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

The report describes the outcome of an audit in Hungary from 4 to 8 March 2019. The objective of the audit was to evaluate the suitability and effectiveness of the measures in place to prevent tail biting and to avoid routine tail docking of pigs.

The report concludes that the Hungarian authorities and the pig sector have taken no tangible actions to reduce tail biting and avoid routine tail docking of pigs, which is still routinely carried out in the country. The lack of tail biting on farms reported by all interested parties and the very low levels of tail lesions reported in the slaughterhouse visited indicate that Hungary cannot justify continuing to tail-dock 95% of pigs, and the industry should be in a position to at least trial rearing batches of pigs with intact tails under optimised farm rearing conditions.

The lack of a strategy or any progress with the development of an Action Plan to reduce tail biting and avoid routine tail docking of pigs shows that Hungary is not committed to improving compliance with the Directive or to reducing routine tail docking of pigs.

The Action Plan lacks specific compliance criteria and has no proposals for recording evidence of tail and ear biting, farmer risk assessments or improvement measures. These would be necessary components to improve compliance with the Directive. In addition, the competent authority's extended deadlines for the plan (end 2019) mean that without a refocussed effort and sufficient priority it will not be implemented soon.

Neither legislation nor guidance provide sufficiently clear compliance criteria for risk factors relating to tail biting to allow proper enforcement of the Directive's requirements.

There are no arrangements in place in this sector to implement risk-based controls or to verify their effectiveness. The lack of detection of any non-compliances for mutilations or provision of enrichment material in pig farms during the last three years in the two counties visited, together with the extremely high rates of compliance for the country, confirms the view that guidance is incomplete and does not enable inspectors to carry out effective official controls. 100% compliance in this sector is not plausible and calls into question the control authorities' ability to detect and rectify animal welfare non-compliances.

The competent authority has introduced a request for private veterinary certificates on pig farms to justify the need to tail-dock but there is no guidance for practitioners on what constitutes sufficient evidence of tail and ear lesions and for improvement measures to justify tail docking nor any requirement for farmers to document evidence of tail biting or of the improvement measures taken or their outcome.

Substantial State Aid funding has been received since 2008 by the majority of the sector to reduce stocking density and set limits for temperatures and gas levels in holdings. EU funding incentives are not, and have not been, used in any coordinated way to reduce tail biting and avoid routine tail docking of pigs through improving environmental or management systems.

The report contains recommendations to the Hungarian authorities to address the shortcomings identified.
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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

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<tr>
<td>CA</td>
<td>Competent Authorities</td>
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<td>CCA</td>
<td>Central Competent Authority</td>
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<td>EU</td>
<td>European Union</td>
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<td>NÉBIH</td>
<td>National Food Chain Safety Office</td>
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<td><em>Nemzeti Élelmiszerlánc - Biztonsági Hivatal</em></td>
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<td>OV</td>
<td>Official veterinarian</td>
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1 INTRODUCTION

This audit took place in Hungary from 4 to 8 March 2019 as part of the planned audit programme of DG Health and Food Safety. An opening meeting was held with the Hungarian competent authorities (CA) on 4 March 2019. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the audit team and additional information required for the satisfactory completion of the audit was requested.

The audit team comprised two auditors from DG Health and Food Safety and was accompanied throughout the audit by representatives from the central competent authority (CCA) the National Food Chain Safety Office (NÉBIH).

2 OBJECTIVES, SCOPE AND AUDIT CRITERIA

The objective of the audit was to evaluate the suitability and effectiveness of the measures in place to prevent tail biting and to avoid routine tail docking of pigs and in particular implementation of the relevant requirements set out in Council Directive 2008/120/EC and Council Directive 98/58/EC.

The scope of the audit includes:

- Measures taken and documentation in the context of the Hungary's Action Plan from the period November 2017 to the date of the audit, but actions taken by the competent authority and others prior to this date may be put forward for consideration and included as findings in the audit report;
- Activities of competent authorities in the pig sector relating to Hungary's Action Plan and official controls not related to the Action Plan (where relevant);
- Where relevant, activities of farmers' associations, meat and feed industry, academia and Non-Governmental Organisations (NGOs) in the context of Hungary's Action Plan to prevent tail biting and avoid routine tail docking of pigs;
- Where relevant, voluntary (quality) schemes, financial incentives or any other factors in the context of Hungary's Action Plan, that aim to encourage and support farmers in avoiding-tail docking.

Audit Criteria:

- Council Directive 2008/120/EC(1);
- Council Directive 98/58/EC(2);
- Commission Decision 2006/778/EC(3);

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3 Commission Decision 2006/778/EC of 14 November 2006 concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes (OJ L 314, 15.11.2006, p. 39)

Additionally, in assessing compliance with Council Directives 2008/120/EC and 98/58/EC the audit team took into account Commission Recommendation (EU) 2016/336⁶ and the accompanying Staff Working Document⁷.

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

<table>
<thead>
<tr>
<th>Meetings with competent authorities</th>
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<td>Slaughterhouse</td>
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<td>Meeting with Stakeholders</td>
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3 LEGAL BASIS


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

4 BACKGROUND

In 2014, the European Parliament published a study indicating extremely low implementation of the Pig Directive in relation to tail docking.

In 2016, the Commission published Commission Recommendation (EU) 2016/336 which recommends at EU level best practices aimed at reducing the need for tail docking and an

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⁷ Commission Staff Working Document on best practices with a view to the prevention of routine tail-docking and the provision of enrichment materials to pigs (C (2016)1345 final).
accompanying Staff Working Document on best practices with a view to the prevention of routine tail docking and the provision of enrichment materials to pigs.

One of the Commission services' main priorities on animal welfare is to ensure higher standards of implementation and enforcement of EU legislation. With this in mind, the Commission services have implemented a three-year project (2017 to 2019) on reducing the systematic tail docking of piglets.

The Pig Directive and Directive 98/58/EC lay down the minimum standards for the protection of pigs confined for rearing and fattening. The Commission has taken measures to improve the application of these Directives, taking into account the Recommendation and accompanying Commission Staff Working Document, including requesting Member States to draft and implement Action Plans to ensure compliance with these requirements by the end of 2018.

