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FINAL REPORT OF AN AUDIT

CARRIED OUT IN

HUNGARY

FROM 24 JUNE TO 04 JULY 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 Hungary from 24 June to 4 July 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.

Overall the report concludes that the slaughter of animals without unnecessary pain or suffering is generally achieved in red meat and poultry slaughterhouses.

The Central Competent Authority is setting up a system for official controls and enforcement actions, where necessary, as required by Regulation (EC) No 1099/2009. The current control system still relies mainly on the requirements of Directive 93/119/EC and is insufficient to cover all areas of Regulation (EC) No 1099/2009 and to ensure the effectiveness and appropriateness of official controls in this area. All business operators have set up standard operating procedures on the slaughter of animals and related operations and appointed animal welfare officers.

The system set up for certificates of competence is incomplete and cannot be relied on to identify competent operators and animal welfare officers.

The Central Competent Authority has set up a system to apply the derogation to carry out slaughter without stunning which requires further guarantees to better safeguard animal welfare. The Competent Authorities are not ensuring that business operators carrying out slaughter prescribed by religious rites do so following the approved methods indicated in the approval documents.

There are procedures in place to prevent the transport of unfit animals, but the system is incomplete and could not demonstrate its effectiveness due to insufficient supervision and absence of follow up of such cases.

As there is no system in place for monitoring broiler welfare indicators at slaughterhouses, indicators of welfare problems in the holdings of origin are not systematically identified at this level and subsequently followed up.

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

Table of Contents

1	<u>INTRODUCTION</u>	1
2	<u>OBJECTIVES</u>	1
3	<u>LEGAL BASIS</u>	2
4	<u>BACKGROUND</u>	2
5	<u>FINDINGS AND CONCLUSIONS</u>	3
5.1	<u>FRAMEWORK FOR CONTROLS</u>	3
5.1.1	<i><u>COMPETENT AUTHORITIES INVOLVED</u></i>	3
5.1.2	<i><u>GUIDES TO GOOD PRACTICE AND SCIENTIFIC SUPPORT</u></i>	3
5.1.3	<i><u>PROVISION OF CERTIFICATES OF COMPETENCE</u></i>	4
5.2	<u>PLANNING OF OFFICIAL CONTROLS</u>	5
5.3	<u>OFFICIAL CONTROLS ON BUSINESS OPERATOR'S OBLIGATIONS</u>	7
5.3.1	<i><u>KILLING ANIMALS IN SLAUGHTERHOUSES</u></i>	9
5.3.2	<i><u>KILLING ANIMALS OUTSIDE SLAUGHTERHOUSES</u></i>	14
5.4	<u>MONITORING OF BROILER WELFARE AT THE SLAUGHTERHOUSE AND FOLLOW UP</u>	16
5.5	<u>ACTIONS TAKEN IN CASE OF NON-COMPLIANCE</u>	16
5.6	<u>EVALUATION AND REVIEW OF OFFICIAL CONTROLS</u>	17
6	<u>OVERALL CONCLUSIONS</u>	18
7	<u>CLOSING MEETING</u>	18
8	<u>RECOMMENDATIONS</u>	18
	<u>ANNEX 1 - LEGAL REFERENCES</u>	21
	<u>ANNEX 2 - SPECIFIC LEGAL REQUIREMENTS</u>	23

ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
AWO	Animal Welfare Officer
BO	Business Operator
CA	Competent Authority
CCA	Central Competent Authority
DOAs	Birds dead on arrival
EU	European Union
FVO	Food and Veterinary Office
NÉBIH	National Food Chain Safety Office – <i>Nemzeti Élelmiszerlánc-Biztonsági Hivatal</i>
OÁIR	Electronic database containing checklists and reports of these checks – <i>Országos Állategészségügyi Információs Rendszer</i>
OV	Official Veterinarian
SOP	Standard Operating Procedure

1 INTRODUCTION

This audit took place in Hungary from 24 June to 4 July 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 Hungary on 24 June 2014. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the audit team. The audit team comprised one auditor from the FVO and a national expert and was accompanied throughout the audit by representatives from the Central Competent Authority (CCA) – the National Food Chain Safety Office (*Nemzeti Élelmiszerlánc-Biztonsági Hivatal* – NÉBIH).

2 OBJECTIVES

The main objective of the audit was to evaluate the effectiveness of official controls on business operators to ensure animals are spared any avoidable pain, distress, or suffering during their killing and related operations, in particular:

- The assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009 and the business operators' level of compliance
- Whether official controls on animal welfare at the time of killing, carried out in accordance with Regulation (EC) No 882/2004, are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009; and
- The Member State's and Competent Authorities' compliance with specific requirements of Regulation (EC) No 1099/2009, such as guides to good practice, scientific support and certificates of competence and the effectiveness of the 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 (EC) No 853/2004 Annex III Section I Chapter VI, which facilitates the killing of "emergency slaughter" animals on farm and their carcasses sent to the slaughterhouse.

