



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

Ares(2014)3085924

DG(SANCO) 2014-7077 - MR FINAL

FINAL REPORT OF AN AUDIT
CARRIED OUT IN
LATVIA
FROM 24 TO 28 FEBRUARY 2014
IN ORDER TO EVALUATE THE ANIMAL WELFARE CONTROLS IN PLACE AT
SLAUGHTER AND DURING RELATED OPERATIONS

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of a footnote.

Executive Summary

This report describes the outcome of a Food and Veterinary Office audit in Latvia from 24 to 28 February 2014 to evaluate the effectiveness of controls in ensuring animals are spared any avoidable pain, distress or suffering during their killing and related operations, as required by Regulation (EC) No 1099/2009. In particular: the assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009; whether official controls are carried out in accordance with the relevant requirements of Regulation (EC) No 882/2004 and are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009 and Member State's and Competent Authorities' compliance with requirements such as guides to good practice, scientific support, and certificates of competence, and the effectiveness of implementation of those requirements.

In addition to the main objective, and as the official controls in slaughterhouses contribute to controls on animal welfare on farms and welfare during transport, the audit also evaluated whether: indications of poor welfare conditions of chickens kept for the production of meat are being detected at slaughterhouse level; only animals which are fit for transport are sent to slaughterhouses, and whether this is supported by "emergency slaughter" on farm. Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

The report concludes that the system for risk based checks of slaughterhouses contain good practices; however, controls have not included an adequate assessment of the method of bleeding poultry and equally have not adequately dealt with the lack of stunning when on farm emergency slaughter is carried out, both of which have allowed significant animal welfare problems to continue. The CCA approval procedures and related actions have been sufficient to ensure that newly operating slaughterhouses have an appropriate layout and construction, but the emphasis on mechanical restraint in all situations may have, in certain circumstances, replaced one welfare problem, inappropriate restraint, with another, inappropriate handling.

Neither level of the Competent Authority focused on Business Operator procedures and as a result did not detect certain issues such as lack of maintenance of equipment and inappropriate operational parameters. The periodic inspections by the Food Inspectors were more efficient in detecting non-compliances than OV daily checks, thanks to their more detailed inspection procedures and a greater emphasis on the enforcement nature of their work.

The industry guide to good practice and the training provided to the sector have been helpful in promoting compliance. However, the guidance has been insufficient for the poultry sector and equally the CA's monitoring of broiler welfare is at an early stage of development; preliminary findings indicate that there are major welfare issues to be addressed.

Religious slaughter as practised in Latvia, with mandatory post cut stunning and OV checks, reduces somewhat the level of welfare concern arising from this method of slaughter, however, training did not address the welfare risks related to slaughter without pre-stunning.

The report makes a number of recommendations to the Latvian authorities to address the deficiencies noted.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
A	Ampere
AWO	Animal welfare officer
BO	Business operator
CA	Competent Authority
CCA	Central Competent Authority
EFSA	European Food Safety Authority
ESA	EFTA Surveillance Authority
EU	European Union
FI	Food inspector
FVS	Food and Veterinary Service
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
MANCP	Multi Annual National Control Plan
NGO	Non Governmental Organisation
OFES	On Farm Emergency Slaughter
OV	Official veterinarian
SOP	Standard operating procedures
TSU	Territorial Structural Unit (of the Competent Authority)

1 INTRODUCTION

The specific audit took place in Latvia from 24 to 28 February 2014 as part of the planned audit programme of the Food and Veterinary Office (FVO).

An opening meeting was held with the competent authorities of Latvia on 24 February. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the mission team. The audit team comprised two auditors from the FVO and an EFTA Surveillance Authority (ESA) observer and was accompanied throughout the audit by representatives from the Central Competent Authority (CCA).

2 OBJECTIVES

The main objective of the audit was to evaluate the effectiveness of controls in ensuring animals are spared any avoidable pain, distress or suffering during their killing and related operations, as required by Regulation (EC) No 1099/2009, in particular:

- The assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009; and
- Whether official controls are carried out in accordance with the relevant requirements of Regulation (EC) No 882/2004 and are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009; and
- Member State's and Competent Authorities' (CA) compliance with requirements of Regulation (EC) No 1099/2009, such as guides to good practice, scientific support, and certificates of competence, and the effectiveness of implementation of those requirements.

In addition to the main objective, and as the official controls in slaughterhouses contribute to controls on animal welfare on farms and welfare during transport, the audit also evaluated whether:

- Indications of poor welfare conditions of chickens kept for the production of meat are being detected at slaughterhouse level and subsequently reported and acted on as required by Article 3 and Annex III of Directive 2007/43/EC; and
- Only animals which are fit for transport are sent to slaughterhouses, as required by Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005, and whether this is supported by the implementation of procedures in Regulation 853/2004 Annex III section I chapter VI, which facilitates "emergency slaughter" on farm.

Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

In pursuit of the objectives, the following sites were visited:

Meetings		Comments
Competent Authorities	5	In addition to the opening and closing meetings, meetings took place to review controls by three Territorial Structural Units

		(TSUs)
Sites visited		
Slaughterhouses	5	Two poultry and three red meat (one practising ritual slaughter)

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version. Annex 2 provides details of those legal requirements which are specifically relevant at each section of the report.