The Hungarian pig sector has approximately 23,500 pig farms (4,500 breeding and 19,000 fattening holdings). The 226,300 sows produce an estimated 4.2 million pigs annually. Although 10% of breeding animals are reared with intact tails and some of their offspring are also reared this way, it is estimated that of the remaining commercial pigs born and travelling into Hungary from Germany, Denmark, The Netherlands and Slovakia, 95-97% are tail docked. There is little demand for undocked pigs in Hungary. This is a major obstacle to getting greater efforts to avoid tail docking.

5 FINDINGS AND CONCLUSIONS

5.1 IMPLEMENTING MEASURES

Legal requirements
Points 4 and 8 of Chapter I of Annex I to Directive 2008/120/EC and Directive 98/58/EC (as stated below).

Findings
1. The Hungarian Animal Welfare Act No. 1998. XXVIII (Magyar Állatvédelmi Törvény) and Annex II to Decree 32/99 on the Welfare of Farm Animals of the Ministry of Agriculture and Rural Development (Rendelet a Mezőgazdasági haszonállatok tartásának állatvédelmi szabályairól) transpose Directives 2008/120/EC and 98/58/EC. The Hungarian requirements for rearing pigs generally follow the intent and wording of the Directives with no additional requirements, which would be necessary to achieve their objectives.

2. However, the requirements of point 4 of Chapter I of Annex I of the Pig Directive on the provision of enrichment material are only partly transposed into Hungarian legislation by paragraph 1.16 of Annex II of Decree 32/99. There are no requirements for permanent access or that materials should enable proper investigation and manipulation activities.

3. The requirements of Directive 98/58/EC Annex, 10 “air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals” is not correctly transposed in Article 6 of Decree 32/99 which states "The keepers of animals shall ensure that the values of lighting, temperature, relative humidity, air dust content and other ambient conditions (gas concentration or noise intensity) are not
4. The requirements of the second paragraph of point 8 of Chapter I of Annex I of the Pig Directive on the avoidance of routine pig tail docking are transposed into Hungarian law by paragraphs 4.5 and 4.5.1 of Decree 32/99 which reflect the Directive's intent but do not add any implementation details to achieve the objectives.

Sanctions and enforcement

5. NÉBIH or District authorities can impose administrative fines for non-compliances with Decree 32/99 in accordance with the requirements of Government Decree No 244/99 on animal welfare sanctions.

6. A basic level of administrative fine is set by legislation at HUF 15 000 (€47). This fine can be multiplied by various coefficients (with no upper limit) depending upon a number of factors including: the type and severity of the non-compliance, the type of operator, and the severity of the offence. Warnings may also be issued to operators requiring remedial action and training and provision can be made for follow up inspections.

7. No fines or other enforcement actions have been imposed for animal welfare non-compliances in the pig sector since 2016, in the two Counties visited by the audit team. Eight sanctions were imposed in the whole of Hungary in 2016 and 12 in 2017 relating to official controls in pig premises (see also points 42 and 44 of this report).

Strategy for prevention of tail docking and avoidance of routine tail docking

8. There is no strategy in Hungary for the prevention of tail biting and avoidance of routine tail docking. The CCA has been maintaining contact with the industry, disseminating information, and drafted the Action Plan. The CCA has given some basic information on animal welfare requirements on pig farms, making reference to tail docking provisions and giving some additional guidance on the provision of enrichment material to County level welfare coordinators and to the pig sector in meetings in 2019. However, this information had not been cascaded to District level staff in the two offices visited.

9. There are no relevant research activities or NGO activities in Hungary on the prevention of tail biting and avoidance of routine tail docking.

10. Based on pig sector and slaughterhouse data, the central competent authority estimates that the incidence of tail docking in Hungary is over 95% which amounts to routine tail docking.

11. Data on the frequency of tail biting/tail lesions in pigs is not systematically collected on farms or slaughterhouses and is not known with any certainty. However, farmers, veterinary practitioners and OVIs reported the absence of tail biting outbreaks or only sporadic events. In the slaughterhouse visited, tail lesions were recorded in 0.008% of pigs slaughtered. A representative from a purebred pig organisation reported that pure bred breeding farms rearing pigs with intact tails did so with relatively few problems with tail biting.

12. One pig sector representative indicated he had no evidence of tail biting in his herd for 2 years and yet, he carried out tail docking routinely. This finding, and those of point 10 and 11 above, indicate that the pig sector in Hungary is not in compliance with the requirements of paragraph
8 of Chapter I of Annex I to the Pig Directive which states that "Neither tail docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injuries to sows’ teats or to other pigs’ ears or tails have occurred."

**Action Plan**

13. The authorities drafted an initial Action Plan in June 2018 with no implementation or enforcement deadlines. A subsequent update was issued in October 2018. The latest plan reiterates earlier proposals to draft compliance criteria and suggests some guidance for water flow rates and environmental parameters: It gives no concrete proposals on recording tail/ear lesions, farmer risk assessments or implementing and assessing improvement measures. A restructuring of the CA and a reduction of staff was stated as the reason why it has not been possible to complete this work. The CA has now set a deadline for drafting proposals for the end of 2019. The Action Plan is scheduled for further discussion with the pig sector.

14. The CA's Action Plan does not include any defined proposals for example on:
   - Any animal based indicators (where relevant);
   - Recording tail/ear lesions;
   - Improvement measures;
   - Farmer risk assessment;
   - Intervention levels for when trials on keeping intact pigs should/can be started;
   - Rearing small groups of pigs with intact tails as "control groups";
   - Increasing the proportion of undocked animals to achieve full tail docking avoidance or, if appropriate, taking further improvement measures;
   - Proposals for dealing with the trade in docked pigs, including from other Member States;
   - Any development or use of slaughterhouse data to inform farmers of relevant post-mortem findings;
   - Relevant training - especially for farmers;
   - Recording progress of the actions proposed above as well as economic effects/impacts.

15. There was a commitment in the Action Plan that the 2018 National Inspection Plan would monitor and control tail docking and collect information on criteria for and use of enrichment material. However, this commitment was not fulfilled as the requirement to report certain data was not included in the inspection checklists until the beginning of 2019.