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 with Competent Authorities			Comments
Competent authority	Central	1	Opening and closing meetings
	Other	2	Meetings with the competent authorities of the Counties of Bács-Kiskun and Heves
Site visits			
Slaughterhouses		7	Visits to three poultry slaughterhouses using electrical waterbath stunning and four red meat slaughterhouses

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 the specific legislation quoted at the start of each section of the report.

4 BACKGROUND

Regulation (EC) No 1099/2009 (hereafter “the Regulation”) applies from 1 January 2013 in all European Union (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 BO. The manufacturers and/or retailers of restraining and stunning equipment must provide operating and maintenance instructions with all equipment sold. Competent Authorities (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*

Legal Requirements

Articles 4(1), 4(3) and 4(5) of Regulation (EC) No 882/2004.

Article 21 of Regulation (EC) No 1099/2009.

Findings

1. The organisation of the CA is described in the Country Profile for Hungary, which is available at: http://ec.europa.eu/food/fvo/controlsystems_en.cfm?co_id=HU
2. Decree No. 140/2012 (XII.22) designates the County CAs to ensure compliance with the requirements of the Regulation.
3. This Decree also designates the NÉBIH as the CCA responsible, under Article 21 of the Regulation, for:
 - ensuring that training courses are available for personnel involved in killing and related operations;
 - delivering certificates of competence attesting the passing of an independent final examination;
 - approving the programmes of the training courses.
4. Communication of new procedures and checklists from the CCA to the local CAs is carried out electronically through the County and District CAs.
5. The CCA holds regular meetings with representatives from the County CAs to discuss changes in legislation and procedures.

5.1.2 *Guides to good practice and Scientific Support*

Legal requirements

Articles 13 and 20 of Regulation (EC) No 1099/2009.

Findings

6. The CCA contacted BO organisations in September 2012 informing them about the entry into force of the Regulation. The information provided also indicated the possibility for BO organisations to develop guides to good practice to facilitate the implementation of the Regulation. The CCA indicated that no such guides have been developed by BO organisations.

7. A single scientific contact point within the NÉBIH has been appointed by the CCA. At the time of the audit, the scientific contact point had not been requested to provide scientific and technical expertise relating to the approval of slaughterhouses and the development of new stunning methods, scientific opinions on the instructions provided by manufacturers on the use and maintenance of restraining and stunning equipment and scientific opinions on guides to good practice.

5.1.3 Provision of certificates of competence

Legal requirements

Articles 21 and 29(2) of Regulation (EC) No 1099/2009.

Findings

8. The CCA delegated the tasks to carry out the training and examination for certificates of competence to a training body.
9. All operators involved in the slaughter of animals and related operations have to follow a training course and pass a final exam, composed of a series of multiple-choice questions, in order to obtain the certificate of competence, irrespective of previous relevant professional experience.
10. The CCA does not recognise other qualifications as being equivalent to a certificate of competence.
11. The CCA approved three training modules for the provision of certificates of competence (for AWOs, for operators working in poultry slaughterhouses, and for operators working in red meat slaughterhouses). These modules do not include training material for the purposes of slaughter without stunning (Article 7(2)(g) of the Regulation).
12. There is no training module for operators working in establishments killing fur animals.
13. The training is theoretical and does not include a practical part.
14. Five training courses for AWOs, six training courses for operators working in poultry slaughterhouses and two training courses for operators working in red meat slaughterhouses had been completed. Half of the AWOs and a minority of operators met by the audit team had attended the relevant training course and were operating with a certificate of competence as required by Articles 17(4) and 7(2) of the Regulation.
15. The number of training hours and the examination pass mark for the training course of AWOs is higher than that for other operators. The representative of the training body indicated that this was due to the importance of the AWO in ensuring the protection of animals at the time of slaughter and related operations.
16. Certificates of competence have a validity of five years after which the training course and final exam have to be repeated.

17. The template for certificates of competence for AWOs does not indicate the categories of animals, type of equipment and for which of the operations listed in Article 7(2) or (3) of the Regulation the certificate is valid. This is not in compliance with the requirements of Article 21(3) of the Regulation.
18. The template for certificates of competence for operators working in red meat slaughterhouses and poultry slaughterhouses include fields for all the information required by Article 21(3) of the Regulation.
19. The certificates of competence held by some of the operators met by the audit team did not indicate all the operations for which they had passed a final exam, although this is a requirement of Article 21(1)(b) of the Regulation. In some cases these incorrect certificates did not indicate all the operations being performed by the operators and all the categories of species on which these operations were being carried out.

Conclusions on framework for controls

20. There are CAs designated for the areas related to the welfare of animals at the time of slaughter and during related operations. Independent scientific support is available to the CAs although its use has been limited.
21. The CCA set up a system for training and examination for the provision of certificates of competence, but as it does not contain all the necessary modules it does not ensure that all operators involved in the slaughter of animals and related operations are properly trained. The incomplete certificates issued impede to use them to identify competent operators and animal welfare officers for some operations.

