness. These animals are often sold at markets for slaughter. Horses that are already visibly lame should not be at market. Ataxia (a lack of voluntary

muscular coordination) is also a musculoskeletal condition. It is difficult to tell whether horses with an ataxic gait experience discomfort themselves, however horses with a visible ataxic gait are at risk of falling over and should not be at market.

7. A relevant checklist item when determining whether to admit a horse to a market and during its stay: the horse's locomotion.

Behavioural abnormalities

Sub-optimal conditions can cause horses to demonstrate abnormal, undesirable or aggressive behaviour, which is usually a direct expression of mental stress. Boredom and frustration are key elements in this respect. Compulsive scraping, digging and licking are common behaviours seen at markets, even among horses that behave normally in stables or at pasture. Vices such as weaving, cribbing and wind-sucking are also expressions of frustration among horses, but will have generally developed prior to arrival at the market and are far from always exhibited in crowded environments. Assessing abnormal behaviour requires specialist expertise and experience with equine behaviour. Behavioural abnormalities may mean the horse constitutes a danger to itself, to other horses, or to people at the market. Illness or poor well-being is less evident in the behaviour of donkeys than in horses or ponies. Donkeys therefore require extra attention in this regard. They are also less inclined to flee, and in stressful situations will tend to stiffen and refuse to move, a behaviour often mistaken for stubbornness in practice.

8. A relevant checklist item when determining whether to admit an animal to market and during its stay: behavioural abnormalities representing a danger to the animal itself or its surroundings, or clear evidence of compromised well-being.

Shivering and sweating

Horses are generally able to deal with the temperature fluctuations of the mild Dutch climate. In extreme cases, however, temperatures may drop below the horse's tolerance levels, causing it to shiver. In the Dutch climate, ambient temperatures (especially in full sun) are more likely to exceed the animal's tolerance, causing the animal to sweat in order to lower its body temperature. In extreme conditions, horses may suffer heat shock. Shivering and excessive sweating are both indications of poor well-being, however hyperthermia is a greater risk than hypothermia, as horses are generally able to tolerate rain and cold. Donkeys are different, however, and also require protection from the rain. Donkey hair differs from horsehair – donkeys have no water-repellent undercoat, and get genuinely wet and cold if exposed to rain for long periods.

9. A relevant checklist item when determining whether to admit a horse to a market and during its stay: shivering or excessive sweating.

Dehydration

Horses require effective hydration. Symptoms of dehydration include sunken eyes, leathery skin that retains folds, six hours without urinating, very dark urine, or weariness ('the horse withdraws into itself'). Licking objects (including metal objects) has also been observed. Severely dehydrated horses will often refuse to drink. Dehydration severely affects an animal's welfare. Because donkeys are more likely to refuse to drink bad-tasting or poor-quality water than horses and ponies, this aspect requires extra vigilance in their case.

10. A relevant checklist item when determining whether to admit a horse to a market and during its stay: horses must be adequately hydrated.

Surgical interventions: Docking

Surgical interventions affect animals' integrity. The Animals Act defines an intervention as 'a procedure performed on an animal that severs the natural connections between living tissues, including taking blood and giving injections, with the exception of killing the animal'.

'Tail docking' is a procedure relevant to horse markets. Docking horses' tails without medical cause is prohibited. The tail is an important instrument – horses use their tails to give signals to other horses. The tail also protects the anus and (in mares) the vulva, and is effective as a fly swat that horses use to shoo away flies not only from their own bodies, but also from those of their fellow horses.

The Animals Act includes articles governing procedures on animals, and on the participation and admission to exhibitions or examinations of animals that have undergone a prohibited procedure. On 22 December 2016, the Trade and Industry Appeals Tribunal drew a distinction between animals docked before and after 1 December 2016.

11. Checklist item: Docked horses require investigation to determine whether the legal requirements have been met. Docking horses is undesirable without a medical cause.

Items 1-11 above are key determinants in evaluating whether a horse's health and behaviour are suitable for admission to a market, and for transportation without affecting the animal's welfare. The Netherlands Food and Consumer Product Safety Authority (NVWA) must always be informed of any horse not admitted to a market. A record must also be made of such horses, including the details of the horse (chip number, breed, gender and age), the keeper (name, ID number), the reasons why the horse was denied entry, and any subsequent action taken. The above must then be

included in an evaluation of the welfare conditions at the horse market to be drawn up by the competent authority (see also Section 7.3, item 6).

4.3 Environmental parameters

Environmental parameters relevant to this document concern the periods before, during and after a horse market. The environmental parameters affecting horses prior to their journey to the market determine, in part, the impact of the market itself on their welfare. This section examines the environmental parameters that affect horses at a horse market and during transport.

Food availability

To maintain healthy metabolism in horses, it is important that they regularly eat roughage. In the wild, horses forage over 16 hours per day, and do not fast for more than 4-6 hours per day. Lack of roughage can result in conditions such as stomach and intestinal ulcers, or behavioural abnormalities such as cribbing. A lack of dietary fibre in a horse's intestinal tract is detrimental to its health and welfare.

1. A potential risk factor to horse welfare is the protracted lack of roughage (longer than 6 hours).

Availability of water

Depending on their circumstances (i.e. whether water is in the immediate vicinity or located some distance away), horses drink between every 1-2 hours to 3-4 times per day. Depending on their diet, the ambient temperature and their physical activity (sweat), horses require between 2 and 10% of their bodyweight (in kg/litres) per day. Pregnant and lactating mares need more water. Horses drink multiple times per day, with the frequency partly determined by aspects that affect hydration. More than 12-24 hours without water causes dehydration, and 3-4 days without water can lead to death, depending on the circumstances. Dehydrated horses are at greater risk of problems such as exhaustion and colic. The saying recorded by John Heywood as early as 1546 must be kept in mind, however: *'You can lead a horse to water, but you can't make it drink.'* Horses that do not drink for some time (or refuse to) must be carefully monitored for hydration. See also 'Dehydration' under animal parameters above.

2. Failure to offer fresh drinking water every 2-4 hours is a potential risk to the welfare of horses.

Accommodation

Horses are herd animals that need social contact, i.e. they need to be able to see, smell, hear and – if they know one another – also touch each other.

Horses standing freely in groups have more freedom to move than tethered horses. However, putting horses together that do not know each other creates stress, initially often including agitation and aggression. Stallions require particular attention in this regard. A stallion in the middle of a market can cause a lot of agitation, which is bad for both the stallion and the horses in its vicinity. Horses standing in a group must accept one another. If this is not the case, they must be spaced further apart.

The risk of self-injury must also be minimised wherever horses are left to stand. This means making sure there are no barriers with sharp edges or protruding sharp and/or loose materials.

3. Social isolation is a potential risk factor to horses' welfare.
4. Putting horses together that do not accept each other is a potential risk factor to their welfare.
5. Placing horses in environments where they are susceptible to injury is a risk factor to welfare.