**The competent authority's guidance on reducing the risks of tail biting and avoiding routine tail docking**

16. The CCA has recently (2019) translated, uploaded to their website [https://portal.nebih.gov.hu/nebih-kiadvanyok](https://portal.nebih.gov.hu/nebih-kiadvanyok), and circulated, educational materials produced by the Commission on Reducing the need for tail docking to the pig sector, County, and District authorities.

17. Attention has been drawn to the legal requirements on avoidance of routine tail docking in the 2018 CCA annual inspection plan for animal welfare controls on farms but this has not been
reinforced with sufficient guidance or training to have any impact on the performance of inspections (See also Annex II of this report).

18. There is CCA guidance manual for carrying out combined animal welfare and cross compliance controls (See also Annex II of this report).

19. Checklists used before 2019 did not include any specific requirement to review the requirements relating to prevention of tail biting or avoidance of routine tail docking; only a question on whether tail docking was carried out on farm.

20. A recent (2019) combined checklist for carrying out cross compliance and animal welfare official controls includes 8 new questions on avoidance of routine tail docking with related guidance. However, the guidance provided is insufficient to allow inspectors to make a meaningful assessment. In addition, whilst there is now a requirement to provide feedback to the CCA in the reporting system on the level of tail docking, it does not require feedback on whether tail biting is present and evidence is recorded by farmers. Evidence of tail biting is necessary to assess the need to tail-dock. The CA intends to address this as part of their Action Plan commitments.

21. There is also a new requirement in the checklist that farmers who tail dock should have a statement issued by their contracted veterinary practitioner justifying the need for this intervention. The CCA had not clearly stated how this provision would be implemented in practice nor provided guidance to practitioners on what constitutes sufficient evidence of tail and ear lesions and of improvement measures to justify tail docking, nor any requirement for farmers to document evidence of tail biting or of improvement measures taken or their outcome. The requirement had not been clearly communicated to all farmers or veterinarians and is not yet known or clearly understood by them and District inspectors.

**Pig sector associations**

22. The Hungarian pig sector associations have no strategy and are taking no specific actions on the issue of preventing tail docking and avoiding routine tail docking of pigs, except for working with the authorities to draft the Action Plan and circulating the Educational Materials produced by the Commission.

23. They have been actively involved in the drafting, and implementation of animal welfare measures funded under a Hungarian State Aid initiative (see point 35 below) that provides for slightly higher standards of environmental and stocking density requirements than those set out in the Pig Directive.

**Veterinary association**

24. The Hungarian Chamber of Veterinarians and Veterinary Association do not have any policy nor have they issued any specific recommendations or guidelines on tail biting or avoidance of routine tail docking to their members.
Conclusions on implementing measures

25. The CA and the pig sector in Hungary have taken no tangible actions to reduce tail biting and avoid routine tail docking of pigs, which is still routinely carried out in the country.

26. The lack of tail biting on farms reported by almost all interested parties and the very low levels of tail lesions reported in the slaughterhouse visited indicate that Hungary cannot justify tail docking of pigs and the industry should be in a position to at least trial rearing batches of pigs with intact tails under optimised farm rearing conditions in accordance with the Directive.

27. The lack of a strategy or any progress with the development of an Action Plan by the central competent authority to reduce tail biting and avoid routine tail docking of pigs by changing inadequate environmental conditions or management systems has resulted in no improvements in compliance with the relevant provisions or any reduction in the number of pigs routinely tail docked since the Action Plan was requested in November 2017.

28. The Action Plan lacks defined compliance criteria and has no proposals for: recording evidence of tail/ear biting, farmer risk assessments and improvement measures. These are all necessary components that need to be defined in order to start implementing an Action Plan to improve compliance with the Directive. In addition, the extended deadlines (end 2019) mean that without a refocussed effort and sufficient priority it will not be implemented soon.

29. Legislation and guidance do not provide sufficiently clear compliance criteria for risk factors relating to tail biting to enable inspectors and farmers to make a judgement on whether individual farms comply with EU requirements.

30. An error in transposition of requirements for enrichment materials and control of environmental parameters is likely to cause difficulties for interpretation and enforcement.

31. The CA has introduced a request for private veterinary certificates on pig farms to justify the need to tail-dock but there is no guidance for practitioners on what constitutes sufficient evidence of tail and ear lesions and improvement measures to justify tail docking nor any requirement for farmers to document evidence of tail biting or of the improvement measures taken or their outcome. This recent CA requirement is a complicating and unhelpful development. Systems of veterinary statements seen during audits on this topic carried out recently in other Member States had not been well implemented and effectively delegate the responsibility for carrying out official controls and verifying farmers' compliance with legal responsibilities in this area outside the CA's control.

32. Docked pigs (30kg weaner pigs) received from other Member States present a challenge for the competent authorities to change management practices on the farms receiving these animals.

5.2 Economic factors

Legal requirements

Article 33 of Regulation (EU) No 1305/2013(8)

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Findings

European and National Funding Measures in the Pig Sector

33. There are no specific programmes in Hungary for animal welfare measures on pig farms currently financed or co-financed by the European Union Fund for Rural Development (EUFRD).

34. However, the 2014-2020 EUFRD programme funding for Hungary had resulted in 198 pig premises receiving €92 million to renovate and modernise their farms on the basis of different objectives: primarily environmental or premises and machinery upgrades. OVIs reported that older stables generally used straw bedding whilst the new systems generally used chains or sometimes combinations of chains and wooden logs. According to farmers and officials met these renovations generally resulted in premises where it was more difficult to keep pigs with intact tails due to the nature of the new fully slatted flooring which replaced the solid floors in the old systems. About 50% of farms in both Counties visited reared fattening pigs on one of these types of flooring. The European Court of Auditors had made related findings on EU funding in their Special report no 31 of 2018.