5.2 PLANNING OF OFFICIAL CONTROLS

Legal requirements

Articles 3, 41 and 42 of Regulation (EC) No 882/2004.

Article 4(9) of Regulation (EC) No 854/2004.

Findings

22. The CCA indicated that official controls include full and partial checks. Full checks are used to carry out controls on all areas of activity of animal holdings or establishments producing food of animal origin (animal welfare during slaughter and transport, animal health, food hygiene and animal by-products in the case of slaughterhouses). Partial checks focus on one area of activity.
23. Specific checklists for controls for each area are available in the database set up by the CCA which is also used to collect full and partial reports (*Országos Állategészségügyi Információs Rendszer – OÁIR*).

24. The CCA set up a risk-based system to determine the number of full checks for each establishment. The risk assessment takes into consideration the details of the establishment (type, activities carried out, species, products), results of previous controls (including animal welfare), results of cross-compliance controls and the time from the last control.
25. The CCA classified all slaughterhouses as high risk establishments due to the complexity of the activities carried out, thus requiring one full check each year. The annual control plan indicates that one full check and between four to eight partial checks have to be carried out in each slaughterhouse each year. At least one of these partial checks has to be on animal welfare. The plan makes reference to the checklist on the legislation on animal protection which can be found in the OÁIR.
26. The CCA did not identify any particular risk (sector, killing method or period of the year) that could influence animal welfare during slaughter and related operations.
27. The CCA also indicated that when a partial check is carried out all the relevant parts of the specific checklist have to be completed.
28. In one of the Counties visited, the annual control plan had been modified by the County CA. The instructions sent to the District CAs indicated that one partial check was to be carried out in each slaughterhouse every semester for a total of four scheduled partial checks. One of these scheduled partial checks is on animal welfare requirements. In addition to the four scheduled partial checks a further four partial checks could be carried out. The requirement for one full check each year was not included in these instructions.
29. The same County CA had selected three key periods, based on consumption patterns, during which random controls on specific areas were to be carried out in the context of the food hygiene scenario. Controls on the welfare of animals upon arrival at slaughterhouses had been included in this context.

Conclusions on planning of official controls

30. The frequency of official controls of slaughterhouses has been planned by the CCA based on risk-assessment which takes into consideration animal welfare aspects. This is however not being implemented as planned in all Counties thus decreasing the effectiveness of the system in ensuring BO compliance.

5.3 OFFICIAL CONTROLS ON BUSINESS OPERATOR'S OBLIGATIONS

Legal requirements

Articles 8, 9 and 10(2)(a) of Regulation (EC) No 882/2004.

Article 5(1)(c) and Section I, Annex I, to Regulation (EC) No 854/2004.

Article 6 and 17 of Regulation (EC) No 1099/2009.

Findings

31. The “current checklist” on the protection of animals in slaughterhouses, available in the OÁIR:
- is based on Directive 93/119/EC;
 - does not have guidelines on its interpretation and;
 - contains, in the opinion of several of the OVs met by the audit team, ambiguous questions.
32. The CCA is drafting a new checklist to include the requirements of the Regulation. This “draft checklist”:
- was sent to the County and District CAs on the 13 June 2014 for feedback (deadline 27 July 2014);
 - is not accompanied by guidelines but it is, in the opinion of the OVs who have tried it, straightforward and easy to understand.
33. In one of the Counties visited, the OVs carried out checks using the “draft checklist”. The audit team saw cases where a few questions in the “draft checklist” had been filled in incorrectly because the District or County OV had misinterpreted them e.g. in one such case the OV gave a positive indication to the question on whether the BO had a Standard Operating Procedure (SOP) which included the planning of the arrival of animals although the latter was not included in the SOP.
34. In two of the red meat slaughterhouses visited, the checklists for three partial checks carried out on animal welfare at the time of slaughter were only partially completed by the OVs. In all other cases all sections of the checklists on animal welfare were fully completed.
35. All BOs had appointed an AWO as required by Article 17 of the Regulation. The AWOs kept records on:
- the monitoring of the effectiveness of the stun;
 - actions taken when stunning was not effective;
 - the evaluation of the conditions of the animals on arrival at the slaughterhouse, including the number of birds dead on arrival (DOAs) in the case of poultry slaughterhouses;
 - cases when animals were subject to emergency slaughter at the slaughterhouse due to their welfare conditions on arrival (see also Section 5.3.2.1).
36. Only in one out of seven slaughterhouses visited, the AWO had records of actions taken to improve the welfare conditions of animals during slaughter and related operations (two in-house training delivered by the AWO).

37. The slaughterhouses visited had developed SOPs which included the information required by Article 6 of the Regulation. However, the audit team spotted several shortcomings which had not been noticed by the AWOs, e.g:

- although BOs were planning the arrival of animals, the majority of the SOPs did not include this description;
- in one slaughterhouse the procedure for the emergency slaughter of animals within the establishment was not included in the SOP;
- in a few cases the monitoring plan and backup stunning methods described in the SOP were not adequate to the activity being carried out;

38. In one red meat slaughterhouse the stunning of the animals was not carried out according to the procedure described in the SOP (see also Section 5.3.1.3).

