



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Health and food audits and analysis

DG(SANTE) 2015-7425 - MR

**FINAL REPORT OF A FACT-FINDING MISSION
CARRIED OUT IN
ROMANIA
FROM 26 OCTOBER 2015 TO 30 OCTOBER 2015
ON ANIMAL WELFARE DURING SEA TRANSPORT**

Executive Summary

More than one million ruminants are exported each year from Romania to third countries using livestock vessels. The majority of these animals are sheep. In 2015, media and animal welfare non-governmental organisations reported problems with a livestock vessel shipped from Romania to Jordan carrying 13,000 sheep. According to media reports 5,200 animals died during the journey, amounting to 40% of the whole consignment. Media reports also indicated that investigations by the Jordanian authorities had concluded that the cause of death was due to thirst and starvation. The name of the livestock vessel involved was never mentioned by the media reports or by non-governmental organisations.

The Commission services carried out a fact-finding mission in Romania from 26 to 30 October 2015 to collect information on the official checks and circumstances regarding the approval of livestock vessels, in particular the livestock vessel carrying sheep from Romania to Jordan that was involved in the reported incident by media and animal welfare non-governmental organisations.

The report concludes that there were adequate procedures for the approval of livestock vessels at the time of the incident. A subsequent update to the Romanian written procedures for the control of vessels prior to loading increases confidence in the reliability of these checks.

According to the information provided to the mission team, the Romanian Authorities cannot investigate further the cause of death of these animals unless the required information is provided by the Jordanian authorities and/or the ship's owner, neither of which was forthcoming at the time of the fact-finding mission.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ANSVA	the National Sanitary Veterinary and Food Safety Authority (<i>Autoritatea Națională Sanitar-Veterinara si pentru Siguranța Alimentelor</i>)
CCA	Central Competent Authority
EC	European Community
EU	European Union
NGO	Non-governmental organisation
OIE	World Organisation for Animal Health
OV	Official veterinarian

1 INTRODUCTION

This fact-finding mission took place in Romania from 26 to 30 October 2015. An opening meeting was held with the competent authorities on 26 October. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the mission team. The mission team comprised two auditors from DG Health and Food Safety and one national expert and was accompanied throughout the audit by representatives of the central competent authority (CCA) – the National Sanitary Veterinary and Food Safety Authority (*Autoritatea Națională Sanitar-Veterinara si pentru Siguranța Alimentelor – ANSVSA*).

2 OBJECTIVES AND SCOPE

The objective of the fact-finding mission was to collect information on the official checks and circumstances regarding the approval of livestock vessels, in particular one livestock vessel carrying sheep from Romania to Jordan that was involved in an incident reported by media and animal welfare non-governmental organisations (NGOs).

The scope of the fact-finding mission included the approval and official checks performed on this livestock vessel, on the animals shipped and the exporter.

In pursuit of the objectives, the following meetings were held:

Meetings		Comments
Competent Authorities	3	Opening and final meetings. One meeting took place with competent authority staff responsible for carrying out controls on livestock vessels.
Other visits	1	One meeting with the shipping agent representing the owner of the livestock vessel.

3 LEGAL BASIS

The fact-finding mission was carried out with the agreement of the competent authority.

EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version.

4 BACKGROUND

Romania exports live sheep and bovine animals to Jordan (Accaba), Libya (Misrata and Tobruk), Lebanon (Beirut) and Israel using sea vessels authorised under Council Regulation

(EC) No 1/2005. These vessels depart from two exit points in Romania – the ports of Midia and Braila – with the majority of this trade occurring through the port of Midia.

The number of live ruminants exported in 2014 and in the first ten months of 2015 is indicated in the table below.

2014				
<u>No. of Livestock Vessels</u>	<u>Destination</u>	<u>No. of Bovine Animals</u>	<u>No. of Sheep</u>	<u>No. of Goats</u>
147	Libya	13,259	801,217	200
	Jordan	9,849	399,882	0
	Israel	13,573	0	0
	Iraq	1,500	0	0
	Lebanon	0	3,070	0
TOTAL		38,181	1,201,099	200
January 2015 to 29 October 2015				
<u>No. of Livestock Vessels</u>	<u>Destination</u>	<u>No. of Bovine Animals</u>	<u>No. of Sheep</u>	<u>No. of Goats</u>
120	Libya	5,675	159,159	464
	Jordan	8,600	798,003	0
	Israel	21,294	0	0
	Lebanon	8,286	52,143	0
TOTAL		43,855	1,009,305	464

In 2015, media and animal welfare NGOs reported problems with a livestock vessel sailing from Romania to Jordan carrying 13,000 sheep. According to the media reports 5,200 animals (approximately 40%) died during the journey. Media reports indicated that investigations by the Jordanian authorities on a sample of the dead sheep had excluded that the animals were diseased; the reported cause of death was due to thirst and starvation. It was also reported that the Jordanian authorities had sent back the livestock vessel to dispose of the dead animals before allowing the healthy animals to enter the country. The name of the livestock vessel involved was never mentioned by the media or by the NGOs. The CCA

worked by elimination to identify the livestock vessel that most closely fitted the information available, without any certitude that this is the relevant vessel (hereafter called "the vessel that left on Day 0").