35. Hungary has implemented a State Aid Programme since 2008 for breeding and fattening farms:

- The majority of large breeding and fattening farms participate, including the two farms visited.
- The programme funds farmers to implement additional welfare measures including the setting and monitoring of parameters for maximum gas concentrations to be maintained below 9.5 ppm for ammonia and 2,850 ppm for carbon dioxide and requires additional space allowance of 10%.
- This funding amounts to 29.70 Euro per breeding sow and 6.67 Euro per fattener. An almost identical amount was calculated by the Danish Pig Research Centre as an estimate of the additional costs in Denmark of giving fattening pigs (from 7 to 110 kg) 20% more space and rearing them with intact tails.

Conclusions on economic factors

36. Hungary is not ensuring that EU funding incentives to improve environmental and technological standards on pig farms do not detrimentally affect the ability of farmers to rear pigs in compliance with existing legal requirements of the Pig Directive on preventing tail biting and avoiding routine tail docking of pigs.

37. EU funding incentives are not and have not been used in any coordinated way to reduce tail biting and avoid routine tail docking of pigs through improving environmental or management systems.

38. Substantial State Aid funding has been provided since 2008 to the majority of the pig sector to improve on farm conditions by, amongst other measures, reduce stocking density and set limits for temperatures and gas levels in holdings. However, it is a missed opportunity that there are no targets or animal indicators (such as intact tails) in the programme to measure progress with

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improved welfare outcomes.

5.3 OFFICIAL CONTROLS

Legal requirements

Directive 2008/120/EC

Directive 98/58/EC

Article 5 of Regulation (EC) No 854/2004 in connection with Section I, Chapter II, point B (1) and point C. of its Annex I and the relevant provisions of Section II, Chapter I of that Annex.

Article 3 and Article 43 (1) (b) of Regulation (EC) No 882/2004

Findings

39. The authorities at all levels indicated that staff reductions (50% staff not replaced since 2005), staff retention problems (new entrants resign after an average of two years in Districts), and recent reorganisations of the flow of information to and from the central to the District levels, make the implementation of official controls and reporting them considerably more difficult than previously.

40. The multi-annual national control plan for Hungary indicates that farms should be checked for compliance with animal welfare requirements on a risk basis. Due to technical limitations in the IT system designed to allocate animal welfare controls on a risk basis, this is not presently happening at any CA level. Instead, the annual control plan for animal welfare inspections is distributed to the Counties indicating the number of inspections to be performed and the species to be covered (pigs, cattle and waterfowl for 2018-2019). Counties have prioritised the inspections on pig farms to the larger breeding units (more than 100 animals in the case of pig farms) and Districts allocate these on a geographical and staff resource basis. For these reasons, the organisation of official controls is not in compliance with Article 3 (1) of Regulation (EC) No 882/2004.

41. Cross-compliance inspections are allocated to the District offices by the Hungarian State Treasury Payment Agency and these inspections are carried out at the same time as animal welfare controls using a combined checklist. Therefore results for cross compliance controls on welfare issues are the same as those reported for animal welfare in Commission Decision 2006/778/EC.

42. In 2016 and 2017 there were 878 and 1,094 pig farms, respectively, subject to animal welfare and cross-compliance checks from the approximately 5,000 large pig farms in Hungary. The reports to the Commission required under Commission Decision 2006/778/EC indicate a non-compliance rate of 1% in 2017 and 7.4% in 2016 with a range of deficiencies found during both years but notably only two non-compliance with requirements on mutilations and none for enrichment material: for which the latter were assessed according to the Manual's basic guidance to assess "any" enrichment materials present as compliant. Lack or unsuitability of enrichment materials is commonly reported as one of the main non-compliances detected in reports from other Member States to the Commission.
43. The 2016 and 2017 reports to the Commission do not include an analysis of the most serious findings of non-compliances or national action plans to prevent or decrease their occurrence for the forthcoming years although this is required by Article 8 (2) (b) of Commission Decision 2006/778/EC.

44. District authorities in the two Counties visited have not taken any enforcement actions on pig farms between since 2016 as there were no non-compliances recorded.

45. The audit team visited two pig farms (breeding/fattening and fattening; all pigs were tail docked on both farms). The first farm had new buildings (fully slatted floors and controlled environment in the farrowing and some fattening units) funded through EUFRD and original solid floored and naturally ventilated units with straw bedding. The conditions in both types of fattening buildings were generally satisfactory. Chains (two types) and new ropes and salt licks had been provided as enrichment material in the newer buildings. The animals' intense interaction with the new ropes suggested that this was a novel material. The second farm was much older but, in general, rearing conditions were adequate. Enrichment in the form of chains and logs was provided in occupied pens. Chains were absent in empty pens. Environmental conditions were generally satisfactory and no serious non-compliances with general rearing conditions were noted on either farm. Animals in both farms were in satisfactory condition with only one or two cases of fresh tail/ear/flank biting of a minor nature noted. (See also Annex II of this report).

46. It was notable that neither of the OVAs accompanying the audit team made reference to the guidance offered in the cross compliance/animal welfare manual or the checklist guidance. The CCA acknowledged that the existing guidance to official veterinarians (OVAs) to carry out and report the results of inspections consistently for risks for tail biting is not fully satisfactory. Guidance does not adequately assist OVAs to assess the compliance criteria for these. In addition there has been no training on the implementation of the new guidance and checklists given to official veterinarians at District level.

47. OVAs carried out official controls on pig farms, and completed checklists using either the previous checklists (valid to end 2018) or revised checklists since then. For questions where compliance criteria have not yet been suitably defined, they assessed the requirements mainly using their personal judgement and professional experience of mainly animal-based indicators to assess legal requirements e.g. enrichment material; cleanliness of pigs and housing; requirements for dry comfortable bedding and suitable accommodation for sick or injured animals; suitable provision of feed and water; and maintaining temperatures within limits which are not harmful to the animals and maximum gas concentrations; (See also Annex II of this report).

48. The revised inspection checklists used in 2019 include additional requirements in relation to the prohibition of routine tail docking of pigs, but these are vague and lack sufficient guidance to be accurately completed. As a result there has been no enforcement of the prohibition of routine tail docking laid down in the second paragraph of point 8 of Chapter I of Annex I of the Pig Directive.