Conclusions on official controls on BO's obligations

39. The existing documented procedures to carry out official controls on the protection of animals during slaughter and related operations still refer to Directive 93/119/EC and are insufficient to cover all areas of the Regulation and support the risk-based system of official controls in ensuring consistency and high quality controls for compliance. Nonetheless, the fact that all BOs have set up SOPs and appointed AWOs is beneficial for standards of animal welfare during slaughter.

5.3.1 Killing animals in slaughterhouses

5.3.1.1 Layout, construction, equipment and approval of slaughterhouses

Legal requirements

Articles 8, 14 and 29(1) of Regulation (EC) No 1099/2009.

Article 31(2) of Regulation (EC) No 882/2004.

Article 4(3) of Regulation (EC) No 853/2004.

Findings

40. The CCA indicated that it had not located manufacturers of restraining and stunning equipment in Hungary. During the visits to the slaughterhouses the audit team identified manuals produced by three businesses in Hungary. The CCA indicated that:

- two of these businesses were in fact dealers who had translated the manufacturers' instructions from the original language into Hungarian;
- another business was a local branch of a manufacturer based in another EU Member State, albeit under a different trade-name.

41. Although the equipment sold by two of these businesses was put into use after 1 January 2013 the manufacturers' instructions did not include some of the information required by Article 8 of the Regulation, in particular the methods for monitoring the efficiency of the stunning equipment and the categories and weights of animals for which the equipment is to be used.

42. The audit team visited one broiler slaughterhouse which entered into operation after 1 January 2013:

- The CCA has not developed guidance for the evaluation of the information listed in Article 14(2) of the Regulation when inspecting new slaughterhouses requiring an approval;
- The BO was not requested to provide the details listed in Article 14(2) of the Regulation when submitting the application for an approval to the County CA. Furthermore, records kept by the County OV did not indicate the categories of animals and weights for which the restraining or stunning equipment available may be used, and that the maximum capacity for each lairage area was evaluated during the approval process;
- An inspection by the County OV was carried out during a trial slaughter in order to approve the slaughterhouse as required by Article 4(3) of Regulation (EC) No 853/2004;
- Although the County OV used the “current checklist” during the inspection, the notes in the report included important non-compliances regarding the Regulation that had been identified (e.g. lack of SOPs, lack of an AWO, lack of a breast plate between shackling and stunning, lack of a recording device for electrical waterbath stunning parameters). A three-month temporary approval was issued and corrective actions were requested.

43. The lairages in the three poultry slaughterhouses visited:

- were structurally compliant with the requirements of the Regulation with the exception of the shackling area in the establishment slaughtering ducks where the heads of the shackled birds were hitting against the crates;
- were equipped with breast comforters from the point of shackling to the point of entry into the waterbath stunners, as required by Point 5.8 of Annex II of the Regulation for slaughterhouses entering into operation after 1 January 2013, and for all slaughterhouses after 8 December 2019. Birds were calm and relaxed between end of shackling and entry into the waterbath stunner;
- had equipment to wet the shackles before hanging the birds as required by Point 6.2 Chapter II Annex I of the Regulation. The audit team however noted that in one of these slaughterhouses this equipment was not working and the shackles were dry.

44. The lairages in four red meat slaughterhouses were, in general, structurally adequate. However:

- although the lairages had signs for the pens as required by Point 2.3 of Annex III of

the Regulation, in all cases one or more of the required details was missing (maximum pen capacity, for one or more species, date or time of arrival). The AWOs had not detected these non-compliances;

- in one slaughterhouse keeping animals more than 12 hours, bedding was not provided and was not foreseen in the SOP. In the same slaughterhouse although the animals were fed on arrival, according to the SOP, these were not fed again after being lairaged for more than 12 hours. This is not in compliance with the requirements of Point 1.2 of Annex III of the Regulation;
- in one slaughterhouse the drinking water was very dirty.

5.3.1.2 Handling and restraining operations at slaughterhouses

Legal requirements

Articles 9 and 15 of Regulation (EC) No 1099/2009.

Findings

45. In the three poultry slaughterhouses visited using electrical waterbath stunning the unloading of the crates and the handling and shackling of the birds was carried out adequately, avoiding causing unnecessary stress to the animals.
46. In the four red meat slaughterhouses visited handling was also generally correct, without causing unnecessary pain, distress or suffering to the animals.

5.3.1.3 Stunning methods and checks on stunning

Legal requirements

Articles 5, 9 and 16, and Annex I of Regulation (EC) No 1099/2009.