5 FINDINGS

Legal requirements

Articles 19 and 20, and Chapter IV of Annex I of Regulation (EC) No 1/2005.

5.1 THE REPORTED INCIDENT

1. Documentation held by the competent authority indicates that 14,078 sheep had been loaded on board the vessel that left on Day 0. Based on the useable area indicated in the approval document this is below the maximum stocking density.
2. Romanian sellers are paid before the animals are exported. The practice is that the buyer pays for the number of animals he/she intends to purchase and then travels to Romania to handpick the sheep in time for these animals to be loaded onto the livestock vessels. The same Jordanian buyer bought another two consignments of sheep from the same seller in the months following the incident. These consignments were loaded on a different livestock vessel.
3. The likely timeline of the livestock vessel incident is as follows:
 - The CCA indicated that it heard about this incident from the press and from requests made by NGOs. It did not receive any requests for information regarding this incident from the Jordanian authorities. The name of the livestock vessel involved was never mentioned by the media or by the NGOs.
 - Taking into account the information reported by the media and the length of the journey normally required to travel from Romania to Jordan, the CCA worked by elimination to identify the livestock vessel that most closely fitted the information available without any certitude that this is the relevant vessel.
 - On Day 22 a team from the CCA visited this port and reviewed all the documents regarding this shipment.
 - On Day 22 the CCA sent an official request to the Jordanian authorities requesting confirmation of the article published in the press. As at the end date of the fact-finding mission, the CCA had not received any reply to this request.
 - On Day 25 the CCA forwarded its request to the Jordanian Embassy in Romania.

- On Day 31 the CCA requested the Romanian embassy in Jordan to ask the Jordanian authorities for information regarding this incident. On Day 33 the Romanian embassy confirmed the transmission of the request to the Jordanian authorities. No response has been received from the Jordanian authorities up until the end of the mission.
 - On Day 63 the Romanian representative at the World Organisation for Animal Health- OIE requested his Jordanian counterpart to provide information regarding the incident. As at the end date of the fact-finding mission, no reply had been received from the Jordanian authorities.
4. The CCA indicated that it had requested the shipping agent to contact the ship's owner and captain to enquire about the incident. The shipping agent indicated that attempts to contact the ship's owner and captain were unsuccessful; contact with the ship's captain only occurs when the ship enters the port.
 5. The CCA indicated that:
 - if the livestock vessel were to return to Romania it will verify the captain's log to find out what happened. If there is evidence that there were non-compliances then it would consider revoking the vessel's approval;
 - it intends to contact other ports to inform them about the incident but it had decided to wait for six months to pass from the date of the request to the Jordanian authorities.

5.2 APPROVAL OF LIVESTOCK VESSELS

6. As of 21 October 2015, 33 livestock vessels were approved in Constanta and one in Braila. 14 livestock vessels were approved in the last two years.
7. Livestock vessels are inspected and approved by the regional competent authorities, the District Veterinary Office of the territory from where the ship will operate. Approvals are issued with a validity of five years. The competent authority indicated that all livestock vessels submitted for approval passed the inspection. In one case, a limited approval of six months was issued due to the forthcoming expiration of one of the vessel's certificates and the presence of some rust on the top deck. During these six months the vessel was taken to the shipyard for maintenance and the approval was renewed.
8. When the owners of livestock vessels are based in third countries they must have a contract with an agent based in Romania in order to have the livestock vessel approved. These agents act as representatives of the owners. In the case of the vessel that left on Day 0 the owner is from a third country and the company is registered in a different third country. The owner of the livestock vessel has a contract with a shipping agent based in Constanta.

9. The shipping agent submits a request for approval to the District Veterinary Office. According to Order 16/2010 this request has to be accompanied by various documentation.
10. Upon receipt of the request file, the Official Veterinarian (OV) carries out a documentary check and then a physical check of the livestock vessel in harbour.
11. The OV indicated that veterinary checks are only performed after other relevant authorities have completed their controls of the livestock vessel. These authorities are: Customs, Immigration Police and the Harbour Master. The Harbour Master checks the technical aspects and the navigation status of the vessels entering the harbour. These three former inspections generally require an hour and a half.
12. OVs use a checklist to carry out the physical inspection of livestock vessels. This checklist is included in the inspection report for the approval of livestock vessels. During the physical inspection the OV:
 - Inspects each deck for the surface area. Pens are selected at random and measured to ensure that the surface areas are comparable to the blueprints. The surface area of 10% of the pens of each deck is checked. The useable area for each deck is indicated in the inspection report and included in the vessel's certificate of approval.
 - Requests the ship captain to start the ventilation system to ensure that all ventilation pumps are functioning. The blueprints of the vessel that left on Day 0 indicate that ventilation to the lower decks is supplied through 27 pumps. This number is also indicated in the inspection report.
 - Requests the ship captain to start the watering system to ensure that this is operational for each deck. According to the inspection report the captain of the vessel that left on Day 0 had declared that the water capacity was 700tons. Water is supplied manually, using a hose to water each pen.
 - Checks the alarms for the watering, ventilation and lighting systems. The competent authority indicated that the alarm signal may be audible or visible and may be received either in the bridge or the engine room. These systems are tested to make sure that they are functional. The inspection report for the approval of the vessel that left on Day 0 indicated that these alarms are located in engine rooms and on the bridge.