49. Official controls do not ensure that evidence of ear and tail lesions is assessed and that preventative measures are taken before tail docking is carried out contrary to the requirements of the second paragraph of point 8 of Chapter I of Annex I of the Pig Directive (See also
Annex II of this report). Employees of farm one indicated that tail biting was sporadic and seasonally related but there was no documentation available to substantiate this or any of the improvement measures mentioned that were said to have been taken to address it. Employees of the second farm indicated that tail biting was not a problem yet all the pigs were tail-docked.

50. The District offices of one of the two Counties visited do not have access to the full range of equipment should it be necessary to measure certain environmental parameters. However, reports available on farms made under the State Aid scheme "Animal welfare measures in the pig sector" provide documentary evidence of quarterly inspections by the pig sector control bodies to verify that maximum gas concentrations are maintained below 9.5 parts per million (ppm) for ammonia and 2,850 ppm for carbon dioxide. Most, but not all, large farms (more than 100 animals) make use of the State Aid assistance.

51. There is no verification of District level controls on animal welfare on farm by County services or NÉBIH due to budgetary constraints, though a framework for doing so is in place. This is not in compliance Article 8.3 (a) and (b) of Council Regulation (EC) No 882/2004. No audits in this area have been carried out on this topic in the last 5 years.

52. Meetings between the CCA and County animal welfare specialists are held once or twice a year to discuss priority issues but this information was not disseminated to the District level in one of the Counties visited.

53. In the slaughterhouse visited severe tail-lesions were recorded as a relevant result within the meaning of Regulation (EC) No 854/2004 both during ante and post-mortem inspections but occurred at a very low level (0.008%). There is no harmonised scheme for assessing tail and ear lesions of pigs.

54. Slaughterhouse post-mortem whole carcase condemnations were 0.34 % in 2017-18 and 0.24% in 2018-19. These related to three 3 main conditions: general illness including liver lesions (27%), septicaemia (27%), abscesses (16%) (most commonly related to legs; septicaemia-pneumonia; and pleurisy). Tail-biting injuries accounted for 4.2% of lesions detected at post-mortem- approximately 0.001% of the overall total. The breakdown of the data on the main conditions e.g. lung and liver lesions or spinal and other abscesses, is not utilised in any way as a potential indicator of poorer farm rearing conditions which could be related to risk factors for tail and ear biting. As for finding 40, Article 3(1) of Regulation (EC) No 882/2004 requires CAs to perform official controls taking into account food business operators' past records and the reliability and results of own controls. Article 9 1(d) of Regulation (EU) 2017/625 which applies from 14 December 2019 extends this requirement to include private quality assurance schemes.

55. When serious findings of lesions relating to tail-biting (more than 30% of animals in batch affected) are detected, OVs are required to inform the consigning District to follow up with the transporter and/or farm of origin. Three cases were noted and information was sent to the District concerned. No follow up investigations were undertaken which is not in compliance with Articles 3(1)(d) and 4(5) of Regulation (EC) No 882/2004.

Conclusions on official controls
56. The CA cannot adequately verify the effectiveness of official controls in targeting farms, or the effectiveness of inspections in ensuring compliance, as there are no arrangements in place in this sector to implement risk based controls or to verify their effectiveness.

57. The Competent Authority permits routine tail docking of pigs even when there is no evidence of tail biting and improvement measures taken.

58. The current instructions and guidance are not sufficient for inspectors to properly enforce the provisions of the Directive concerning whether tail biting is present and evidence is available on farm, and whether effective changes to management or environmental systems had been made on farms prior to tail docking. Existing instructions are not clear enough to enable consistent decisions and effective enforcement of legal requirements relating to the environmental and management risk factors causing tail biting.

59. The lack of detection of any non-compliances on pig farms in the last three years in the two Counties visited together with the extremely high rates of compliance for the country confirms the view that guidance is incomplete and does not enable inspectors to carry out effective official controls. 100% compliance in this sector is not plausible and calls into question the control authorities ability to detect and rectify animal welfare non-compliances.

60. Feedback from the CA in the slaughterhouse visited did ensure that the most severe cases of tail biting were forwarded to the District of origin allowing follow-up investigation but despite this feedback, follow-up was not done. Routine post-mortem data sent to farmers also makes them aware of potential risk factors for tail biting. However, slaughterhouse data is not utilised or evaluated by the authorities as a potential animal indicator of on-farm conditions which could be used for risk profiling of premises or for targeting follow-up actions to improve welfare standards in farms.

6  OVERALL CONCLUSIONS

The Hungarian authorities and the pig sector in have taken no tangible actions to reduce tail biting and avoid routine tail docking of pigs, which is still routinely carried out in the country. The lack of tail biting on farms reported by all interested parties and the very low levels of tail lesions reported in the slaughterhouse visited indicate that Hungary cannot justify continuing to tail dock 95% of pigs and the industry should be in a position to at least trial rearing batches of pigs with intact tails under optimised farm rearing conditions.

The lack of a strategy or any progress with the development of an Action Plan to reduce tail biting and avoid routine tail docking of pigs shows that Hungary is not committed to improving compliance with the Directive or to reducing routine tail docking of pigs.

The Action Plan lacks specific compliance criteria and has no proposals for recording evidence of tail and ear biting, farmer risk assessments nor improvement measures. These would be necessary components to improve compliance with the Directive. In addition, the CA's extended deadlines for the plan (end 2019) mean that without a refocussed effort and sufficient priority it will not be implemented soon.

Neither legislation nor guidance provide sufficiently clear compliance criteria for risk factors
relating to tail biting to allow proper enforcement of the Directive's requirements.

There are no arrangements in place in this sector to implement risk based controls or to verify their effectiveness.

The lack of detection of any non-compliances for mutilations or provision of enrichment material in pig farms during the last three years in the two Counties visited, together with the extremely high rates of compliance for the country, confirms the view that guidance is incomplete and does not enable inspectors to carry out effective official controls. 100% compliance in this sector is not plausible and calls into question the control authorities ability to detect and rectify animal welfare non-compliances.