Findings

47. Regarding the three poultry slaughterhouses visited using electrical waterbath stunning:
- In the broiler slaughterhouse approved after January 2013, a digital control unit for the waterbath stunner had recently been installed and was being tested. The key electrical parameters were not recorded although this is a requirement of Point 5.10 of Annex II of the Regulation. It was not possible to determine the current being applied per bird since the values indicated by the new apparatus did not correspond to those indicated by the old apparatus (81-140mA per bird indicated by the digital device against 60-62.5mA per bird indicated by the analogue device).
 - Electrical waterbath parameters in the other two poultry slaughterhouses were compliant with the minimum parameters indicated in Table 2 Chapter II of Annex I of the Regulation.

- The waterbath stunning equipment in the turkey slaughterhouse was fitted with a new control panel in the first semester of 2014. This new device was recording the details of the electrical key parameters used and records were being kept as required by Point 5.10 of Annex II of the Regulation.
- In the turkey and broiler slaughterhouses, the birds were not immersed in the waterbath until the base of the wings although this is a key parameter for this stunning method as indicated in Table 2 Chapter I of Annex I of the Regulation.
- In the turkey slaughterhouse, water was overflowing from the waterbath onto the entry ramp. This is a non-compliance with the requirements of Section 2 Point 3.B.4 of Directive 93/119/ECC, and it had not been detected by the CAs.
- Bleeding was carried out manually in all three slaughterhouses. Both carotid arteries were being cut by all operators as required by Point 3.2 of Annex III of the Regulation and the birds did not present signs of life at the point of entry to scalding tanks.
- In all three slaughterhouses operators were checking the effectiveness of the stun, as required by Article 5(1) of the Regulation, at the point of exit of the waterbaths.
- Backup stunning equipment was immediately available on the spot in all three slaughterhouses as required by Article 9(2) of the Regulation. However the selected backup method (percussive blow to the head) in the turkey slaughterhouse was inappropriate given the size of the birds (according to Table 1 Chapter I of Annex I of the Regulation this method can be used in animals below 5kg live weight).

48. In the four red meat slaughterhouses visited:

- Backup stunning equipment was immediately available on the spot in all four slaughterhouses as required by Article 9(2) of the Regulation.
- In one slaughterhouse the operators were not carrying out checks for the effectiveness of the stun although this is a requirement of Article 5(1) of the Regulation. The supervising AWO noticed ineffective stuns (two out of three animals) and instructed the operators to re-stun the animals, according to the SOP.
- In one slaughterhouse stunning bovine animals with a pneumatic captive bolt two out of five stunned animals were ineffectively stunned. This was detected by the AWO who requested the operator to re-stun the animals. The heads of these animals were not immobilised although this was foreseen in the SOP. The BO had records of miss-stuns including a monthly overview where it was indicated that all miss-stuns were due to the animals moving their heads.
- In one slaughterhouse using electrical stunning for pigs, an electrical current higher than the minimum current indicated in Table 1 Chapter II of Annex I of the Regulation was used and the electrical current was applied for ten seconds. Stunning was effective and checks between stunning and shackling were made by the operators and the AWO. Animals however regained consciousness during bleeding and this was not detected (gasping, breathing, looking around, blinking, trying to

resume natural position) by the operators or the AWO.

- The operators bled the animals according to the requirements of Point 3.2 of Annex III of the Regulation.

49. In the poultry and red meat slaughterhouses records of maintenance of stunning equipment were being kept as required by Article 9 of the Regulation.

5.3.1.4 Slaughter without stunning

Legal requirements

Article 4(4) of Regulation (EC) No 1099/2009

Findings

50. Decree No. 140/2012 (XII.22) requires that religious slaughter may only be carried out using a method approved by the relevant County CA. These include slaughtering methods which do not require prior stunning of the animals, or in which the animals are stunned using parameters other than those indicated in Annex I to the Regulation.

51. The audit team was informed that the approved method for religious slaughter used in an establishment is included in the relevant document indicating the food and feed activities for which it is approved under Article 31 of Regulation (EC) No 882/2004.

52. The turkey slaughterhouse visited by the audit team had an approval to carry out slaughter prescribed by religious rites without using stunning methods:

- The BO and OV indicated that slaughter prescribed by religious rites was carried out using electrical waterbath parameters lower than those indicated in Annex I to the Regulation (24-31mA per bird, 110-130V, 120-160Hz). The County CA indicated that the method indicated in the approval was a mistake and that this would be corrected.
- The AWO indicated that the turkeys slaughtered as prescribed by religious rites still presented signs of consciousness after exiting the waterbath stunner (signs of gasping and breathing).

53. In the bovine slaughterhouse having an approval to carry out religious slaughter the approved method was not indicated in the approval document.

54. Similar findings regarding discrepancies between what was granted on the approval document and what was done in practice had been made during two recent FVO audits regarding controls in place over poultry establishments (report DG (SANCO)/2013-6691) and red meat and milk establishments (report DG (SANCO)/2013-6889) resulting in recommendations to update the approval documents.

Conclusions on killing animals in slaughterhouses

55. Since BOs of poultry slaughterhouses in operation before 1 January 2013 have already begun preparations to install breast comforters and instruments to record the electrical

parameters applied during stunning they should be ready to meet the deadline of the transitional period.