The ground and any coverings are important to the horse's comfort, and for the absorption of urine (and manure). Horses are not likely to lie down at horse markets. If they do, it can be a sign of exhaustion or illness (see also 'exhaustion' under animal parameters). The combination of the ground surface and floor covering must not be slippery, or become so. This applies not only to locations where horses are stabled, but also to walking tracks and loading/unloading areas.

6. Slippery floors or ground are a potential risk factor to horses' welfare.

Where floor coverings are used in confined spaces, it is important to consider the potential effects thereof on the air quality. Poor-quality straw or sawdust can contain many dust particles, which constitute a health risk.

Tethering horses

Horses are often tethered at markets (and during transport). Good-quality halters and leads must be used, i.e. strong, without cutting into the skin. It must be possible to free the horses quickly in an emergency situation, and the lead must be strong enough that it will not break under normal circumstances. Horses must be tethered so that they do not present a danger to other horses or the surroundings, and any risk of strangulation or injury must of course be excluded. When tethered for extended periods, horses must be able to lie down, eat and drink. Constant supervision of the horses is necessary in these cases, as longer tethering leads to allow for feeding and drinking also make it easier for the horse to get tangled up.

Animals unaccustomed to it must not be tethered, as it is a major cause of stress. Learning to tolerate tethering and wearing a halter is a gradual process – it takes time, and cannot be carried out at a marketplace.

Failure to use a quick-release knot and/or the use of poor-quality halters and leads are a potential risk factor for the welfare of horses. A musketon hook between the halter and the lead can reduce the potential risks, as it allows the horse to be freed quickly in case of emergency. A musketon hook between halter and lead is a better choice than a panic snap, as the snaps have been known to break open at the wrong time.

7. Incorrect tethering, or tethering using poor-quality materials, constitutes a potential risk factor to the welfare of horses.

Noise

There is only limited research available on the effects of noise on the health and well-being of horses. The recommendation in the Netherlands is to limit noise levels in stables to 80 dB. The lack of available research means it is difficult to classify sounds that constitute a potential threat to welfare. There is evidence that unexpected (loud) noises in particular can affect horses, potentially causing fright and the tendency to flee. It is well known, however, that constant noise causes horses' reactions to diminish, aiding the development of a certain level of tolerance. Unexpected sounds are those that are irregular in frequency or volume. These can include loudspeakers at fairgrounds or events, shouting people, or other sounds. Such sounds can lead to stress among horses, and the tendency to flee.

Visual stimuli in combination with noise seems to cause more distress than noise alone, which supports arguments in favour of visually screening off horses from other stimulating activities. Research among police horses with varying amounts of training has also shown that extremely noisy environments (such as pop concerts) produced no observable or measurable stress in the horses (i.e. in their behaviour score or heart rate).

8. Unexpected loud noises form a potential risk factor to welfare.

Climate and light

Horses are generally able to cope with the temperature fluctuations in the mild Dutch climate. The comfort zone for horses lies between -5 °C and +24 °C. Ideal temperatures are between 10 and 15 °C for adults, and several degrees higher for young animals. Horses shiver when they are too cold. If they are too hot, they will sweat and may start panting to try to lower their body temperature. Hot weather and high relative humidity increase the risk of hyperthermia. Horses in full sunlight will overheat very quickly. Both

shivering and sweating (when at rest) can be taken as indications of reduced welfare, however they can also have other causes, requiring specialist expertise to discover what the underlying reasons are. Overall, it can be said that horses need shelter during long periods of full sunlight or extreme weather conditions.

Horses are prey animals by nature, and are generally very aware of their surroundings. Sudden transitions from light to dark can cause fright, for example, as can moving or other shadows.

9. Inadequate protection from extreme weather is a potential risk factor to welfare: strong sunlight particularly affects horses, and donkeys need shelter from rain.
10. Potential risk factors to welfare include places with rapid transitions between light and dark, where metallic or wet surfaces reflect light, or situations where horses are blinded by light sources.

Treatment and care

Human behaviour has a major effect on whether animals feel anxious. Anxious animals are more prone to stress, making them more susceptible to disease. Anxiety also makes animals more unpredictable, which is one of the major causes of accidents involving horses. Coaxing animals is sometimes necessary during transport. Using the voice and/or prodding with a crop (gentle taps to encourage movement) are acceptable means of coaxing. Hitting or stabbing horses, using electric shocks or picking up and moving horses by the tail are methods that affect the well-being of horses. Standard equine medicine sometimes involves using the tail to support horses when standing up and/or to keep them still. Assessing whether a horse's welfare is at stake requires knowledge of both the breed and the relevant handling procedures.

11. A potential risk to welfare arises when horses are not given the opportunity to become accustomed to a situation, and are subjected to excessive force (e.g. when directing their movement).
12. A potential risk to welfare arises when horses experience injury, anxiety or pain due to unnecessary coaxing/urging or rough handling.

Loading and unloading

Appropriate locations for loading and unloading are essential for transferring horses into and out of vehicles. Inappropriate locations include those that do not allow horses to turn or walk, or if the unloading zone is too close to obstacles that can cause injury. Excessive commotion due to visitors or other market activities can also cause incidents when loading/unloading horses. Ramps must not be too steep or slippery – there are legal standards governing this aspect. Markets may have several locations suitable for

loading and unloading. The suitability of locations that are (or may be) used for these purposes must be monitored.

13. Improper loading and unloading can constitute a potential risk factor to welfare.

Emergency zone

There is always the chance of unforeseen events causing horses to become injured or overstressed. For horses that are injured at, denied admission to or removed from the market, it is important to ensure there is a place nearby where the animals have enough space and quiet, and can receive treatment if necessary. The requirements of such areas will depend on the reason for refusing entry to horses, or removing them from the market.

14. A potential risk factor to welfare is the lack of appropriate emergency/other areas for horses that have been refused entry or removed from the market.

This chapter lists a large number of parameters that can affect the welfare of horses. Additive interaction applies between these parameters, i.e. a combination of two factors will have a greater or lesser effect than the sum of the individual effects themselves. In other words: the whole is not equal to the sum of the parts.

15. Environments that expose horses to multiple simultaneous risk factors is in itself a potential risk factor to welfare.

4.4 Specific risk factors during transport

The animal parameters as discussed above also apply during transport. This chapter examines aspects specific to transport, as well as the potential associated risk factors.

16. One potential risk factor to welfare is moving horses that are not fit or healthy enough to be transported in the first place.

Travel times and conditions

Transport to and from market is an aspect relevant to the welfare of horses, and in particular aspects such as travel times, care (e.g. feed, water, movement and handling) and transport conditions (such as vehicle arrangement and travel companions). These aspects are often of little to no concern at markets where no trade is conducted and where horses are transported relatively short distances, and where the combined travel time and time spent at the market will be less than 24 hours. Careful transport of limited duration will generally not affect the welfare of healthy horses accustomed to wearing a halter. At markets where no trade is conducted, the horses are usually privately owned and return home again with their owners after taking part in a market activity.