4 BACKGROUND

Regulation (EC) No 1099/2009 (hereafter “the Regulation”) applies from 1 January 2013 in all EU Member States and repeals the previous EU legislation, Council Directive 93/119/EC, which was applicable in all Member States from 1995. The Regulation lays down rules for the killing of animals bred or kept for the production of food, wool, skin, fur or other products as well as the killing of animals for the purpose of depopulation and for related operations.

The Regulation requires a stronger system of Business Operator (BO) supervision than was previously the case, in particular regarding the layout, construction and equipment of slaughterhouses, handling and restraining of animals and stunning and slaughter. An animal welfare officer (AWO) is required to supervise operations and report directly to the Business Operator. The manufacturers and/or retailers of restraining and stunning equipment must provide operating and maintenance instructions with all equipment sold. Cas are required to ensure that appropriate courses leading to Certificates of Competence are available to relevant slaughterhouse staff and that guides to good practice are available to operators.

5 FINDINGS AND CONCLUSIONS

5.1 FRAMEWORK FOR CONTROLS

5.1.1 *Competent authorities involved*

1. The organisation of the CA is described in the country profile, which is available at:

http://ec.europa.eu/food/fvo/ir_search_en.cfm

2. The Latvian Rural Advisory and Training Centre has been designated to provide training and certifying the competence of personnel involved in killing and related operations and the CA (the Food and Veterinary Service - FVS) approves the training courses.
3. The head of the TSU manages both Veterinary Inspectors, who deal with farm level controls, transport of animals and killing of fur animals, and Food Inspectors (FI) who deal with

controls at slaughterhouses.

5.1.2 Scientific support

4. The Institute of Food Safety, Animal Health and Environment "BIOR" has been appointed by Cabinet Regulation No 21 „Requirements for the Protection of Animals Kept for Farming Purposes which are Intended for Slaughter” as the required independent scientific support.
5. BIOR has a staff of 400, with veterinary medicine and biotechnology merged into the organisation in the last few months.
6. In the last four years BIOR has been developing its competence in animal health and welfare and is already taking part in EFSA advisory forums. The work of BIOR includes topics relevant to this audit including stress physiology and meat science and practical advice regarding stunning has been given at slaughterhouse visits.
7. BIOR has not yet been involved in all of the functions required by Article 20 of the Regulation.

5.1.3 Guides to good practice

8. An industry guide to good practice is still at the draft stage but is already available to the sector and many of the BOs met referred to these guidelines and indicated that they had found them useful; as did a number of OVAs. However, poultry slaughterhouse operators indicated that the guidelines were insufficient for the poultry sector.
9. The FVS and Ministry of Agriculture had already been consulted on this guidance. A Ministry of Agriculture representative indicated that they intend to produce further guidance for the poultry sector, finance permitting. This representative also indicated that they have good cooperation with different Non Governmental Organisations (NGOs) and they intend to consult these NGOs on the guidance, as required by Article 13 (a) of the Regulation.
10. Certain information published by BIOR on welfare at slaughter has already been incorporated into the guidelines, as required by Article 13 (b) of the Regulation. The Director of BIOR indicated that unavailability of information, such as EFSA recommendations, in the Latvian language was a barrier to greater uptake by the different sectors of the industry.

5.1.4 Certificates of competence

11. Most slaughterhouse staff have been certified on the basis of Article 29 (2) of the Regulation, i.e. professional experience of at least three years. Persons operating fur farms have been similarly certified so that killing of fur animals takes place according to Article 7 (3) of the Regulation.
12. Since the Regulation came into force the Latvian Rural Advisory and Training Centre has provided training for 43 newcomers to the sector. Previously the training of slaughterhouse staff had been carried out since 1995 by the State Veterinary Service.
13. Training material reflected the species slaughtered in Latvia, including details of rabbit

stunning and slaughter, but there was nothing specific on religious slaughter, which is carried out at four slaughterhouses in Latvia.

14. Although the Forestry Services Consultation Centre provides training for hunters, such hunters have not been certified as competent to perform killing of farmed game, although some do perform killing on these farms.

Conclusions on framework for controls

15. Industry guidance is under development and although consultations have not been completed on this guide as required, it has proved useful to the sector and to OVs, with the exception of slaughter of poultry where it doesn't yet provide sufficient information. The Institute designated to provide scientific support (BIOR) has already been involved in the development of this guidance, and intends to develop further its work in this area.
16. Certificates of competence have been issued, as required, to persons working in the various sectors, with the exception of persons killing farmed game. Training was generally sufficient, apart from religious slaughter, which is a distinct form of slaughter, and training did not emphasise the consequences for animal welfare of methods of restraint and bleeding in this situation.