The CA has introduced a request for private veterinary certificates on pig farms to justify the need to tail-dock but there is no guidance for practitioners on what constitutes sufficient evidence of tail and ear lesions and for improvement measures to justify tail docking nor any requirement for farmers to document evidence of tail biting or of the improvement measures taken or their outcome.

Substantial State Aid funding has been received since 2008 by the majority of the sector to reduce stocking density and set limits for temperatures and gas levels in holdings. EU funding incentives are not, and have not been, used in any coordinated way to reduce tail biting and avoid routine tail docking of pigs through improving environmental or management systems.

7 CLOSING MEETING

A closing meeting was held on 8 March 2019 with representatives of the competent authorities, at which the main findings and preliminary conclusions of the audit were presented by the audit team. The competent authorities commented that they will investigate if the deadlines for completing and implementing the Action Plan can be brought forward.
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:

<table>
<thead>
<tr>
<th>No.</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1.</td>
<td>To effectively enforce the requirements on avoidance of routine tail docking, as laid down in the second paragraph of point 8 of Chapter I of Annex I of Council Directive 2008/120/EC. Conclusions 25, 26, 27, 56, 57, and 58. Findings 10, 11, 12, 13, 14, 15, 19, 20, 21, 45, 49 and audit findings in Annex II.</td>
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<td>3.</td>
<td>To ensure official controls are carried out on the basis of risk as required by Article 3(1) of Council Regulation (EC) No 882/2004 including taking account of past records (including analysis of a complete set of data from inspections carried out under Commission Decision 2006/778/EC); and to consider the inclusion of post-mortem indicators of suboptimal rearing conditions, to improve the risk profiling of pig farms for inspection and mitigate risks for tail biting on these premises. Conclusion 56, 59. Findings, 40, 54.</td>
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<td>4.</td>
<td>To develop measurable criteria with regard to tail biting risk assessment and provide inspectors with instructions and guidance which enable them to enforce the provision on the prevention of tail biting and avoidance of routine tail docking, as laid down in the second paragraph of point 8 of Chapter I of Annex I of Council Directive 2008/120/EC, including how they should assess evidence of tail and ear lesions on farm and what constitutes sufficient measures by farmers to change inadequate environmental conditions or management systems before resorting to tail docking of pigs. Conclusions 28, 31. Findings 8, 11, 12, 13, 14, 17, 19, 20, 21, and audit findings in Annex II.</td>
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<td>5.</td>
<td>To provide farmers and inspectors with clear compliance criteria so that farmers have a clear indication of what is required and inspectors can more effectively enforce the legal requirements of Council Directive 2008/120/EC and Council Directive 98/58/EC that are related to risk factors for tail biting. Conclusions 28, 29. Findings 8, 13, 14, 17, 44, 45, 46 47, and audit findings in Annex II.</td>
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<td>6.</td>
<td>To assess the incidence of tail biting and the effectiveness of improvement measures taken on-farm as required in point 8 of Chapter I, of Annex I to Council Directive 2008/120/EC, and ensure that, if statements are to be provided by private veterinarians</td>
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<td>No.</td>
<td>Recommendation</td>
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<td>to justify tail-docking, they are verified effectively by the Competent Authority. Conclusions 26, 27, 28, 29, 31 and 32. Findings 11, 12, 13, 14, 17, 19, 20, 21, 49, and audit findings in Annex II</td>
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<td>7.</td>
<td>To liaise with other Government Agencies responsible for funding new buildings where pigs are to be kept and renovating existing ones with the assistance of European funding under Article 17 of Regulation (EU) No 1305/2013 to ensure not only that payments related to such facilities are suitable to commitments going beyond the relevant mandatory standards where they are related to animal welfare but that in general all funded facilities, as a minimum, comply with relevant mandatory requirements (of Directives 2008/120/EC and 98/58/EC) including the avoidance of routine tail docking e.g. slurry systems that can handle optimal enrichment materials, different temperature zones, suitable flooring, feeding, space allowances etc. Conclusion, 36. Finding 33, 34, and 35.</td>
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The competent authority's response to the recommendations can be found at:

<table>
<thead>
<tr>
<th>Legal Reference</th>
<th>Official Journal</th>
<th>Title</th>
</tr>
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</table>
## Annex 2