Moving horses across large distances to markets where they are intended for sale is another matter. Often these horses are being sold for slaughter, and are exposed to significant welfare risks when being transported to and from in terms of travel time, care and environmental factors. Proper monitoring prior to and during the market can help prevent dangers to welfare. Stringent checks of travel time prior to, and time spent during, the market must also be carried out when issuing export papers afterwards. Recording chip numbers and arrival times can play an important part in this process. Monitoring horse transport is an essential part of improving animal welfare at horse markets. The Transport Regulation includes parameters applicable to animal transport for commercial purposes, and draws a distinction between journeys shorter and longer than 8 hours (long-distance journeys). Journeys longer than 24 hours must include a rest period of 24 hours.

It is impossible to tell by looking at a horse how many times it has been sold, or how far it has travelled (either generally or immediately) before arrival at the horse market. For this reason, attention should be devoted to both the journey to and transport from the market. Currently no information is available on travel distances and times already traversed by horses, or those they still need to undertake.

Under current practices, many horses intended for (potentially international) trade already have long journeys and market stays behind them of more than 24 hours' duration. This is not acceptable according to welfare standards. In practice, the required 24-hour rest period applicable to journeys longer than 24 hours will generally not be observed. The boxes below describe two sample travel scenarios for horses prior to their arrival at the market. Transports and adequate rest therefore constitute key aspects of welfare that require enforcement. Denying horses entry that arrive unfit or unhealthy at the market and sanctioning any breaches works as a deterrent for future such transports, benefiting the welfare of horses.

Short journeys to market (commercial or non-commercial)

Sample scenario:

01:00 Horses loaded at point of departure

03:00 Horses unloaded at market

05:00 Market starts

15:00 Horses loaded and transported from the market

17:00 Horses arrive at their destinations

Total duration from initial departure until arrival at final destination: 16 hours

Long-distance journeys to and/or from the market (e.g. horses are picked up from various addresses and sold as exports for slaughter)

Sample scenario

Day before the market

15:00 (First) horses loaded at point of departure

21:00 Arrival at the market grounds (horses wait in the vehicles)

Day of the market

01:00 Horses unloaded at market

05:00 Market starts

14:00 Horses sold

16:00 Horses approved for export, loaded and transported from the market

Day after the market

06:00 Horses arrive at their destination (travel time including driver breaks)

Total duration from initial departure until arrival at final destination: 39 hour

Transport to and from the market is a potential risk factor to welfare. Risk factors include:

17. Long journeys (to or from the market)
18. Inadequate care/rough handling during transport
19. Too many horses, or horses not effectively separated in a vehicle
20. Improper means, or incorrect use, of transport

The Transport Regulation does not apply to transportation of horses taken to market for non-commercial purposes (horse-and-cart competitions, shows, etc.). These animals are generally only transported short distances, and they return home directly with their owners afterwards. It is in the owners' interests that their horses remain fit and healthy. When evaluating the welfare of horses returning home with their owners, of course the same animal and environmental parameters apply. However, the potential welfare problems for these horses during transport and at the market will be minor/more limited. Monitoring and enforcement activities should therefore concentrate primarily on horse trading.

21. The transport of horses with a low economic and/or emotional value is a potential risk factor to horse welfare.

Rest

While they are both travelling and at market being shown to potential buyers, horses have very little or no opportunity to rest. Horse markets can therefore not be considered resting locations. Horses need to rest and sleep every day, and a distinction is drawn between dozing and deep (REM) sleep. Horses can doze standing up: this activity is

characterised by lowered head, relaxed ears, one hind leg at rest and often a drooping lower lip. Deep sleep (lying down) is essential to the health and welfare of the animal. To enter deep sleep, animals must feel comfortable enough in a safe environment so that they dare to lie down. Healthy horses generally lie down for half an hour several times during each 24-hour period, usually at night. Foals and young horses lie down more often, and older horses generally doze more standing up. Horses may also lie down for other reasons, such as exhaustion, illness or pain.

Suitable places to lie down have the following characteristics:

- Enough space to lie down and stand up again. The Horse Sector Council recommends a surface area equal to twice the square of the horse's shoulder height
 - A soft and dry surface
 - Dark surroundings
 - Quiet surroundings
 - A safe environment
22. A potential risk factor to welfare is staying in a location that is wrongly considered to be a 'rest area'.

5. Brief analysis

5.1 Welfare parameters in relation to legislation

Much is known about the parameters (of both the animal and its environment) that indicate whether a horse's welfare may be compromised. Lots of legislation has also been developed to help ensure animal welfare. Legislation that is vague or allows for various interpretations can pose a risk to welfare, as it is unclear exactly what the requirements are. A second risk is the fact that welfare is the product of a complex interplay of various factors which cannot be ensured via checklists and legislation, and which also depends on how people interpret the regulations. This means that simply tightening up legislation and/or ramping up enforcement alone cannot ensure proper animal welfare.

The table below lists the essential animal parameters and risk factors for environmental parameters, along with the relevance of each to admission to, time spent at, and transport away from the market. The table also states whether each parameter is included in the current Horse Market Welfare Protocol and/or current legislation. A distinction is drawn between 'specific' and 'generic' inclusion: 'specific' means that the parameter or risk factor is included as defined in this advisory report, 'generic' means the parameter is covered in a general sense, but does not address all the relevant components. Some of the provisions in the Transport Regulation only apply to unregistered horses, possibly because of an assumption on the part of the legislator that registered horses would automatically receive better care and transport.

Table 1: Welfare parameters relevant to horses at horse markets, with an indication of whether they are included in the Horse Market Welfare Protocol 2011 and other legislation.

		Relevant to			Currently included in the Protocol		Currently included in legislation		Specialist expertise required (for assessment)	Reference*
		admission to market	stay at market	leaving the market	specific	generic	specific	generic		
Animal parameters: checklist items										
1	Facial expression	x	x	x					x	
2	Environmental awareness	x	x	x					x	
3	Level of exhaustion	x	x	x				x	x	TR
4	Injuries	x	x	x		x		x	x	HMWP, TR, AKD
5	Nutrition	x				x			x	HMWP, TR
6	Respiratory problems	x	x						x	
7	Movement/locomotion	x	x	x		x		x	x	HMWP, TR
8	Behavioural abnormalities	x	x						x	
9	Shivering/excessive sweating	x	x	x					x	
10	Hydration, check for dehydration	x	x	x		x			x	HMWP
11	Surgical procedures: Docking horses is undesirable without a medical cause	x			x		x	x		AA, HMWP

* Reference to HMWP: The Horse Market Welfare Protocol 2011

TR: European Transport Regulation 1/2005 – NB: some provisions only apply to unregistered horses, possibly because of an assumption on the part of the legislator that registered horses would automatically receive better care and transport.