5.2 PLANNING OF OFFICIAL CONTROLS

17. The CA report on implementation of their multi-annual national control plan in 2012 indicated that it was a priority for 2013 to improve and strengthen the official control system in slaughterhouses. In relation to the coming into force of the Regulation the CA adopted a procedure "KR.10.P.115 Procedure for filling in the checklist for slaughterhouses" on 7 January, 2013."
18. The FVS has a risk-based inspection system, as required by Article 3 of Regulation (EC) No 882/2004, with slaughterhouses categorised according to the level of compliance with food legislation (A, B or C, where A is fully compliant, B is for less serious deficiencies and C is for serious deficiencies). As an example in the area of animal welfare, the FVS instruction indicates that "C" should be used for a case where an animal is slaughtered without adequate stunning (except religious slaughter).
19. FVS has the 'FVS Inspection Plan' that has been approved by an order of the Director General (Order No 393 of 23.09.2011). The frequency of inspections indicated therein is the base frequency (for example, in slaughterhouses — no less than 4 times a year). The changes are made on the basis of the results of the last scheduled inspection at the respective establishment. If during the last scheduled inspection the establishment was rated as:
 1. 'establishment complies with the requirements of food circulation normative acts assessed in the inspection report' (Group A), the base frequency is multiplied by 0.5 (frequency is reduced),
 2. 'establishment complies with the requirements of food circulation normative acts assessed in the inspection report, but there are observations that do not significantly affect the safety of food (group B)', the base frequency does not change,
 3. 'establishment does not comply with the requirements of food circulation normative acts assessed in the inspection report' (group C), the base frequency is multiplied by 2.

20. In one of the slaughterhouses visited, an incident had been detected regarding lack of appropriate stunning. This was classified as an extraordinary event because the BO normally uses appropriate stunning equipment and it was maintained as category "B". Nevertheless the TSU had increased surveillance of this slaughterhouse in 2013 with 14 visits and two already in 2014.

Conclusion on planning of official controls

21. The risk-based inspection system allows the CA to identify slaughterhouses with significant problems and to intensify their controls accordingly.

5.3 OFFICIAL CONTROLS OF BUSINESS OPERATORS' OBLIGATIONS

22. The FIs are provided with a checklist and a guidance instruction note for carrying out checks of slaughterhouses. This requires inspection of certain animal welfare requirements and provides references to relevant parts of the Regulation. Most of these are physical checks and there is no specific reference to check whether BOs have implemented Article 6 of the Regulation, which requires BO standard operating procedures (SOPs).
23. Although a general point on food legislation on the checklist (section 15.2) indicates review and updating of SOPs, FIs had not always included animal welfare requirements in this context. SOPs had been updated recently in response to joint inspections from the TSU and FI ahead of this FVO audit.
24. Previous FI reports indicated that the designation of an AWO had been emphasised, including the need for a job description for the AWO in each slaughterhouse, but there was no attention to records made by AWOs of actions taken.
25. The original of the FI's checklist is given to the BO, complying with Article 9 of Regulation (EC) No 882/2004.
26. OVs complete a daily check sheet including a point on compliance with welfare requirements. OVs do not have any further guidance on what they should assess in this regard and some of the OVs met referred to the industry guidance.
27. Neither FIs or OVs systematically checked BO monitoring of animal welfare. In one poultry slaughterhouse visited the FI and OV contradicted each other on what was the BO system of monitoring.

5.3.1 Layout, construction, equipment and approval of slaughterhouses

28. The procedure followed by an expert group in approving a slaughterhouse was not explicit regarding the three points required by Article 14(2) of the Regulation; however although the slaughterhouse was approved in 2013 the expert group had started this procedure in 2012. In this case, the expert group had used the procedure to ensure that an appropriate box for restraint was installed prior to approval.
29. The CCA pointed out that the approval procedure has been amended to include these three points. The CCA has collected this data for all slaughterhouses outside of the approval procedure.

5.3.2 *Handling and restraining operations at slaughterhouses*

30. The CCA indicated that the results of a survey of animal welfare in slaughterhouses in 2008 and 2009 found that where no mechanical restraint was provided for electrical stunning there were often problems with inappropriate use of the stunner to catch pigs by immobilising them or use of the mechanical hoist to physically restrain them before stunning. The CCA therefore imposed a requirement for mechanical restraint prior to stunning.
31. In one slaughterhouse visited a box for restraint had been installed but the handling of the pigs was unsatisfactory, as the pigs were reluctant to enter this box.
32. In another slaughterhouse visited handling was compliant with EU rules, as the pigs were restrained by manually corralling them in a railed area at one end of the slaughterfloor. However this would not comply with the CCA requirement for individual mechanical restraint.