**Note:** *DG SANTE audit findings are in italics*

<table>
<thead>
<tr>
<th>Parameter Commission Recommendation (EU) 2016/336</th>
<th>Legal requirements Directive 2008/120/EC, 98/58/EC</th>
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<tr>
<td>Enrichment material</td>
<td>“permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities” (Directive 2008/120/EC, Annex I, Chapter I, 4)</td>
<td>The requirements of point 4 of Chapter I of Annex I of the Pig Directive on the provision of enrichment material are transposed into Hungarian by Paragraphs 1.6 and 1.16 of Decree 32/99. Paragraph 1.6 states that &quot;.....sows and gilts must have permanent access to manipulable materials and to their ability to play.&quot; Paragraph 1.16 states that &quot;Pigs must be provided with a sufficient quantity of substances that are not harmful to their health (e.g. straw, hay, wood, sawdust, mushrooms or a mixture of them). There are no requirements in Decree 32/99 for permanent access or that materials should enable proper investigation and manipulation activities.</td>
<td>The manual states that initial inspection requirement is to establish whether animals have access to any type of manipulable material. Criteria for the exclusion of certain materials injurious to health are indicated such as: mould or strongly soiled bedding, wood chips treated with wood treatment material, sawdust, sawdust, materials containing preservatives, treated materials. No guidance is given on the suitability and amount of materials, frequency of replenishment and accessibility and use by animals. Plastic objects are not clearly excluded. No mention is made of chains which were used in both farms, either singly or in combination with other materials. No further elucidation - such as reference to the Commission’s Staff Working Document or other reference guidance is provided. No animal-based indicators are listed. There were no findings of non-compliance for the provision of enrichment materials noted throughout 2016 and 2017 for the whole of Hungary. Given the lack of guidance on the suitability of enrichment materials in the manual and the minimum requirement for assessing the provision of any enrichment materials in the older checklist; this is not surprising.</td>
<td>Guidance is the same as the manual. The revised 2019 checklists also ask the official veterinarians (OV) to verify if he/she can find edible, chewable enrichment material. The Commission's Educational Materials on &quot;Reducing the need for tail docking&quot; were referred to by a number of inspectors as a recently introduced tool which could be used in carrying out an assessment on the use and suitability of enrichment materials on farm. However, although it was known to inspectors it was not clearly understood how to implement it in practice on the farms visited e.g. the first OV met on farm had only recently received the information but did not know how to use it. Sows and gilts on the first farm had no enrichment or nesting material though this was not noted in previous inspections. This was not noted by the OV. The farmer stated they did not have to have enrichment material. On the second farm the OV stated that by using this methodology his assessment was that the enrichment material was satisfactory. However, although there were no tail biting problems present on the farm, this was not due to the animals’ engagement with the enrichment materials (chains and logs) which only a very small percentage of animals were utilising and had not been correctly assessed by the OV.</td>
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<td>Cleanliness</td>
<td>“a lying area physically and thermally comfortable as well as adequately drained and clean which allows all the animals to lay at the same time” (Directive 2008/120/EC, Annex I, Minimum requirements of Directive.</td>
<td>Manual states: In the case of a run, the shade can be expected to ensure adequate rest. The size of the area suitable for resting must be such as to enable the animals to lie comfortably at the same time. No guidance for the assessment of this requirement in relation to, cleanliness of animals or pens. Guidance is included in checklist in</td>
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<td>Chapter I, 3)</td>
<td><em>air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals</em> (Directive 98/58/EC, Annex, 10)</td>
<td><strong>Minimum requirements of Directive.</strong> Article 6 of FVM Decree 32/99 states that keepers of animals shall ensure that the values of lighting, temperature, relative humidity, air dust content and other ambient conditions (gas concentration or noise intensity) are not adversely affected and that they comply with best practice and physiological and behavioural needs of the animal. <strong>It does not state that they must be kept within limits which are not harmful to the animals as required in Annex 10 of Directive 98/58/EC.</strong></td>
<td>Ranges but no limits are indicated for optimum temperatures for piglets of 20 to 30 °C, 18 to 20 °C for farrowing sows and approximately 10 to 30 °C for other adult pigs. Heating is not required for the rearing of fattening pigs in the building, but the integrity of windows must be checked. General indications on gross signs of dust, mould and humidity are mentioned in the guidance in sections 13.10.1 and 13.10.2 of the manual but no limits are set. <strong>OVs indicated that they would make a subjective judgement in the absence of specific guidance using their noses as a first indicator of poor conditions (in relation to NH3 and reviewing animal behaviour). OVs take into account previous recordings of temperature and gas concentrations where available as part of State Aid checks, but do not measure themselves on the day.</strong></td>
<td>No additional guidance provided</td>
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### Thermal comfort and air quality

- "air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals" (Directive 98/58/EC, Annex, 10)

**Minimum requirements of Directive.** Article 6 of FVM Decree 32/99 states that keepers of animals shall ensure that the values of lighting, temperature, relative humidity, air dust content and other ambient conditions (gas concentration or noise intensity) are not adversely affected and that they comply with best practice and physiological and behavioural needs of the animal.

*It does not state that they must be kept within limits which are not harmful to the animals as required in Annex 10 of Directive 98/58/EC.*

Ranges but no limits are indicated for optimum temperatures for piglets of 20 to 30 °C, 18 to 20 °C for farrowing sows and approximately 10 to 30 °C for other adult pigs. Heating is not required for the rearing of fattening pigs in the building, but the integrity of windows must be checked.

General indications on gross signs of dust, mould and humidity are mentioned in the guidance in sections 13.10.1 and 13.10.2 of the manual but no limits are set.

**OVs indicated that they would make a subjective judgement in the absence of specific guidance using their noses as a first indicator of poor conditions (in relation to NH3 and reviewing animal behaviour). OVs take into account previous recordings of temperature and gas concentrations where available as part of State Aid checks, but do not measure themselves on the day.**

| Competition for food and space | 1  "unobstructed floor area" (Directive 2008/120/EC, Article 3, 1a) 2  "measures taken to prevent fighting (…) adequate opportunities to escape and hide from other pigs" (Directive 2008/120/EC, Annex I, Chapter II, D 1, 2) 3  "feeding and watering equipment must be designed constructed and placed so that (…) the | 1 Minimum requirements of Directive 2 Minimum requirements of Directive 3 Minimum requirements of Directive 4 Minimum requirements of Directive | No animal-based indicators are listed for requirements 3-4. 1 Guidance is given in point 13.7.2 of the manual on what constitutes unobstructed floor area and what must be deducted from total-area to calculate this and that the area must enable animals to have a natural body position. The OV on the second farm did not mention that he would deduct the area of feeders from the pen dimensions when measuring its area. 2 Some additional guidance on intervention opportunities and indications of animal injuries are listed in point 12.25.1. and 12.25.2. 3 Section 13.15 requires that feeding devices must be designed so | No additional guidance provided |