AKD: Animal Keepers Decree (*Besluit houders van dieren*, 2011, in force since 01-02-2015)

AA: Animals Act (*Wet Dieren*, 2014, in force since 01-01-2017)

Table 2: Environmental risk factors and environmental parameters relevant to horses at horse markets, with an indication of whether they are included in the Horse Market Welfare Protocol 2011 and other legislation.

		Relevant to			Currently included in the Protocol		Currently included in legislation		Specialist expertise required (for assessment)	Reference*
		admission to market	stay at market	leaving the market	specific	generic	specific	generic		
Environmental parameters: risk factors										
1	No access to roughage for extended periods (> 6 hours)		x			x		x		AKD, HMWP
2	Lack of fresh drinking water (at least every 2-4 hours)		x			x		x		TR, HMWP
3	Social isolation		x							
4	Crowding horses together that do not accept one another		x					x	x	TR
5	Horses tied to barriers that may injure them		x					x		TR
6	Slippery floors or ground (loading/unloading surfaces, walking tracks, display tracks, market grounds)	x	x	x		x		x		TR, HMWP
7	Incorrect tethering	x	x	x	x			x	x	HMWP, TR
8	Sudden loud noises	x	x	x		x				HMWP
9	Inadequate protection from extreme weather (especially harsh sunlight, and rain for donkeys)		x					x		AKD
10	Places with rapid transitions between light and dark, where metallic or wet surfaces reflect light, or situations where horses are blinded by light sources.	x	x	x						
11	Horses have no opportunity to adjust to an unfamiliar situation, or excessive force is used to direct their movement		x	x					x	
12	Injury, anxiety or pain caused by unnecessary goading/urging or rough handling	x	x	x				x	x	AA, TR

		Relevant to			Currently included in the Protocol		Currently included in legislation		Specialist expertise required (for assessment)	Reference*
		admission to market	stay at market	leaving the market	specific	generic	specific	generic		
13	Unsuitable loading/unloading zones/facilities	x		x			x			TR
14	No suitable emergency area		x					x		AKD, AA
15	Environments that expose horses to multiple risk factors simultaneously	x	x	x						
16	Transportation of horses that are not fit or healthy enough	x		x				x	x	TR
17	Long journeys	x		x			x			TR
18	Inadequate care during transport	x		x				x		TR
19	too many horses, or horses not effectively separated in a vehicle	x		x			x			TR
20	Improper means or incorrect use of transport.	x		x				x		TR
21	Transport of horses with a low economic or emotional value	x	x	x						
22	Horses not given enough time to rest	x	x	x				x		TR

* Reference to HMWP: The Horse Market Welfare Protocol 2011

TR: European Transport Regulation 1/2005 – NB: some provisions only apply to unregistered horses, possibly because of an assumption on the part of the legislator that registered horses would automatically receive better care and transport.

AKD: Animal Keepers Decree

AA: Animals Act (*Wet Dieren*)

Many animal parameters require specialist expertise to assess, and are relevant to the admission of horses to market, potential risks to their welfare while on the market grounds, and their condition upon leaving the market for their destination. Some of these parameters are addressed in legislation in a generic sense. An effective welfare assessment requires all animal parameters to be evaluated prior to horses being admitted to market, which is currently not regulated either in legislation or the Horse Market Welfare Protocol. This level of detail is too great for statutory provisions, but is appropriate for the Horse Market Welfare Protocol, which states the minimum aspects that horses need to be evaluated on in order to ensure their welfare.

The environmental factors are much easier to monitor, and generally do not require any specialist knowledge. More of them are also included (either generically or specifically) in legislation and/or the Horse Market Welfare Protocol. The Council believes that the missing parameters should be included in the Horse Market Welfare Protocol.

5.2 Legislation, supervision and enforcement

As stated in the previous section, there is still a lack of clarity regarding the interpretation of various legislative aspects. This is detrimental to compliance and enforcement, which requires creating clarity and dispelling ambiguity. This essential step will benefit the welfare of horses. Legislation also already covers a large number of animal welfare-related aspects, and includes many clear and unambiguous regulations.

In combination with the Horse Market Welfare Protocol, the welfare problem would currently seem to be due more to a lack of compliance with the regulations rather than the regulations themselves. This would certainly be the case if the Horse Market Welfare Protocol were modified as recommended and legislation made unambiguous. Stricter supervision and enforcement are what are primarily required in order to boost compliance.

Supervision and compliance are critical success factors at current horse markets. The national government takes care of certification for exports, and conducts spot-checks to monitor other statutory requirements. Many locations currently hold a veterinary medical examination upon entry, however no known sites currently perform identity checks and/or keep records of keepers/owners when the horses arrive.

Local government (municipal) authorities each set their own additional requirements applicable to horse markets, which do not always include the Horse Market Welfare Protocol by default. Nor is there across-the-board compliance monitoring of animal welfare. At the time of writing, a movement towards more requirements and monitoring had started, benefiting the welfare of horses.

Identification and registration of market horses and owners is important (tracking and tracing), as it allows simple identification of those responsible for individual horses while at market, and monitoring of how often the same horse is taken to markets in the Netherlands.

6. Assessment

The Council considered a range of perspectives when assessing animal welfare at horse markets. To this end, the 'One Health Assessment Framework' (2015) was applied which, in addition to scientific and scholarly evidence, also incorporates relevant social values and moral considerations to lend consistency and transparency to the assessment (see appendix: 'Application of the One Health Assessment Framework to horse markets').

Horse markets have been in existence for hundreds of years, and over time have been subject to changes in their design and implementation based on different forms of horse trading, social ideas and views, and scientific knowledge. Modern times demand further changes, guided primarily by horse welfare considerations. A broad support base for change requires acceptance and understanding of the purpose and necessity of such changes.

Commercial trading is not the only important aspect of horse markets – there is also a broader social significance. These markets are regional events that help strengthen social cohesion. People also visit from outside the immediate area, an attractive prospect for the local region.

Assessment framework

The following principles were taken as the basis for this advisory report by the Council:

1. Keeping horses is a generally accepted activity in the Netherlands;
2. Horse trading is an integral part of horsekeeping;
3. Horses are traded via various channels: direct sale, horse traders, internet, and horse markets. The Council has no principled objection to horse markets, provided that animal welfare can be demonstrably guaranteed;
4. The Council believes that transport to and from markets must be included in the assessment procedure, as transport is an unavoidable part of market activities. In its current form, the Council does not see time spent at a market as a rest period for horses.
5. Horse markets that do not involve the commercial trading of horses are, in effect, 'horse events'. The advisory report on Horse Markets in the Netherlands is aimed at actual markets.

7. Recommendations

The Council makes the following recommendations based on its conclusion that horse markets in the Netherlands are acceptable on historical and economic grounds, provided horses' welfare is guaranteed.

Its recommendations can be divided into three categories:

- 1 Tightening the regulations in the Horse Market Welfare Protocol (May 2011);
- 2 Supplementary regulations to the Horse Market Welfare Protocol (May 2011); and
- 3 Other recommendations related to horse markets.