5.3.3 *Stunning methods and checks on stunning*

33. SOPs had been developed in all slaughterhouses visited, regarding those for red meat slaughterhouses:
 - An SOP valid in 2013 in one slaughterhouse indicated an electrical current of 1 to 1.3 Ampere (A) for stunning pigs; whereas 1.3 A is required. This SOP had been recently corrected after a joint inspection by two inspectors from the TSU.
 - There were examples where SOPs had been developed based on manufacturers' instructions. However electrical stunning equipment for pigs purchased after 1.1.2013 by two BOs of two slaughterhouses for pigs visited, did not fully comply with requirements; in neither case did it record the details of the parameters for each animal stunned and in one case was not placed to be clearly visible to the operators. The equipment deficiency had not been detected by the CA.
 - Some SOPs were incomplete, for example there was no SOP for maintenance of equipment in a slaughterhouse where the audit team pointed out that the captive bolt guns were in a poor state of maintenance.
34. Regarding the poultry slaughterhouses:
 - In both poultry slaughterhouses, the monitoring of stunning had been developed over the last 12 months. In one of them in September 2013 the FI had found that parameters were half what they should be and the BO had subsequently adjusted these.
 - In both poultry slaughterhouses monitoring of stunning was now recorded. BOs, however, had very different monitoring procedures. In one there were extremely small and infrequent levels of monitoring (10 birds checked once a month regarding efficiency of stunning). In the second poultry slaughterhouse 10 birds were checked 6 times a day.
 - Checks of signs of life at the scald tank were also included. In one slaughterhouse the AWO had previously found signs of life in 1 in 60 birds and now one in 300 birds. The

audit team noted that the figure was somewhere in between and indicated that this may have arisen due to cutting vessels on one side of the neck only, an inappropriate neck cutting procedure, with recovery of consciousness during bleeding and some live birds entering the scald tanks. The CA had interpreted severing of “both vessels” in Annex III 3 (3) of the Regulation to mean the jugular and carotid on one side was sufficient. SANCO policy unit subsequently confirmed that the preceding point, Annex III 3 (2), refers to two carotid arteries and that Annex III 3(3) needs to be read as a continuation of this point and therefore both carotid arteries need to be severed.

5.3.4 Slaughter without stunning

35. There are stricter national rules in Latvia concerning slaughter prescribed by religious rites which do not require pre-stunning: Cabinet Regulation No 21 Chapter III, 3.22, indicates that once the cut has been made, post cut stunning should be done according to the Regulation Annex 1, Chapter 1, Table 1, Article 1. Cabinet Regulation No 21 also requires the OV to be present and to perform checks for each animal slaughtered according to religious rites.
36. Approval for a BO to carry out religious slaughter is carried out at the same time as slaughterhouse approval, and the documented procedure provides information on religious slaughter methods. The approval inspection for religious slaughter included a check of SOPs and equipment.
37. While the SOP for religious slaughter was quite comprehensive, and during the visit an OV checked each animal as required by national legislation, the slaughterman operated the hydraulic rotation crate as well as bleeding the animals and there was an unnecessary delay in bleeding the animal once it had been rotated through 180°. The AWO, or the CA, had not documented that this was an issue for corrective action, but nevertheless the BO indicated that he had already requested the company to install additional equipment so that the knife was readily accessible at the rotation box.
38. The OV checked for the presence of absence of eye reflex, muscle reflexes, breathing. No control sheet was required to be filled in.
39. The CCA indicated that in Latvia the meat from animals slaughtered by religious slaughter is labelled accordingly.

Conclusions on official controls of business operator's obligations

40. Documented procedures for FI controls of animal welfare at slaughter are well developed, and as a result the FIs have focused on many of the new requirements of the Regulation; however, guidance was insufficient regarding bleeding of poultry. Routine FI inspections did not initiate updating of BO SOPs, as the checklist focuses on SOPs for HACCP rather than SOPs required by the Regulation.
41. Documented procedures for OVs do not provide sufficient guidance on how they are to assess animal welfare, and the CA has not relied on daily checks by OVs to the same extent as FI controls to ensure welfare is respected. As a result, in dealing with the use of prohibited methods of restraint, the CA imposed stricter requirements, rather than requiring OVs to ensure prohibited methods were not used. This situation resulted in poor handling,

as the solution to one welfare problem had produced a different one.

42. The lack of CA audits of BO procedures, such as maintenance of equipment and monitoring of poultry stunning, means that BOs have not adequately dealt with these obligations.
43. The CCA approval procedures for slaughterhouses and related actions have been sufficient to ensure that newly operating slaughterhouses have an appropriate layout and construction.
44. National rules provide a stricter basis for religious slaughter than prescribed in the Regulation. The approval procedure did include a check of relevant SOPs, and this together with subsequent CA surveillance had ensured that requirements, in particular national ones which mitigate against extended periods of consciousness during the slaughter process, were in place and were followed, with the exception of a delay in bleeding.

5.4 KILLING ANIMALS OUTSIDE SLAUGHTERHOUSES

45. No guidance or other support is available regarding killing non-productive animals on farm. The CA indicated there are few occasions when this is done, as in principle, animals are transported to slaughterhouses to salvage what is possible for human consumption.

5.4.1 Emergency slaughter

46. In 2009 the CA provided training to veterinary practitioners who have a role in the process of obtaining fresh meat from On Farm Emergency Slaughter animals (OFES). No guidance has been provided to either the attending veterinarians or to the farmers or slaughterhouse BOs/AWOs to decide what should be slaughtered on farm and what can be transported.
47. Certain cases of animals unfit for transport, for example cows with post calving injuries, arriving at slaughterhouses had been detected and warning letters issued to the transporter.
48. The CCA indicated that certain slaughterhouses provide a slaughterman to carry out stunning on farm in case of OFES.
49. One of the slaughterhouses visited had arranged for a slaughterman to stun and kill an injured sow on farm and the carcass was transported to the slaughterhouse.
50. Documents from one of the slaughterhouses reviewed indicated that they had no arrangements for stunning the OFES animals although a veterinarian attended such animals to carry out an ante mortem control. The CA interpreted “emergency killing” to mean that in such circumstances prior stunning was not required. Article 2 (d) of the Regulation indicates this could be the case where there is no other practical possibilities to alleviate pain or suffering, but, as a veterinarian is present to carry out ante mortem checks, the audit team pointed out that a method of humane slaughter should be provided in such situations.