The OV indicated that the physical inspection of a livestock vessel requires approximately one day. The inspection report is then issued, signed and stamped. The approval is issued by the Director of the District Veterinary Office. An analysis of the inspection report for the approval of the vessel that left on Day 0 indicates that these steps were followed by the OV.

5.3 INSPECTION OF LIVESTOCK VESSELS PRIOR TO LOADING ANIMALS

13. Inspection of livestock vessels prior to loading is carried out by Border Inspection Post OV's working at the exit points.
14. The Romanian version of the Member States' Network Document on Livestock Vessels¹ was sent to the CCA in August 2015 (hereafter "the Network Document"). The CCA has subsequently updated its written procedures on controls during transport after it received this document.
15. The CCA held two working groups to discuss the updates to the written procedures with relevant stakeholders:
 - an initial meeting in Bucharest with the competent authorities;
 - a second meeting in Constanta with the competent authorities, shipping agents and naval authorities.
16. The CCA indicated that:
 - some aspects of the Network Document have been used to update the written procedures;
 - it was very useful to have met with the naval authorities to discuss the Network Document as these authorities were already carrying out some of the controls described in this document. This meeting led to the drafting of a collaboration protocol that is currently with the naval authorities for feedback. This protocol aims to create joint inspections by the officers of the naval authorities and the OV's for the approval of livestock vessels.
17. The mission team analysed the checklist used for the pre-loading inspection of the vessel that left on Day 0. The procedure that was in place at the time of this inspection was described as follows by one of the OV's carrying out these controls:
 - the most relevant part of the approval file for the regular inspection of vessels prior to the loading of livestock is the indication of the surface areas. This is used to calculate the stocking density of the animals and evaluate its conformity with the requirements of Regulation (EC) No 1/2005. The fact that the approval certificate has been issued is taken as sufficient proof that the vessel is up to standard and fit to transport animals. This had been checked according to the inspection checklist of the vessel that left on Day 0;

¹ <https://circabc.europa.eu/sd/a/ea0cf5ec-b418-43d0-bb86-8efaed2eec97/Network%20Document%20on%20Livestock%20Vessels%2027%2005%202014%20rev%202.docx>

- the critical points which would be controlled during an inspection prior to loading are the functioning of the ventilation system (the captain would be requested to turn on the pumps, to check the airflow is functioning) and the watering system (to see if it is functioning and if the water hoses can reach all the watering bowls). This had been checked according to the inspection checklist of the vessel that left on Day 0;
- all the documents submitted by the shipping agent on the numbers of animals and their weight would be assessed. The OV also indicated that calculations are made for the quantities of feed and water required by the animals to reach destination. The inspection checklist of the vessel that left on Day 0 indicates compliance with this requirement but did not require an entry showing the calculations;
- for each livestock vessel the captain would be made aware of how much water and feed the animals need for the journey. The captain receives a document from the OV which lists a number of animal welfare requirements. This document includes a table for minimum daily requirement of water, forage and concentrated feed for each animal species that has been added to the updated procedure.

18. Regarding the new updated procedure:

- includes a table with the minimum daily requirement of water, forage and concentrated feed for each animal species (see fourth bullet point of paragraph 17);
- requires the OV to record the results of this calculation in the inspection checklist (see third bullet point of paragraph 17). Since the new procedure was not in place at the time of inspection of the vessel that left on Day 0 the calculated stocking density and quantities of water and feed were not recorded on the inspection checklist which only indicates that there was compliance with this requirement;
- requires exporters to complete a notification form listing animal species, categories and average weights. It also includes a field that has to be filled in the by the OV at the end of the inspection to indicate acceptability of the number of animals. The mission team noted, and informed the CCA, that it had come across one instance where this form had not been properly completed by the exporter, and the column for the OV's approval had not been filled in.

19. The OV indicated that no irregularities have been detected when inspecting livestock vessels prior to loading. Usually any technical problems present are identified by controls that are carried out by the Harbour Master and rectified before the veterinary controls.

6 CONCLUSIONS

Based on the examination of the information provided, it would appear that at the time of the reported incident there were adequate procedures for the approval of livestock vessels. The subsequent update to written procedures for the inspection of vessels prior to loading requires the recording of additional information to verify that no errors have been made in calculating the stocking density and the requirements for feed and water. This update increases confidence in the reliability of these checks.

According to the information provided to the mission team, the Romanian Authorities cannot investigate further the cause of death of these animals unless the required information is provided by the Jordanian authorities and/or the ship's owner, neither of which was forthcoming at the time of the fact-finding mission.

7 CLOSING MEETING

A closing meeting was held on 30 October 2015 with representatives of the competent authorities, at which the main findings and preliminary conclusion of the fact-finding mission were presented by the mission team.

ANNEX 1 – LEGAL REFERENCES

Legal Reference	Official Journal	Title
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