7.1 Tightening up the Horse Market Welfare Protocol

The Council advises tightening up the Horse Market Welfare Protocol. The recommendations are listed below beside the relevant items in the Protocol. The Council does not believe that all items in the Protocol require attention.

	Current Horse Market Welfare Protocol	Recommended amendment	Additional recommendations
1	All horses must be inspected upon arrival by a veterinarian. Horses displaying wounds, signs of neglect and/or possible infectious diseases must not be admitted.	Each individual horse must be examined and assessed by an independent expert (veterinarian) according to the list of animal parameters (see chapter 4).	Entry to horse markets should be granted via 'locks', each of which allows a horse to be examined from all angles by 1 or 2 veterinarians.
2	Horses with docked tails are not to be admitted, with the exception of horses docked prior to 1/9/2001.		This item may be supplemented with existing docking legislation.
3	Adequate fresh drinking water must be available and accessible to the horses.	Watering facilities must be available, and horses must be actively offered water every 2-4 hours (more often in hot weather).	Constant availability of water allows horses to drink as they desire. The market organisation shall provide water and buckets, and keepers must fetch at least as much water as required by the number of horses they have. Keepers who do not wish for their horses to drink from these 'communal' buckets (e.g. for medical reasons) must bring their own buckets.
4	All horses must have access to good-quality roughage, and regular opportunities to eat.	Fasting periods (without being offered fodder) may not be longer than 6 hours.	This is visually easy to assess by supervisors.

	Current Horse Market Welfare Protocol	Recommended amendment	Additional recommendations
5	Horses must stand on suitable ground that is not slippery.	This applies to walking tracks, loading/unloading zones and the horse accommodations at the market itself. Surfaces where horses are tethered must be flat and free of obstacles (no kerbstones, etc.).	Floor coverings included for comfort and absorption must be properly matched with the surface underneath.
6	Horses and ponies must be tethered in a manner safe for the animal in question. Horses must not be tethered for periods longer than 8 hours. To permit exercise, a walking area must be located in the vicinity of the horse market (e.g. a display track).	Horses unaccustomed to halters are not allowed at market.	Requirements for halter leads: horses do not need to be able to lie down, however the lead must be long enough to permit eating and drinking. Tethered horses must be constantly supervised. Horses have a need for exercise which must also be ensured.
7	Horses must be kept at a sufficient distance from the public so as to prevent accidents.	This does not concern the specific distance per se, more the inclusion of adequate facilities to prevent accidents.	The public must not be allowed to approach horses' hindquarters (no closer than an extended hind leg).
8	Unnecessary disturbances (such as noise from fairground attractions) that can cause animals to flee must be avoided.	Horses must be adequately screened off from potential risk factors that can cause horses to become distressed.	Distress can be caused by rowdy people, rough handling, visitors and the threat of physical contact between horses. Horses must be adequately screened off from these potential sources of distress (including other simultaneous events).
9	Information on keeping horses must be available at a central market location.		More detail necessary: who is this information for? Provide information that is tailored to specific groups.
10	Offering animals as prizes directly or indirectly (via raffles, etc.) is not permitted.		This is law, and probably does not need to be included in the Protocol.
11	Animals constituting a danger to themselves, to other horses or to visitors must be removed from the market grounds or housed separately.	Make emergency/rest areas compulsory, and describe more explicitly what will be done with horses that are removed or injured. If 'removal' does not mean transport back home (immediate or otherwise), an emergency/rest area is necessary.	An emergency/rest area means: separate grounds under constant supervision where horses can be accommodated in an isolated and appropriate fashion.

7.2 Supplementary regulations to the Horse Market Welfare Protocol

1. Professional competence requirements for inspectors

A valuable addition to the Horse Market Welfare Protocol would be a provision specifying adequate levels of professional competence for people examining the horses. Specific expert knowledge is required in order to evaluate the welfare of a horse. This applies to both veterinarians conducting admission examinations as well as those issuing export certificates and market inspectors monitoring the horses and facilities.

2. Treatment and care

When handling and caring for horses, it is important for any physical and behavioural abnormalities to be detected early. The first such check takes place when owners load up their horses – these people must also possess a certain degree of expertise in order to determine whether the animals can cope with being transported and spending time at the market.

Next, an expert assessment must be carried out upon entry to the market by the examining veterinarian, who must not only evaluate 'injuries, signs of neglect and/or potential infectious diseases', but also the other animal parameters described in chapter 4. Once all the horses have been admitted, veterinarians must also walk around the market, monitoring the horses' welfare and speaking to their keepers as necessary. 'Rounds' like this should be conducted every 2-4 hours, and the vet should make a daily report of their findings for use in assessments by the competent authority.

3. ID checks

According to current information, there are no existing markets that monitor the identities of horses. It is advisable to check all horses presented at market for the proper functioning of their transponder (chip), as well as their accompanying passport. Modern chip-readers can save the recorded IDs directly, or send them to a computer in order to maintain an up-to-date overview of all horses present. This method also makes it easy to check whether a certain horse has had sufficient rest at a subsequent event. Ideally, the identity (name and telephone number) of all animals' owners/keepers would be recorded, so that they can be easily contacted should there be any problems during the market.

Effective I&R and keeper registration is essential for horse markets, as it allows rights and obligations concerning the horses to be directly related to the person who is answerable/responsible.

4. Temperature and humidity guidelines

The Horse Market Welfare Protocol does not contain any guidelines on the climate or the effects of the weather on horse welfare. At horse markets held outdoors, it is important for horses not to be standing in full sunlight for too long. If they do, however, they must be watered at least every 1-2 hours, and monitored extra carefully for heat stress and dehydration. At indoor horse markets, it is important to take additional steps if the Livestock Weather Safety Index indicates that horses are at risk due to the prevailing combination of temperature and relative humidity.

Donkeys require protection from the rain (a roof or rain cover).

7.3 Other recommendations related to horse markets

5. More stringent supervision and enforcement (legislation)

Supervision and enforcement of legislation is the responsibility of government authorities. It is neither realistic nor logical to make a single party responsible for everything. Collaboration and making agreements offer a practical solution to developing effective supervision. If any irregularities are detected, the responsible party can be alerted and action taken. Teams that combine expertise (veterinarians) and authorities (police officers, food inspectors) can be used to assess legislation requiring specialist knowledge. An additional recommendation involves focusing monitoring and enforcement activities primarily on horses intended for commercial sale, as these animals probably also have long journeys ahead of them.

Municipalities have the power to set additional requirements applicable to horse markets. In order to maintain the social support base and the added value for municipalities, they should decide on the conditions under which permits will be issued, and how they are monitored. The Council deems the inclusion of the Horse Market Welfare Protocol in the general municipal by-laws and any ensuing permits to be an explicit requirement.

6. Welfare evaluation

Horse markets often constitute part of annual events. Conducting evaluations on the effectiveness of the conditions included in the general municipal by-laws helps municipalities to continue to improve the welfare of horses, and is indispensable.