5.4.2 Killing of fur animals

51. The TSUs visited plan three inspections per year of fur farms, with one visit during the killing period. The procedure has been updated since FVO audit 2012/6525, recommendation 5 in this report recommended further documented procedures, and there

was now more guidance on assessing the killing procedure with key parameters from the Regulation explained.

Conclusions on killing animals outside slaughterhouses

52. With the exception of fur farms, the animal welfare implications of killing animals outside slaughterhouses has not been considered sufficiently as part of CA controls.
53. The procedure to allow on farm emergency slaughter has helped prevent animals unfit for transport arriving alive at slaughterhouses; however the lack of adequate guidance on this and the resultant lack of stunning when such slaughter takes place, has created a different, and equally serious, welfare problem.

5.5 MONITORING OF BROILER WELFARE INDICATORS AT SLAUGHTERHOUSES AND FOLLOW UP

54. Guidelines for CA monitoring of welfare indicators at broiler slaughterhouses was at a draft stage.
55. The audit team noted that:
- There is not yet a system in place for follow up of the monitoring of indicators of broiler welfare at slaughterhouses which would involve interaction between FIs and Veterinary Inspectors at TSU level¹.
 - OVs at both slaughterhouses were carrying out some monitoring and indicated that the initial picture was not good with 70 to 90% of birds showing lesions. At the moment, information was sent at end of the month to the TSU, but once a procedure was approved it will be transmitted on a daily basis.
 - Following recommendation (4) in FVO audit 2012/6525, the Regulations of Cabinet No 1325 were amended and entered into force on 23 November 2013 and include the requirement to send data on the daily mortality rate to the slaughterhouse with the birds, as indicated in Annex III 1.1 of Directive 2007/43, however at slaughterhouse level Cumulative Daily Mortality Rates were sent but not data of Daily Mortality Rates.

Conclusion on monitoring of broiler welfare indicators at slaughterhouses

56. The CA is still developing a monitoring system for broiler welfare indicators at slaughterhouses and there is not yet a system to ensure that requirement of Directive 2007/43/EC is met, as a result welfare issues such as high levels of food pad dermatitis have not been addressed.

¹ In their comments on a draft version of this report the CCA indicated that:

- a) OV submits monthly reports to the TSU on the results of post-mortem veterinary inspections of poultry, rabbits and wild species kept in captivity. Ante-mortem examination results for the above species are reported to the ADC database within 24 hours of their receipt.
- b) Within 48 hours of slaughter the OV forwards data from the ante- and post- mortem veterinary inspections of cattle, horses, pigs, sheep and goats to the ADC database.

5.6 ACTIONS TAKEN TO ADDRESS NON COMPLIANCES

57. The CCA indicated that the BO's licence to operate obliges them to follow requests from the OV, so although OVs in slaughterhouses have no direct enforcement powers they can request the BO to change line speed or stop production, as indicated in Article 22 of the Regulation.
58. FIs have the power to initiate sanctions and the legal department of the CCA carried out a training course for FIs on the processing of administrative protocols followed by a test. These administrative protocols are specified in CCA instructions.
59. The CCA indicated that since 1.1.2013 two slaughterhouses had been fined for failing to comply with the Regulation. In Latvia fines are based on violations of an administrative code for legal entities ranging from 10-500 Lats (€15 - €712), which rises to 1-3000 Lats (up to €4,270) for a repeat violation within one year.
60. The audit team visited one of the slaughterhouses where a fine of 400 Lats (€570) had been imposed after the FI had detected that pigs were being slaughtered without appropriate stunning when carrying out an unannounced inspection. The administrative procedures followed included separate interviews with the OV and then the BO and AWO, prior to the sanction decided by the head of the TSU. The AWO explained that the incident had arisen when the electrical stunning equipment had been sent for maintenance and that they had improvised with equipment with a single electrode. During the visit by the audit team pigs were effectively stunned using an appropriate stunning method.
61. Regarding infringements of transport of animals in 2013, three cases had been reported by OVs. In the cases reviewed, the BO and the OV had indicated the offence in writing to the transporter and no further actions had been taken. The same transporter, from another Member State, had been responsible for two incidents, and in the second one the animal had been clearly unfit for transport at the time of departure. In another case, at another slaughterhouse, calves had died as a result of being transported without adequate separation from adult animals. Again the OV had issued a warning letter and there was no further actions.
62. A separate incident involving the transport of a large number of unfit animals, cattle in an advance stage of pregnancy, had been reported via the contact point of Latvia to the contact point of the other Member State.