<p>|  |  |  | No additional guidance provided |  |</p>
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<td>harmful effects of competition between the animals are minimised” (Directive 98/58/EC, Annex, 17)</td>
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<td>that all animals have access to feed (e.g., on the basis of their height and position.</td>
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<td>4 &quot;permanent access to a sufficient quantity of fresh water” (Directive 2008/120/EC, Annex I, Chapter I, 7)</td>
<td></td>
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<td>There is limited guidance on the functionality, suitability, water flow rates and positioning of drinkers. No indication of space allowances for either ad-libitum or restricted feeding and for watering equipment, no indications of number of drinkers/animals/pen. Suggestions for flow rates have been put forward, but not agreed in the Hungarian Action Plan.</td>
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<td>4 The manual provides guidance on the requirement that all pigs over two weeks of age must have permanent access to a sufficient quantity of fresh water. It states that the provision of ad-libitum wet feeding is sufficient to fulfil this requirement.</td>
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<td>This does not comply with the requirement laid down in Point 7 of Annex I, Chapter I to Directive 2008/120/EC.</td>
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<td>It also requires a visual check on the composition of the water but gives no requirements on what constitutes fresh water.</td>
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<td>OV’s refer to the yearly analysis of the biological and chemical characteristics required under the State Aid scheme. However not all farms take part in the State Aid scheme and there are therefore no requirements for what constitutes &quot;fresh water&quot; on these farms.</td>
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<td><strong>Health status</strong></td>
<td>1 “sufficient number of staff who possesses the appropriate ability, knowledge and professional competence“ (Directive 98/58/EC, Annex, 1)</td>
<td></td>
<td>No animal-based indicators are listed.</td>
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<td></td>
<td>2 “sick or injured animals shall be accommodated in suitable accommodation with, where appropriate, dry comfortable bedding” (Directive 98/58/EC, Annex, 4)</td>
<td></td>
<td>1 Further guidance: for small farms where family members are involved in supervision of animals, taking into account degree of automation, relatively fewer staff required.</td>
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<td>3 “specialised housings (for piglets weaned less than 28 days of age) which are separated from housings where sows are kept” (Directive 2008/120/EC, 1)</td>
<td></td>
<td>Inspection of the expertise of the staff on the basis of an oral declaration by the keeper of the animals in a small scale premises. In large scale farms, where documentation is available for staff qualifications, these must be checked and can demonstrate compliance.</td>
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<td></td>
<td>1. There must be at least one official trained designated animal welfare officer (AWO) in larger units responsible for welfare of animals on the farm. Following a training course, AWOs receive a certificate. Courses cover:</td>
<td></td>
<td>The cascade of training information to staff on the second farm was rudimentary, with verbal training recorded with one or two sentences on training in a notebook- with no evidence of any materials or list of subjects covered. The first farm listed subjects and attendance in a more comprehensive way.</td>
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<td></td>
<td>• Knowledge about pigs’ needs with regard to feeding, care, health and husbandry, biology and behaviour of pigs</td>
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<td>2 No further guidance</td>
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<tr>
<td></td>
<td>• Knowledge about animal welfare legislation</td>
<td></td>
<td>3 No further guidance.</td>
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<td></td>
<td>This goes beyond the requirements of the Annex to Directive 98/58/EC as it requires a mandatory training course and certification for staff in larger farms.</td>
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<td>Both farms visited had solid floored hospital pens, with adequate space, straw bedding and access to feed and water. Provision for</td>
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<td></td>
<td>Minimum requirements of Directive</td>
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<td>3 OV’s must examine the production records to assess the actual average weaning age and this must be justified if less than 28 days. Systematic early weaning is not permitted.</td>
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<td>Annex I, Chapter II, C3)</td>
<td>for farms with less than 100 animals. 2. Minimum requirements of the Directive 3. Minimum requirements of the Directive</td>
<td>heating was said to be available if required. Requirements for hospital pens in fattening premises with slatted floors such as comfortable bedding, numbers of available pens and facilities was not defined, but left to individual inspector judgement.</td>
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<td>Diet</td>
<td>“animals are fed a wholesome diet appropriate to their age and species and which is fed to them in sufficient quantity to maintain them in good health and satisfy their nutritional needs.” (Directive 98/58/EC Annex, 14)</td>
<td>Minimum requirements of the Directive.</td>
<td>Section 13.14.1 of the Manual states that: Feed labels should be considered. Visual inspection of feed in the pen to check for contamination and smell and in the storage, processing and distribution if there is a risk of contamination. No guidance for the assessment of this requirement No animal-based indicators are listed.</td>
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<td>Parameter Commission Recommendation (EU) 2016/336</td>
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| "Neither tail docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injuries to sows’ teats or to other pigs’ ears or tails have occurred. Before carrying out these procedures, other measures shall be taken to prevent tail biting and other vices, taking into account environment and stocking densities. For this reason, inadequate Point 8 of Annex I of Chapter I of Directive 2008/120/EC environmental conditions or management systems must be changed." | Minimum requirements of the Directive. | On verifying compliance with the requirements on the prevention of tail biting and avoidance of routine tail docking the manual states:  
- Tail docking interventions that were verified with the previous owner should not be contested (e.g. purchasing tail docked piglets);  
However, verification with previous owners is not done and no written statements must accompany pigs sent for further fattening.  
- Certain stress factors and their combined presence may lead to tail biting and other behavioural anomalies (such as ear, flank chewing). They include, for example: overcrowding, feeding deficiencies, competition on feeding, insufficient thermal conditions, inadequate temperature levels, air flow, draught, excessive lighting, high dust and harmful concentrations of gas, poor enrichment environment;  
There are no compliance criteria for a number of the legal requirements related to risks for tail/ear biting listed above to enable inspectors to make a consistent judgement on compliance.  
- Farmers must justify the reasons why tail docking is part of the on farm management routine and where improvement measures taken to address the risks for tail biting listed above have not been successful in limiting tail/ear/flank biting the routine procedure is acceptable.  
There no guidance on what improvement measures would be considered adequate and sufficient in addition to compliance with minimum legal requirements. There is no clear guidance on what farmers should provide as evidence of improvement measures taken and their outcome and how official veterinarians (OVs) should assess this.  
How to address the tail docking provisions for the trade in tail docked pigs is not included in the Manual. | The avoidance of routine tail docking was included in the older checklists for inspection, but only as a single question of compliance with requirements: yes/no.  
Guidance is given in the Letter to Counties accompanying the Annual Control Plan. In summary it indicates:  
Under the relevant legislation, Neither tail-docking nor tooth clipping may be automatic routine activities.  
In order to prevent tail-biting and other vices, measures should be taken to change inappropriate environmental conditions or husbandry techniques taking into account the production methods and the stocking density.  
When tail biting also occurs despite the adoption of possible measures, (increase of enrichment amounts, optimisation of microclimatic factors, optimal feeding), tail docking may be authorised, as an exception.  
If the check reveals tail-docking, it has to be ascertained that all appropriate measures have been taken at the site in order to prevent the onset of tail-biting. The preventive measures taken and implemented for prevention must be certified by the veterinarian.  
The guidance is not clear on how and what the private practitioner is certifying, how often this is required, what appropriate measures are, and what proof is required to justify this. In any case this was not being done in practice. |