7. Increasing transparency at horse markets

Horse markets are defined by the people who take part in them, be it as sellers, buyers, interested parties, passers-by or otherwise. They all have the responsibility to help create a horse market that receives social acceptance and support. In the Netherlands, people can have varying interests in and views of horse markets. To cater for these

various interests, it is important for everybody involved to communicate openly and respectfully with one another.

All parties involved in horse markets will effectively benefit from transparency, except when violations occur, when one party will not. Much negative publicity in social and other media has caused attitudes to harden among certain parties, leading to a more closed atmosphere at the market. This is undesirable, and points to the responsibility of all parties involved in horse markets. Increased knowledge and understanding of the roles and interests of all parties will help hardened attitudes to 'soften', paving the way for further improvements. More stringent regulations and careful enforcement form an effective springboard for horse markets that will fit within the modern social climate, and constitute a significant part of the solution. The people at markets make the market, and are instrumental in forming its image.

8. Communication and information

It has been shown that horse keepers are not always aware (or fully aware) of the applicable regulations and criteria. Information is key to improving this situation, and effective communication via existing channels is indispensable. Horse markets should inform presenters in advance of all the applicable regulations and requirements.

Information and communication on changes is essential in order to clarify the underlying reasons for the changes. These may be new scientific insights, for example, or changing views in society. The tone and content of any information provided must be tailored to the relevant target group, and be communicated via channels that will ensure the right groups receive it. Information sent to potential buyers regarding the care and accommodation required by horses is also essential in order to prevent impulse buying.

9. Definitions and interpretation of legislation

Legal descriptions are often complicated, and are interpreted in a variety of ways. This creates confusion and has a counterproductive effect on compliance and enforcement, which is detrimental to the welfare of horses. The government is advised to provide clarity in this regard.

7.4 Implementation of welfare improvements at horse markets

Horse markets are working on improving animal welfare and reducing risk factors. The way these recommendations are implemented will differ from market to market, and will always require a tailored approach. If it is not possible to implement the

recommendations at a certain location, then the location is not a suitable one for holding a horse market.

This section provides several examples of how horse markets have implemented improvements. The list is not exhaustive, but is intended as inspiration.

- Horses are only admitted to the market via 'locks', so that they can be inspected all over before being admitted to the market. This is also where the recommended registration of horses and keepers could take place. At least two veterinarians should conduct the admission checks. Horses approach via a kind of corridor, with one veterinarian on each side and the horse passing between them into the market. This allows the horse to be evaluated from both sides at once, making the process fast and efficient.
- Market organisations provide adequate quantities of water, buckets and hay – from several locations if the market is large in size. Hay can be placed under the tethering points while the market is being set up.
- Members of the public are led in front of the horses, and do not walk behind them.
- Put up warning signs for the general public to help avoid dangerous situations and incidents.
- Hold other events (that are potentially distressing for horses) at an alternative location, e.g. a few streets away.
- Erect solid barriers between the site containing the horses and the potentially distressing event.
- Set up both the display track and the market grounds on sandy/grassy ground.
- Ensure there are veterinarians and inspectors who talk to people throughout the day (keepers and visitors alike) about how horses should be treated, and who actively prevent potentially dangerous situations or take other action. The Council also advises recording any problems identified in an evaluation report, to aid the implementation of lasting improvements.
- Inform horse owners who register in advance of the applicable regulations to presenting a horse at market.
- Collaborate with education institutions, who make properly-instructed students available to take care of incidental tasks at the market.

8. Conclusions

The Minister requested an advisory report on various aspects of horse markets. In the resulting document, the Council has provided ways to improve the welfare of horses at markets as they are run in 2016, of which transport to and from the market comprises an integral part.

The Council has arrived at the following conclusions:

1. The Council considers horse markets to be acceptable in the Netherlands, provided the welfare of horses is not affected. Full segregation from other events is not necessary, provided the horses are not distressed by such events. Transport to and from the horse market is an integral component of the market itself. The Council has made concrete recommendations for ways to tighten and supplement the Horse Market Welfare Protocol.
2. Many aspects of horse welfare are already regulated under existing legislation and in the horse Market Welfare Protocol. Legislation is unclear on a number of points, making compliance and enforcement difficult.
3. The duration of a horse market (including transport to and from the market) is currently difficult to assess, which the council sees as a welfare risk that particularly affects horses sold for slaughter. Improved tracking and tracing will allow frequent and long-haul journeys among these horses to be detected and reduced.
4. Keepers (i.e. those who (perhaps temporarily) manage and are responsible for the animal) are themselves responsible for the horse's welfare, and other parties evaluate whether this welfare is adequately guaranteed/realised.
5. In theory, legislation currently provides for horse welfare to a large extent, however much more stringent supervision and strict enforcement (and sanctions) are important to ensure that it actually happens.
6. Municipal authorities play a key role in improving horse welfare through the creation of local legislation (by-laws, permits). The Horse Market Welfare Protocol (following implementation of the recommended changes) should be included by default in the general municipal by-laws wherever horse markets are held. Here, too, professional supervision and enforcement are essential in order to guarantee the welfare of horses.
7. To improve compliance with legislation, regulations need to be communicated to the relevant parties. Communication, information and education targeting specific groups will contribute in this regard. To create understanding and a support base, channels appropriate to the target groups should be used, and information provided on the reasons underlying the legislation.
8. The people at markets make the market, and are instrumental in forming its image.

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Appendix 1: Request of The Minister for Agriculture



RDA/nr. 2016.039

Bestemd voor: MS

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Ministerie van Economische Zaken

> Retouradres Postbus 20401 2500 EK Den Haag

Secretaris Raad voor Dierenaangelegenheden
De heer ir. M.H.W. Schakenraad
Postbus 20401
2500 ER DEN HAAG

Directoraat-generaal Agro en
Natuur
Directie Dierlijke Agroketens en
Dierenwelzijn

Bezoekadres
Bezuidenhoutseweg 73
2594 AC Den Haag

Postadres
Postbus 20401
2500 EK Den Haag

Factuuradres
Postbus 16180
2500 BD Den Haag

Overheidsidentificatienr
00000001003214369000

T 070 379 8911 (algemeen)
www.rijksoverheid.nl/ez

Behandeld door
drs. P.L.F. Bours

T 070 378 4817
F 070 378 6153
p.l.f.bours@minez.nl

Ons kenmerk
DGAN-DAD / 16021034

Datum 08 MRT 2016
Betreft Zienswijze aanpak verbeteren welzijn paarden op paardenmarkten
middels actualisering huidige paardenprotocol

Geachte heer Schakenraad,

Er bestaat al langere tijd maatschappelijke weerstand tegen paardenmarkten die deel uit maken van voor paarden stressvolle evenementen zoals kermissen en jaarmarkten. Daarnaast blijken ook nog steeds incidenteel op paardenmarkten welzijnsnormen van de Wet dieren en het Besluit houders van dieren te worden overtreden.