Conclusion on actions taken to address non compliances

63. There is an adequate system for imposing sanctions and when the CA detected serious animal welfare breaches with slaughterhouse operations they have imposed fines. However, for serious breaches of transport regulations enforcement action has been limited to warning letters. This may have arisen as FIs have initiated enforcement for breaches in slaughterhouse operations, whereas OVs were responsible for detecting the transport related offences as they are present in slaughterhouses on a daily basis, but do not have the same focus on enforcement.

5.7 EVALUATION AND REVIEW OF OFFICIAL CONTROLS

64. OV's report once a month to the TSU and these reports are entered in the data base of the Agricultural Data Centre. The heads of the TSUs meet OV's monthly to discuss these reports and issues from supervisory checks. Supervisory checks of the OV's are carried out by the heads of the TSUs once a year and the CCA may also be involved in problem cases.
65. Checks by the Head of the TSU (senior veterinary or food inspector) act as a verification of the effectiveness of the work of OV's and Head of the TSU (senior veterinary or food inspector) inspections are recorded in a data surveillance sheet, which is entered in the data base of FVS (*pvddb*). The OV receives a copy of this by post/e-mail. Data is pooled at the end of the year and analysed to inform the CA of the most common deficiencies. This data is also used for training OV's.
66. FIs found 152 animal welfare non compliances during their 560 inspections in 2013. Many of those reviewed by the FVO audit team were minor in nature.
67. OV's reported 10 animal welfare non compliances, which included the cases relating to animal welfare during transport.
68. The CCA expert visits are based on risks to food legislation, which includes animal welfare. As far as animal welfare problems were involved three CCA supervisory visits were made to slaughterhouses.
69. Internal Audits according to Article 4(6) of Regulation (EC) No 882/2204 have included animal welfare during transport in 2013, in particular long distance transport. Although this audit did not visit slaughterhouses and evaluated the work of Veterinary Inspectors rather than FIs, the audit did look at certain documents regarding slaughterhouse arrival. The audit conclusions for one of the TSUs visited indicated that the filling in of documents and design of official control reports were not always appropriate, but found that training and equipment were appropriate, and inspections were largely carried out following procedures.

Conclusions on evaluation and review of official controls

70. There is a good flow of information to the CCA which they use to review checks at slaughterhouses. This information indicates that FIs, who benefit from more detailed inspection procedures, are more efficient than OV's in detecting problems, but that OV's are needed to detect problems with day to day operations such as the fitness of animals for transport.
71. The supervisory visits by the higher levels of the CA ensures that they intervene when appropriate and that animal welfare problems at slaughterhouses are investigated.

6 OVERALL CONCLUSIONS

The system for risk based checks of slaughterhouses contain good practices; however, controls have not included an adequate assessment of the method of bleeding poultry and equally have not adequately dealt with the lack of stunning when on farm emergency slaughter is carried out, both of which have allowed significant animal welfare problems to continue. The CCA approval procedures

and related actions have been sufficient to ensure that newly operating slaughterhouses have an appropriate layout and construction, but the emphasis on mechanical restraint in all situations may have, in certain circumstances, replaced one welfare problem, inappropriate restraint, with another, inappropriate handling.

Neither level of the CA focused on BO procedures and as a result did not detect certain issues such as lack of maintenance of equipment and inappropriate operational parameters. The periodic inspections by the Food Inspectors were more efficient in detecting non-compliances than OV daily checks, thanks to their more detailed inspection procedures and a greater emphasis on the enforcement nature of their work.

The industry guide to good practice and the training provided to the sector have been helpful in promoting compliance. However, the guidance has been insufficient for the poultry sector and equally the CA's monitoring of broiler welfare is at an early stage of development, and preliminary findings using indicators at slaughterhouses indicate that there are major welfare issues to be addressed.

Religious slaughter with mandatory post cut stunning and OV checks reduces somewhat the level of welfare concern arising from this method of slaughter, however, training did not address the welfare risks related to slaughter without pre-stunning.

7 CLOSING MEETING

A closing meeting was held on 28 February 2014 with representatives of the CA, at which the main findings and conclusions of the audit were presented by the audit team.

8 RECOMMENDATIONS

Nº.	Recommendation
1.	The CA should ensure that persons carrying out killing and related operations for farmed game have certificates of competence as required by Article 7 of Regulation (EC) No 1099/2009, and that where training is for persons performing slaughter prescribed by certain religious rites, it includes the peculiarities of restraint and bleeding when such slaughter is performed. Conclusions and findings upon which this recommendation is based: 13, 14 and 16
2.	The CA should further develop documented procedures, as required by Article 8 of Regulation (EC) No 882/2004, for official controls so that there is sufficient information and instructions for OVs in relation to their checks of animal welfare and role in initiating any subsequent enforcement actions. Conclusions and findings upon which this recommendation is based: 26, 27, 41, 61 and 63
3.	The CA should ensure that official controls include, as required by Article 10 (2) (a) of Regulation (EC) No 882/2004, an examination of BO control systems and the results obtained, specifically in relation to the SOPs and monitoring procedures required by Article 6 and 16 of Regulation (EC) No 1099/2009. Conclusions and findings upon