56. The slaughter of animals without unnecessary pain or suffering is generally ensured in red meat slaughterhouses. This is also generally ensured in poultry slaughterhouses despite the fact that there are non-compliances regarding adequate backup stunning equipment and the set-up of waterbath stunning equipment.
57. The CCA is not ensuring that stunning and restraining equipment is sold with manuals that comply with the requirements of the Regulation. This does not guarantee that such equipment is used according to the requirements of the Regulation and may hinder BOs from utilising it in a manner which ensures optimal welfare for the animals being slaughtered.
58. The absence of guidance to OVs on the requirements of the Regulation for the approval of new slaughterhouses does not guarantee that all necessary requirements are verified before approval.
59. The CCA has set up a system to apply the derogation to carry out slaughter without stunning envisaged by Article 4(4) of the Regulation which requires further guarantees to better safeguard animal welfare. The CAs are however not ensuring that BOs carrying out slaughter prescribed by religious rites do so following the approved methods indicated in the approval documents.

5.3.2 Killing animals outside slaughterhouses

Legal requirements

Articles 6 and 7 of Regulation (EC) No 1099/2009.

Findings

60. The Hungarian Animal Welfare Act requires that the emergency killing of non-productive animals that are unfit for human consumption is done by lethal injection applied by a veterinarian.
61. The CCA indicated that all animals that are unfit for transport are killed on farm using this method.

5.3.2.1 Emergency slaughter outside the slaughterhouse

Legal requirements

Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005.

Regulation (EC) No 853/2004 Annex III Section I Chapter VI.

Findings

62. Animals arriving to the slaughterhouse are accompanied by documentation signed by the keeper and the private veterinarian of the holding of origin. The audit team reviewed cases of several cows and two pigs arriving at the slaughterhouse that were unable to walk according to the AWOs' records:

- In all cases the documents accompanying the animals did not indicate any health or welfare conditions which could have classified the animals as unfit for transport;
- In the cases of the bovine animals the OV's indicated that no investigation was carried out since they took for granted that the conditions arose during transport given the absence of any anomalous indications in the accompanying documents;
- In the cases of the two pigs the OV had recorded these animals as healthy and adequate for regular slaughter. There was no indication of their condition (unable to walk off the truck) in these records.
- In one of the slaughterhouses where the AWO had detected cows that were unable to walk, emergency slaughter was carried out without prior ante-mortem inspection.

5.3.2.2 *Killing of fur animals*

Legal requirements

Article 7(3) of Regulation (EC) No 1099/2009.

Findings

63. Although the CCA had indicated in the pre-audit questionnaire that there were no establishments slaughtering fur animals in Hungary it informed the audit team at the opening meeting that a County CA had very recently reported one such establishment. The CCA indicated that the BO of this establishment informs the County CA of the scheduled slaughter; however it could not describe the procedure.

Conclusion on killing animals outside slaughterhouses

64. The CCA has procedures in place to prevent the transport of unfit animals. However, as ante-mortem records do not reflect BO reports of animals whose health and welfare conditions have been compromised and these cases are not investigated, the CCA cannot demonstrate that the system works.

65. The lack of a system to ensure that fur animals are killed in the presence and direct supervision of a person holding a certificate of competence (see also paragraphs 14 and 23), and that the CA is notified in advance when these animals are to be killed, might compromise the welfare of the animals.

5.4 MONITORING OF BROILER WELFARE AT THE SLAUGHTERHOUSE AND FOLLOW UP

Legal requirements

Article 3(1)(b) and Point 3 of Annex III of Directive 2007/43/EC.

Findings

66. The CCA indicated that in Hungary there are few broiler holdings with stocking densities above 33kg/m² and all of these holdings have stocking densities below 39kg/m². Documents accompanying the birds for slaughter do not include a field requesting the stocking density and, in the case of holdings with stocking densities higher than 33kg/m², mortality rates, which are required by Point 1.1 of Annex III of Council Directive 2007/43/EC.
67. The CCA has not produced instructions on the monitoring of welfare indicators in broilers at slaughterhouses including the welfare indicators to monitor at post-mortem such as footpad dermatitis, their thresholds and the system to co-ordinate necessary actions at farm level.
68. In the broiler slaughterhouse visited by the audit team the authorised veterinarian kept records on the number of DOAs as required by Point 1.2 of Annex III of Council Directive 2007/43/EC.
69. The authorised veterinarian carried out autopsies on a maximum of ten DOAs per day and the results of these autopsies were recorded. This has been identified as a good practice by the audit team.
70. Records of post-mortem results, as required by Point 1 Chapter I Section II of Annex I of Regulation (EC) No 854/2004, were not being kept in the broiler slaughterhouse visited by the audit team. These results are necessary for the purposes of Point 2 of Annex III of Council Directive 2007/43/EC to identify possible indications of poor welfare conditions in the holding of origin.

Conclusions

71. The absence of a system for the monitoring of broiler welfare indicators at slaughterhouses impedes both the identification of welfare problems in the holdings of origin at slaughterhouse level, and subsequent corrective measures at farm level.