Ook richting de Tweede Kamer heb ik aangegeven dat incidenten niet altijd kunnen worden voorkomen maar dat het risico erop zoveel mogelijk kan en moet worden geminimaliseerd en dat een dusdanige ontkoppeling van paardenmarkten en evenementen dient plaats te vinden zodat de paarden er geen hinder van ondervinden. De betrokken partijen zouden zelf in staat moeten zijn om het welzijn van de dieren te waarborgen, misstanden te voorkomen en het risico op incidenten te minimaliseren.

Daarnaast is er maatschappelijke ophef over het toestaan door organisatoren van markten, keuringen en tentoonstellingen van de aanwezigheid van paarden met gecoupeerde staarten, een in Nederland verboden ingreep.

Middels actualisatie van het bestaande protocol moet het mogelijk zijn de ontkoppeling in de praktijk vorm te geven en het risico op incidenten te minimaliseren.

Het bestaande paardenprotocol is door de organisatoren van de grotere paardenmarkten in samenwerking met de Sectorraad Paarden, de Dierenbescherming en de Koninklijke Nederlandse Maatschappij voor Diergeneeskunde (KNMvD) opgesteld als eerste aanzet om het welzijn van paarden op de paardenmarkten te verbeteren.

Ook voor de betrokken gemeenten ligt hier een taak. Alvorens een paardenmarkt georganiseerd mag worden, dient de gemeente een vergunning te verstrekken. In deze vergunning kunnen binnen de kaders van de APV verordening aanvullende voorwaarden worden opgenomen waarmee ook van de zijde van de gemeente het

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risico op incidenten tijdens een markt kan worden geminimaliseerd en de naleving kan worden vergroot.

Van belang hierbij is het opstellen van de juiste waarborgen die onderdeel uit kunnen gaan maken van de vergunning. In de bijlage heb ik een overzicht opgenomen van op markten van toepassing zijnde regelgeving die in de vorm van randvoorwaarden uitgewerkt dient te worden. De van toepassing zijnde regelgeving heb ik als bijlage bijgesloten.

Verzoek

Hierbij vraag ik de Raad zijn zienswijze te geven over:

1. Protocol Paardenmarkten
Naar mijn mening moet het huidige protocol geactualiseerd worden. De actualisatie zou voldoende waarborgen moeten bieden voor:
 - a. een dusdanige ontkoppeling van paardenmarkten met stressvolle evenementen zodat paardenmarkten geen deel meer uitmaakt van stressvolle evenementen en de paarden hier geen hinder (stress) meer van ondervinden;
 - b. het zoveel mogelijk beperken van risico's op incidenten op paardenmarkten.

Uitgangspunt hierbij is de van toepassing zijnde welzijnsregelgeving die ik als bijlage heb bijgesloten. Ik verzoek u uw zienswijze over het protocol en voorstellen tot eventuele aanpassingen zo veel mogelijk in samenwerking met de marktorganisaties van de 5 gemeenten met de grootste paardenmarkten (Hedel, Barneveld, Zuidlaren, Eist, Bemmelen), de Sectorraad Paarden, de Dierenbescherming, de KNMvD en Eyes on Animals op te stellen.

2. Implementatie randvoorwaarden door Gemeenten
Ik verzoek u vervolgens in overleg te treden met de betrokken gemeenten over de wijze waarop de opgenomen waarborgen (c.q. het beoogde nieuwe protocol) onderdeel gaan vormen van de door de gemeenten af te geven paardenmarktvergunningen waarbij de nadruk eerst ligt op afspraken met de hierboven genoemde 5 gemeenten.

Ik verzoek u het onderdeel "Actualisatie protocol" indien mogelijk voor de zomer op te leveren en het voorstel over de afspraken met gemeenten in het najaar.

Vriendelijke groet,



Martijn van Dam
Staatssecretaris van Economische Zaken

Appendix 2: One Health Assessment Framework applied to horse markets

In preparing the advisory report on Horse Markets in the Netherlands, the forum drew up and implemented a summarised version of the 'One Health' assessment framework by the Council on Animal Affairs (*Raad voor Dierenaangelegenheden*, RDA).

Moral question: Are horse markets acceptable?

Moral dilemma: To what extent can horse welfare (potentially) be allowed to suffer for the sake of a horse market?

Values to consider

Welfare

- Horse markets can affect the welfare (and health) of horses at the market.
- The extent to which this occurs is discussed by the forum, based on risk factors.

Instrumental value

- Horses are of instrumental value to sellers. Horse markets enable vendors to exchange their horse(s) for money. Horses are also of instrumental value to their buyers, e.g. as companion animals, or financially via resale or sale for slaughter.
- They also provide indirect instrumental value via 'horse market events': horse markets are often events where additional activities are organised (such as street fairs, carnivals, sports and games), which are profitable to local businesspeople and others.

Economic value

- Horse markets are of some economic value due to the trading aspect. Their economic value is limited, however: little money is earned, and the majority of horse traders do not see trading as their primary source of income.
- A small amount of horse trading takes place at open-air horse markets, but a far greater proportion of horses are traded via other channels. The types of horses sold at market are bottom-tier (rather than top-tier) animals, e.g. horses sold for slaughter.

Legal framework

- Statutory frameworks define the parameters within which horse markets may be held. No legislation exists that is specific to horse markets. There is ancillary legislation, however: the Animals Act (*Wet Dieren*), the Animal Keepers Decree (*Besluit houders van dieren*) and the European Transport Regulation.

- Legal frameworks are subject to change over time, and could be modified to cater for horse markets (e.g. in the Animal Keepers Decree). The question is whether such a means is justified.

Cultural value

- Horse markets provide cultural value at a local and regional level. There are groups that greatly value the continuation of traditions that are often hundreds of years old, expressed in part through the designation of several horse markets as immaterial cultural heritage.

Animal population health and public health

- Wherever animals congregate, the risk of exchanging communicable diseases is higher. There is no quantitative data available on this aspect. Most horses also engage in plenty of other travel (contests, recreation, etc.).

Public opinion

- Various groups believe that horse markets ought to be prohibited (e.g. the Dutch Society for the Protection of Animals) or that legal frameworks are not enforced strictly enough (Eyes on Animals). They denounce the markets,
- and it is partly for this reason that questions in Parliament were posed to the Minister for Agriculture, and motions submitted.
- On the other hand, many people in society greatly value and enjoy visiting the annual horse markets.

Autonomy and inherent worth

- A decree prohibiting horse markets would directly affect the autonomy of horse traders/owners, as they will no longer be able to decide for themselves whether to take their horses to market.
- Statutory or other provisions applicable to horse markets restrict the autonomy of horse traders/owners, as they can no longer decide for themselves what they wish to do with their horses.