N°.	Recommendation
	which this recommendation is based: 22, 23, 24, 27, 33, 34, 40 and 42
4.	The CA should develop and implement procedures to facilitate the stunning of animals which are subject to on farm slaughter and therefore, as far as practically possible, alleviate pain or suffering as required by Article 2 (d) of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 46, 50 and 53
5.	The CA should develop guidance to assist decision making so that only animals which are fit for the journey are transported, as required by Article 3 of Regulation (EC) No 1/2005. Conclusions and findings upon which this recommendation is based: 46 and 53
6.	The CA should develop and implement a monitoring system for broiler welfare, as required by Article 3(1)(b) of Directive 2007/43/EC. Conclusions and findings upon which this recommendation is based: 55 and 56
7.	The CA should ensure that following waterbath stunning the two carotid arteries are systematically severed, as required by Regulation (EC) No 1099/2009 Annex III 3 (2), and that where automatic neck cutters are used following this method of stunning, as indicated in point 3(3), the two carotid arteries are also systematically severed. Conclusions and findings upon which this recommendation is based: 34 (3rd bullet) and 40

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2014-7077

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 1099/2009	OJ L 303, 18.11.2009, p. 1-30	Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Reg. 1/2005	OJ L 3, 5.1.2005, p. 1-44	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97

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Annex 2

5.1. Framework for controls

5.1.1. Competent authorities involved

Article 4(1) of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for official controls.

Article 21 of Regulation (EC) No 1099/2009 requires Member States to designate the competent authority responsible for (a) ensuring that training courses are available for personnel involved in killing and related operations (b) delivering certificates of competence attesting the passing of an independent final examination; (c) approving training programmes of the courses.

Article 4(3) of Regulation (EC) No 882/2004 provides for efficient and effective co-ordination between competent authorities.

Article 4(5) of Regulation (EC) No 882/2004 requires that, when, within a competent authority, more than one unit is competent to carry out official controls, efficient and effective co-ordination and co-operation shall be ensured between the different units.

5.1.2. Scientific support

Article 20 of Regulation (EC) No 1099/2009 requires each Member State to ensure that sufficient independent scientific support is available to assist the competent authorities, upon their request, by providing: (a) scientific and technical expertise relating to the approval of slaughterhouses and the development of new stunning methods (b) scientific opinions on the instructions provided by manufacturers on the use and maintenance of restraining and stunning equipment (c) scientific opinions on guides to good practice (d) recommendations for the purposes of this Regulation, in particular in relation to inspections and audits (e) opinions on the capacity and suitability of separate bodies and entities to fulfil the requirements regarding certificates of competence.

5.1.3. Guides to good practice

Article 13 of Regulation (EC) No 1099/2009 requires each Member State to encourage the development and dissemination of guides to good practice to facilitate the implementation of this Regulation. When such guides to good practice are drawn up, they shall be developed and disseminated by organisations of business operators: (a) in consultation with representatives of non-governmental organisations, competent authorities and other interested parties (b) having regard to scientific opinions as referred to in Article 20(1)(c).

The competent authority shall assess guides to good practice in order to ensure that they have been developed in accordance with the above paragraph and that they are consistent with existing EU guidelines.

Where organisations of business operators fail to submit guides to good practice, the competent authority may develop and publish its own guides to good practice.

5.1.4. Provision of certificates of competence

Article 21 contains stipulations concerning the issuance of certificates of competence required by Article 7 of Regulation (EC) No 1099/2009.

Article 29 of Regulation (EC) No 1099/2009 includes a transitional provision until 8th December 2015 allowing these certificates of competence to be issued by way of a simplified procedure to persons demonstrating relevant professional experience of at least three years.

5.2. Planning of official controls

Article 41 of Regulation (EC) No 882/2004 requires each Member State to have a single integrated multi-annual national control plan and Article 42 requires the plan to contain information on the strategic objectives of the plan and on how the prioritisation of controls and allocation of resources reflect these objectives. Amendments may be made in the light of, or in order to take account of, factors including new legislation.

Article 3 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency taking account of (a) identified risks that may influence animal welfare (b) business operators' past record (c) the reliability of any own checks (d) any information that might indicate non-compliance.

Article 4(9) of Regulation (EC) No 854/2004 requires the nature and intensity of auditing tasks in

respect of individual establishments to depend upon the assessed risk. Further it states that in the case of slaughterhouses this assessment should include animal welfare aspects.

5.3. Official controls on business operator's obligations

Article 8 of Regulation (EC) No 882/2004 requires that competent authorities carry out their official controls in accordance with documented procedures, containing information and instructions for staff performing official controls.

Article 9 of the above Regulation requires competent authorities to draw up reports on the official controls carried out, including a description of the purpose of official controls, the methods applied, the results obtained and any action to be taken by the business operator concerned.

Article 10 (2) (a) of Regulation (EC) No 882/2004 requires that official controls shall include the examination of any control systems that BOs have put in place and the results obtained.

Article 5 (1)(c) and Section I, Annex I, to Regulation (EC) No 854/2004 requires that official veterinarians carry out inspection tasks at slaughterhouses to verify compliance with relevant Community and national rules on animal welfare at the time of slaughter and during transport.