5.5 ACTIONS TAKEN IN CASE OF NON-COMPLIANCE

Legal requirements

Articles 22 and 23 of Regulation (EC) No 1099/2009.

Findings

72. Decree No. 140/2012 (XII.22) empowers the County CAs to carry out the enforcement

actions indicated in Article 22 of the Regulation when non-compliances to the Regulation are detected.

73. Financial penalties for infringements to animal welfare requirements, including the requirements of the Regulation, are laid down in Decree No. 244/1998 (XII.31) as amended by Decree No. 115/2012 (VI.11).
74. The audit team saw examples of reports based on the “current checklist” where non-compliances to the requirements of Directive 93/119/EC had been detected (inadequate lighting at stunning area, unavailability of immediate backup equipment). The OVs had requested immediate corrective actions, which were carried out.
75. The audit team has not seen examples of any of the enforcement actions listed in Article 22 of the Regulation being taken.
76. At the time of the audit the CCA indicated that financial penalties due to infringements to the Regulation had not been imposed.

Conclusions

77. The CCA has set up the tools to carry out enforcement actions and impose financial penalties as required by the Regulation.

5.6 EVALUATION AND REVIEW OF OFFICIAL CONTROLS

Legal requirements

Articles 4 and 8(3) of Regulation (EC) No 882/2004.

Findings

78. The CCA indicated that it has not carried out audits on the County CAs on the protection of animals at the time of killing and related operations in 2013 and has planned two audits for the second half of 2014.
79. The CCA indicated that the County CAs have to carry out a yearly supervision of each OV. This is carried out during a joined inspection by the County and District CAs to verify that OVs are carrying out effective and appropriate official controls.
80. The CCA has not provided documented procedures for the County CAs to follow when carrying out the supervision.
81. Each of the two County CAs visited had created a personalised and complete checklist to use when supervising official controls.
82. In one of the Counties visited supervision of OVs in slaughterhouses did not include the verification of effectiveness and appropriateness of controls on animal welfare requirements

since 2012.

Conclusions

83. The lack of a harmonised documented procedure for the supervision of official controls has resulted in a system which does not guarantee that controls on the protection of animals at the time of slaughter and related operations are reviewed and improved systematically.

6 OVERALL CONCLUSIONS

The slaughter of animals without unnecessary pain or suffering is generally ensured in red meat and poultry slaughterhouses.

The CCA has started setting up a system for official controls and, if necessary, enforcement actions as required by Regulation (EC) No 1099/2009. The current control system still relies mainly on the requirements of Directive 93/119/EC and is therefore insufficient to cover all areas of Regulation (EC) No 1099/2009. The current control system, together with the lack of a harmonised documented procedure for the supervision of official controls, cannot ensure the effectiveness and appropriateness of official controls in this area. All BOs have set up SOPs on the slaughter of animals and related operations and appointed AWOs.

The system set up for the provision of certificates of competence does not ensure that training and examination is provided to all operators that are involved in the slaughter of animals and related operations. Inaccuracy in the certificate template further hinders the effectiveness of this system.

The CCA has set up a system to apply the derogation to carry out slaughter without stunning envisaged by Article 4(4) of the Regulation which requires further guarantees to better safeguard animal welfare. The CAs are however not ensuring that BOs carrying out slaughter prescribed by religious rites do so following the approved methods indicated in the approval documents.

Although the CCA has procedures in place to prevent the transport of unfit animals there is insufficient supervision and absence of follow up of such cases.

The absence of a system for the monitoring of broiler welfare indicators at slaughterhouses does not ensure that indicators of welfare problems in the holdings of origin are identified at slaughterhouse level and subsequently followed up.

7 CLOSING MEETING

A closing meeting was held on 4 July 2014 with representatives of the CAs, at which the main findings and preliminary conclusions of the audit were presented by the audit team.

8 RECOMMENDATIONS

The Competent Authorities are invited to provide, within 25 working days of receipt of the report, an action plan containing details of the actions taken and planned, including deadlines for their completion, aimed at addressing the recommendations set out below:

N°.	Recommendation
1.	In relation to the provision of certificates of competence, to ensure that: training courses for all the killing and related operations listed in Articles 7(2) and 7(3) of Regulation (EC) No 1099/2009 are available; this bullet point of the Recommendation has been removed following comments received by the CA; certificates of competence issued correctly indicate for which categories of animals, type of equipment and for which of the operations listed in Article 7(2) or (3) of Regulation (EC) No 1099/2009 the certificates are valid; all persons carrying out the slaughter operations listed in Article 7(2) hold a certificate of competence for such operations; animal welfare officers hold a certificate of competence for all operations for which they are responsible. Conclusions and findings upon which this recommendation is based: 11 – 14, 17, 19 and 21 Legal basis for this recommendation: Recital 28, Articles 7(2), 17(4), 21(1)(a) and 21(3), and Annex IV of Regulation (EC) No 1099/2009.
2.	To ensure that the annual control plan for official controls on the protection of animals at the time of slaughter and related operations is implemented. Conclusions and findings upon which this recommendation is based: 28, 30 and 34 Legal basis for this recommendation: Article 42(1)(a) of Regulation (EC) No 882/2004.
3.	To ensure that restraining and stunning equipment are only sold when accompanied by appropriate instructions concerning their use in a manner which ensures optimal conditions for the welfare of animals. Conclusions and findings upon which this recommendation is based: 40, 41 and 57 Legal basis for this recommendation: Article 8 of Regulation (EC) No 1099/2009.
4.	To update existing documented procedures and instructions for official controls of animal welfare at the time of slaughter so as to include all the requirements of Regulation (EC) No 1099/2009. Conclusions and findings upon which this recommendation is based: 31 – 33, 37 – 39, 42 – 44, 47, 48 and 58 Legal basis for this recommendation: Articles 8(1) and 10(2)(a) of Regulation (EC) No 882/2004, Part C Chapter II Section I of Annex I of Regulation (EC) No 854/2004 and Article 14(2) of Regulation (EC) No 1099/2009
5.	To ensure that official controls effectively verify that business operators apply methods to slaughter animals for the purposes of Article 4(4) of Regulation (EC) No 1099/2009 which comply with those indicated in the approval document of the establishment. Conclusions and findings upon which this recommendation is based: 51 – 54 and 59 Legal basis for this recommendation: Part C Chapter II Section I of Annex I of Regulation (EC) No 854/2004 and 31(2)(e) of Regulation (EC) No 882/2004
6.	To ensure that official controls are effective in detecting unfit animals transported to slaughterhouses and that these cases are investigated and followed-up. Conclusions and findings upon which this recommendation is based: 63 and 64 Legal basis for this recommendation: Article 4(2)(a) of Regulation (EC) No 882/2004 and Part C Chapter II Section I of Annex I of Regulation (EC) No 854/2004

N°.	Recommendation
7.	To ensure that business operators of fur farms notify the competent authority in advance when animals are to be killed and that the killing of these animals is carried out in the presence and under the direct supervision of a person holding a certificate of competence. Conclusions and findings upon which this recommendation is based: 11, 20, 63 and 65 Legal basis for this recommendation: Article 7(3) of Regulation (EC) No 1099/2009.
8.	In relation to the monitoring of broiler welfare at the slaughterhouse and follow-up, to set up a system which ensures that: official veterinarians in slaughterhouses are provided with instructions and the necessary information, in particular the stocking density of the holding of origin, the daily mortality rate and, where applicable, the cumulative daily mortality rate, in order to carry out monitoring of indicators of poor animal welfare, including footpad dermatitis, at slaughterhouses; coordinated follow-up actions are taken so that detected welfare problems are addressed at farm level. Conclusions and findings upon which this recommendation is based: 66, 67, 70 and 71 Legal basis for this recommendation: Annex III of Directive 2007/43/EC and Points 1 and 2 of Chapter I Section II of Annex I of Regulation (EC) No 854/2004
9.	To provide documented procedures for the verification of the effectiveness of official controls on the protection of animals at the time of killing and related operations. Conclusions and findings upon which this recommendation is based: 78, 80 – 82 and 83 Legal basis for this recommendation: Article 8(3)(a) of Regulation (EC) No 882/2004.

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=2014-7072

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
Dir. 93/119/EC	OJ L 340, 31.12.1993, p. 21-34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
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. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Dir. 2007/43/EC	OJ L 182, 12.7.2007, p. 19-28	Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production
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

ANNEX 2 - SPECIFIC LEGAL REQUIREMENTS

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 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.

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.

5.1.2. Guides to good practice and Scientific support

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 BOs: (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 BOs fail to submit guides to good practice, the competent authority may develop and publish its own guides to good practice.

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. 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(2) 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 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 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 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. It further 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. Killing animals in slaughterhouses

5.3.1.1. Layout, construction, equipment and approval of slaughterhouses

Article 8 of Regulation (EC) No 1099/2009 requires that products marketed or advertised as restraining or stunning equipment shall only be sold when accompanied by appropriate instructions concerning their use. It also requires that these instructions shall be made publicly available by the

manufacturers via the Internet.

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(1) 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.

5.3.1.2. Handling and restraining operations at slaughterhouses

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.

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.

5.3.1.3. 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 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment for stunning animals is maintained and checked according to manufacturers' instructions.

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.

5.3.1.4. 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.

5.3.2. Killing animals 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.

5.3.2.1. Emergency slaughter outside the slaughterhouse

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 (EC) No 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.

5.3.2.2. Killing of fur animals

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.

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

Article 3(1)(b) of Directive 2007/43/EC 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/EC 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.

5.5. Actions taken in case of non-compliance

Article 22 of Regulation (EC) No 1099/2009 indicates the CA may (a) require BOs 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.

5.6. Evaluation and review of official controls

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

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.