Social impact

- Prohibiting or restricting commercial opportunities at horse markets will have little national impact. The sector is small, of limited economic value, and is not of immediate importance to many parties.
- Such prohibition or restrictions can have great impact at regional or local level, however, especially due to their cultural value. People value the traditional aspect associated with horse markets.
- Markets coupled with other activities can serve to bring people together from the local and extended surroundings, and are viewed as meeting places for friends and acquaintances who come together there annually. Although this aspect is separate from the actual horse trading, it does provide added social value.

Intrinsic value

- The intrinsic value of horses is recognised, and is the reason why there must be a consideration of whether the dangers to health and welfare justify the objective (horse trading at a horse market).

Relational value

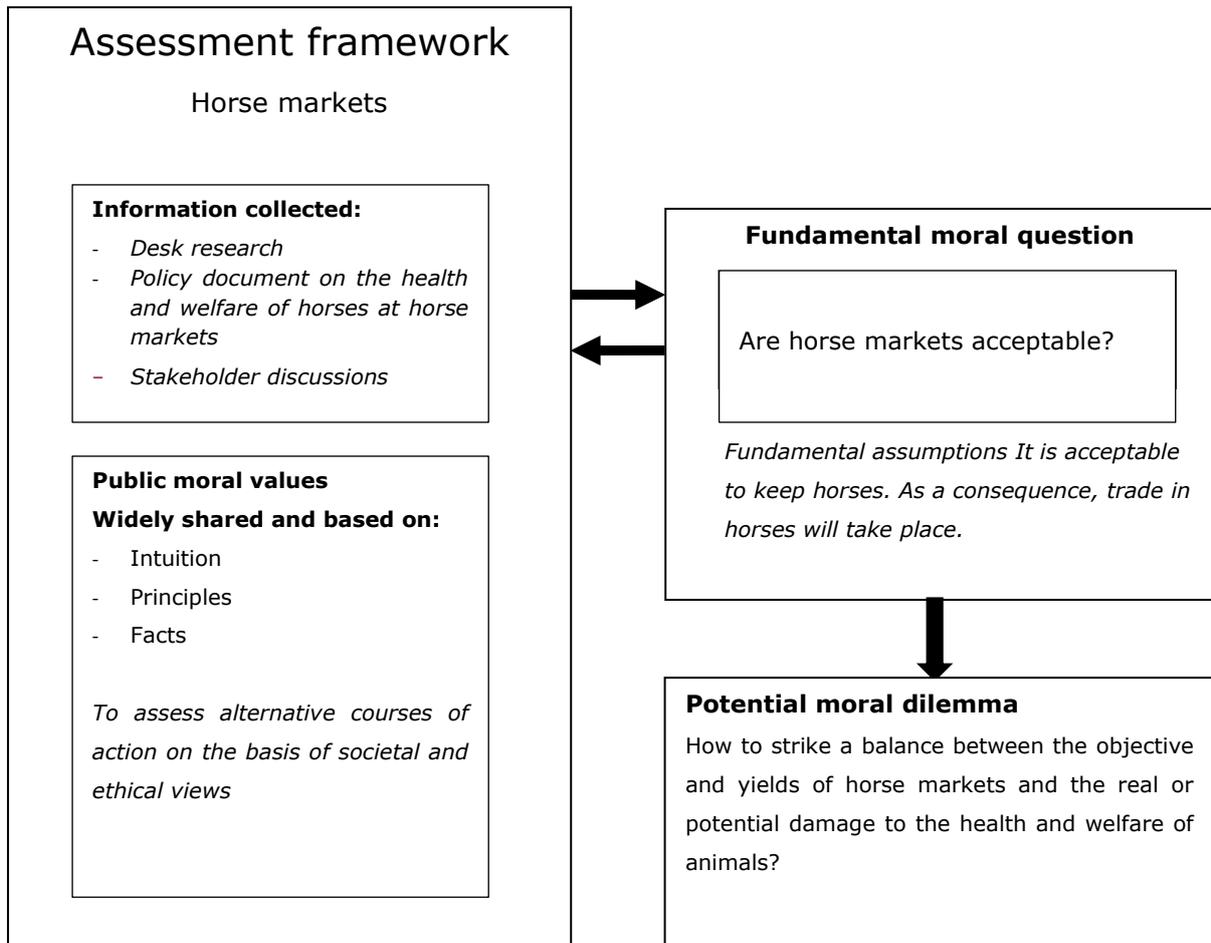
- People keep horses as farm animals, for sport, companionship or as a hobby. The number of horses kept as farm animals for business purposes is limited. Animals kept for sport, companionship or as a hobby are far more numerous, and these animals also have relational value
- not so much from the vendor, but rather from the 'public'.

Biodiversity

- Keeping breeds alive. Doing so requires the birth of enough mares, however in addition to these fillies, equal numbers of foals are born. There is often less demand for foals in the Netherlands.

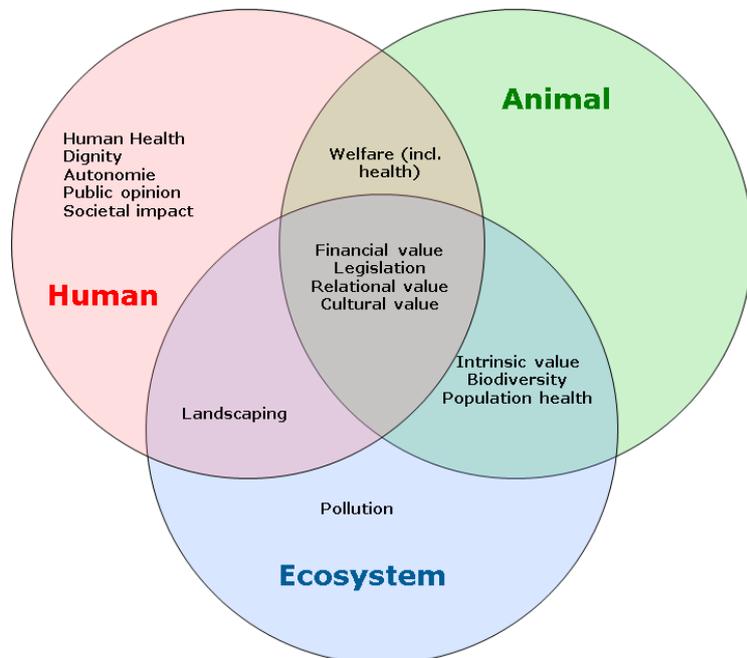
Contamination of ecosystems/landscaping:

- These values are of limited/no consequence.



Relevant values

Relevant values from the three domains that must be taken into account in the final assessment



Publication details

The Council on Animal Affairs (Raad voor Dierenaangelegenheden – RDA) is an independent council of experts that gives the Minister for Agriculture solicited and unsolicited advice on multidisciplinary issues in the field of animal welfare and health. The Council on Animal Affairs comprises scientific experts and professional practitioners, who serve in a personal capacity, are independent and not bound by any instructions.

The draft advisory report was submitted to the full Council. This advisory report is therefore a product of the Council on Animal Affairs as a whole.

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dr.ir. G.B.C. Backus	prof.dr.ir. B. Kemp
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