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related operations and to carry them out in accordance with standard operating procedures (SOPs).

Article 17 of Regulation (EC) No 1099/2009 requires BOs to designate an AWO for each Slaughterhouse to assist them in ensuring compliance with the rules laid down in the regulation.

5.3.1. Layout, construction, equipment and approval of slaughterhouses

Article 14 of Regulation (EC) No 1099/2009 requires BOs to ensure that the layout and construction of slaughterhouses and the equipment used therein comply with the rules set out in Annex II to the Regulation. Article 29 includes a transitional provision so that certain provisions of Directive 93/119/EC continue to apply until 8 December 2019 to layouts and equipment in operation before 1 January 2013.

Article 31(2) of Regulation (EC) No 882/2004 states that the CA shall establish procedures for BOs to follow when applying for approval of their establishments and Article 4(3) of Regulation (EC) No 853/2004 requires the CA to make an on-site visit as part of the procedure for approval of establishments. Article 14(2) of Regulation (EC) No 1099/2009 requires BOs when requested, to submit to the CA for each slaughterhouse at least the following: (a) the maximum number of animals per hour for each slaughter line (b) the categories of animals and weights for which the restraining or stunning equipment available may be used (c) the maximum capacity for each lairage area. The CA shall assess the information submitted when approving the slaughterhouse.

5.3.2. Handling and restraining operations at slaughterhouses

Article 15 of Regulation (EC) No 1099/2009 requires BOs to ensure that the operational rules for slaughterhouses set out in Annex III are complied with. In addition it provides details concerning forbidden methods of restraint, as well as restraining methods and equipment in the case of particular methods of slaughter prescribed by religious rites.

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment used for restraining animals is maintained and checked according to manufacturers' instructions, by persons specifically trained for that purpose.

5.3.3. Stunning methods and checks on stunning

Stunning methods and respective requirements are specified in Annex I of Regulation (EC) No 1099/2009. Article 5 of Regulation (EC) No 1099/2009 requires BOs to carry out regular checks on a sufficiently representative sample of animals, at a frequency established according to specified risk factors, to ensure that the animals do not present any sign of consciousness or sensibility between the end of the stunning process and death.

Article 16 of Regulation (EC) No 1099/2009 requires BOs to put in place and implement appropriate monitoring procedures to perform the checks on stunning required under Article 5.

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment for stunning animals is maintained and checked according to manufacturers' instructions.

5.3.4. Derogation to perform slaughter without stunning

Article 4(4) of Regulation (EC) No 1099/2009 indicates that in the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements for stunning methods do not apply provided that the slaughter takes place in a slaughterhouse.

5.4. Killing outside slaughterhouses

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related activities and shall carry them out in accordance with standard operating procedures (SOPs).

Article 7 of Regulation (EC) No 1099/2009 requires that killing and related operations shall only be carried out by persons with the appropriate level of competence to do so without causing the animals any avoidable pain, distress or suffering.

Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005 requires that only animals which are fit for the journey are transported.

Regulation 853/2004 Annex III section I chapter VI allows sending to the slaughterhouse the carcasses of animals which have suffered an accident and have undergone emergency slaughter for welfare reasons.

Article 7(3) of Regulation (EC) No 1099/2009 requires the killing of fur animals to be carried out in the presence and under the direct supervision of a person holding a certificate of competence issued for all the operations carried out under his supervision and that BOs of fur farms shall notify the competent authority in advance when animals are to be killed.

5.5. Monitoring of broiler welfare at the slaughterhouse and follow up

Directive 2007/43/EC Article 3(1)(b) states that the required inspections, monitoring and follow-up at slaughterhouses, including those provided for in its Annex III, are carried out by the CA or OV.

Point 3 of Annex III to Directive 2007/43/3C states that if the mortality rate or the results of the post mortem inspection are consistent with poor animal welfare conditions, the official veterinarian shall communicate the data to the owner or keeper of the animals and to the competent authority. Appropriate actions are taken by the owner or keeper of the animals and by the CA.

5.6. Actions taken in case of non-compliance

Article 22 of Regulation (EC) No 1099/2009 indicates the competent authority may (a) require business operators to amend their standard operating procedures and, in particular, slow down or stop production (b) require business operators to increase the frequency of the checks and amend the monitoring procedures (c) suspend or withdraw certificates of competence (d) suspend or withdraw the delegation of power regarding certificates of competence (e) require the amendment of manufacturers' instructions.

Article 23 of Regulation (EC) No 1099/2009 requires each Member State to lay down the rules on penalties applicable to infringements of this Regulation and take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

5.7. Evaluation and review of official controls

Article 4 of Regulation (EC) No 882/2004 requires the competent authorities to ensure the effectiveness and appropriateness of official controls and the impartiality, consistency and quality of official controls at all levels.

Article 8(3) of Regulation (EC) No 882/2004 states that the CA must have procedures in place to verify the effectiveness of official controls and to ensure that corrective action is taken when needed and that the documentation is updated as appropriate.

Article 4(6) of Regulation (EC) No 882/2004 competent authorities are required to carry out internal audits, or have external audits carried out. These must be subject to independent scrutiny and carried out in a transparent manner.