



EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL
Directorate F - Food and Veterinary Office

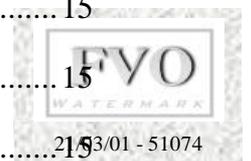
DG(SANCO)/1103/2000 – MR Final

REPORT OF A MISSION
CARRIED OUT IN BELGIUM
FROM 25 TO 29 SEPTEMBER 2000
CONCERNING ANIMAL WELFARE DURING TRANSPORT AND THE WELFARE
OF PIGS AND CALVES ON FARM



TABLE OF CONTENTS

1. INTRODUCTION.....	6
2. OBJECTIVES OF THE MISSION.....	6
3. LEGAL BASIS FOR THE MISSION.....	6
4. SUMMARY OF PREVIOUS MISSION RESULTS AND BACKGROUND TO THE CURRENT MISSION.....	7
4.1. The pig sector.....	7
4.2. The calf sector.....	8
5. MAIN FINDINGS.....	8
5.1. Applicable legislation.....	8
5.2. Competent Authority.....	10
5.3. Operational procedures.....	10
5.3.1. Farm inspections.....	11
5.3.2. Transport checks.....	11
5.3.3. Controls in Slaughterhouses.....	12
5.3.4. Sanctions.....	12
5.4. Pig holdings visited.....	13
5.4.1. Sick and injured pigs.....	13
5.4.2. Mutilations and substrates providing enrichment.....	14
5.4.3. Fixtures and floors.....	14
5.4.4. Feed and water.....	14
5.4.5. Space allowance.....	14
5.4.6. Ventilation systems and alarms.....	14
5.5. Calf holdings visited.....	15
5.5.1. Sick calves.....	15
5.5.2. Feeding and water supply.....	15



5.5.3.	Fixtures, floors, bedding, light	16
5.5.4.	Space allowance.....	16
5.5.5.	Ventilation systems and alarms.....	16
5.6.	Fitness for transport.....	17
5.6.1.	Animals at markets.....	17
5.6.2.	Animals at staging points.....	17
5.6.3.	Animals at slaughterhouses.....	18
5.7.	Means of transport	18
5.7.1.	Authorisation of transporters.....	18
5.7.2.	Control of vehicle standards	18
5.7.3.	Vehicles used for long distance transport.....	19
5.8.	Operation of markets.....	19
5.9.	Operation of staging point	20
5.10.	Control of route plans and journey times.....	20
5.11.	Slaughtering	21
6.	CONCLUSIONS	21
6.1.	Belgian legislation.....	21
6.2.	Inspections of pig and calf holdings.....	22
6.3.	Operation of controls regarding transport and slaughter.....	22
6.3.1.	Fitness	22
6.3.2.	Means of transport	22
6.3.3.	Markets	23
6.3.4.	Staging point.....	23
6.3.5.	Route plans.....	23
6.3.6.	Stunning and slaughter	23
6.3.7.	Follow-up and sanctions.....	23
6.4.	Overall assessment of the competent authority	24



7. CLOSING MEETING.....	24
8. RECOMMENDATIONS.....	24
8.1. To the competent authorities of Belgium	24
8.2. To the Commission Services.....	26
ADDENDUM.....	26



ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

AD	Aujeszky's Disease
ANIMO	(Animal Movement) Computer system whereby the office responsible for certifying animals for intra-community trade notifies the office in the district of arrival.
BEF	Belgian Francs
CA	Competent Authority
CCA	Central Competent Authority
DG SANCO	Directorate General of the European Commission for Health and Consumer Protection
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
IEV/IVK	<i>Institut d'Expertise Vétérinaire/Instituut voor Veterinaire Keuring</i>
SANITEL	Belgium's computerised system for the registration and identification of cattle
PV	<i>Procès Verbal</i>



1. INTRODUCTION

The mission took place in Belgium from 25 September to 29 September 2000. The mission team comprised 2 inspectors from the Food and Veterinary Office (FVO), and 1 Member State expert. A legal advisor from other Commission services also accompanied the team during the opening meeting and during one of the site visits. The mission was undertaken as part of the FVO's planned mission programme. The inspection team was accompanied during the mission by a representative from the central competent authority, the Ministry of Agriculture (*Ministère de classes moyennes et de l'agriculture/ Ministerie van Middenstand en Landbouw*).

An opening meeting was held on 25 September 2000 with the central competent authority. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission was requested.

2. OBJECTIVES OF THE MISSION

The first objective of the mission was to evaluate progress since the last mission concerning animal welfare during transport and at the time of slaughter (reference DGXXIV/1448/98). The second objective was to evaluate animal welfare controls, as part of a wider series of missions in the Member States on welfare during transport and also the welfare of pigs and calves on farm.

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

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings
	Regional	4	One of these meetings was held in one of the regional offices and the administrative procedures concerned in carrying out the checks were demonstrated. The other meetings were held at one of the slaughterhouses and at the markets visited.
LIVE ANIMAL CONTROL SITES			
Farms		4	2 holdings with pigs and 2 holdings with intensively farmed veal calves were visited.
Assembly centres		1	This site, which is one of the largest assembly centres in Belgium for live animal exports, was also visited on the previous mission.
Staging points		1	This staging point was also visited on the previous mission.
Markets		2	One of the markets, which handles approx. 7,300 horses a year, was visited during the previous mission. The other market, with a throughput of more than 70,000 bovine animals per year, had not been previously visited.
Slaughterhouses		2	One of the slaughterhouses was also visited during the previous mission.

3. LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular:



Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States.

Article 10 of Council Directive 91/628/EEC of 11 November 1991 (as amended) on the protection of animals during transport

Article 9 of Council Directive 91/629/EEC of 19 November 1991 (as amended) laying down the minimum standards for the protection of calves.

Article 9 of Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs.

Article 7 of Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes.

Council Regulation (EC) No. 411/98 of 16 February 1998 on additional animal protection standards for the carriage of livestock on journeys exceeding eight hours.

Council Regulation (EC) No.1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex of Directive 91/628/EEC

Commission Decision 2000/50/EC of 17th December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes.

4. SUMMARY OF PREVIOUS MISSION RESULTS AND BACKGROUND TO THE CURRENT MISSION

The previous mission to Belgium concerning animal welfare during transport and at the time of slaughter was undertaken from September 13th to September 18th 1998 (reference number DGXXIV/1448/98). The report of this mission is available at:

<http://europa.eu.int/comm/food/fs/inspections/vi/reports/belgium/>

Major deficiencies in the field of animal welfare during transport and at the time of slaughter were observed during this mission. The level of veterinary supervision in Belgium was not considered to be of the standard to enforce the requirements. Recommendations were made in the report of this mission to the Belgian authorities, that they should comply with all parts of Council Directive 91/628/EEC and that they should consider the creation of a national team for enforcement of this legislation. The CA did not respond to these recommendations and an infringement procedure was commenced against Belgium, on the basis of the previous mission report and complaints from an animal welfare association, in particular regarding conditions on one of the livestock markets visited.

4.1. The pig sector

Belgium is an important exporting country for both pigs and pig meat. The main pig production area is located in Flanders. There were 11,630 holdings with 7,313,220 pigs in Belgium in 1997 (an average of 623 pigs per holding).



In Flanders there were 10,140 holdings with 7,036,800 pigs (694 pigs per holding) and in Wallonia 1,490 holdings with 276,420 pigs (186 pigs per holding) – data from Eurostat. The CA provided information that in the regions of east and west Flanders, which were the regions where the farms visited were located, there were currently 8,490 pig holdings.

4.2. The calf sector

Belgium is the 5th biggest producer of veal calf meat in the EU. The production area is almost exclusively located in Flanders. In 2000 there were 409 holdings (405 in Flanders and 4 in the Wallonia region) in Belgium specialising in veal production. In the region visited there were 293 veal calf holdings.

Regarding holdings with cattle in general, there were 43,450 holdings with almost 3,157,100 cattle in Belgium in 1997 (an average of 73 cattle per holding). In Flanders 25830 holdings with 1,638,760 cattle (63 cattle per holding) and in Wallonia 17,620 holdings with 1,518,340 cattle (86 cattle per holding) – data from Eurostat -.

5. MAIN FINDINGS

5.1. Applicable legislation

The following legislation was relevant to the controls carried out at the various locations visited.

A general animal welfare law:

- *Loi relative à la protection et au bien-etre des animaux du 14.8.1986 – Wet betreffende de bescherming en het welzijn der dieren van 14.8.1986.*

Council Directive 91/628/EEC (as amended) on the welfare of animals during transport has been transposed into Belgian legislation by:

- *Arrêté royal du 9/7/99 relatif aux conditions d'enregistrement des transporteurs et d'agrément des négociants, des points d'arrêts et des centres de rassemblements -- Koninklijk besluit betreffende de erkenningsvoorwaarden van vervoerers, handelaars, stopplaatsen en verzamelcentra (Moniteur belge du 2/9/99)*

Council Directive 91/629/EEC (as amended) on the welfare of calves has been transposed into Belgian legislation by:

- *Arrêté royal du 6.7.1994 relatif à la protection des veaux dans les élevages des veaux - Koninklijk Besluit betreffende de bescherming van kalveren in kalverhouderijen van 6.7.1994*
- *Arrêté royal du 23.1.1998 relatif à la protection des veaux dans les élevages des veaux - Koninklijk Besluit betreffende de bescherming van kalveren in kalverhouderijen van 23.1.1998 (Moniteur Belge 3.4.1998)*



Council Directive 91/630/EEC on the welfare of pigs has been transposed into Belgian legislation by:

- *Arrêté royal du 23.6.1994 relatif à la protection des porcs dans les élevages porcins - Koninklijk Besluit betreffende de bescherming van varkens in varkenshouderijen 23.6.1994*

Council Directive 93/119/EEC concerning the protection of animals at the time of slaughter or killing has been transposed into Belgian legislation by:

- *Arrêté royal du 16.1.1998 relatif à la protection des animaux pendant l'abattage ou la mise à mort - Koninklijk Besluit inzake de bescherming van dieren bij het slachten of doden van 16.1.1998.*

Council Directive 98/58/EC concerning the protection of animals kept for farming purposes has been transposed into Belgian legislation by:

- *Arrêté royal du 1.3.2000 concernant la protection des animaux dans les élevages- Koninklijk Besluit inzake de bescherming van van voor lanboumdoeleinden gehouden dieren van 1.3.2000*

The requirement of point 5 of the Annex of Council Directive 98/58/EC to keep records of medicinal treatments is required for the purpose of residue controls by:

- *Arrêté royal du 23.5.2000 portant des dispositions particulières concernant l'acquisition, la détention d'un dépôt, la prescription, la fourniture et l'administration de médicaments destinés aux animaux par le responsable des animaux - Koninklijk Besluit houdende bijzondere bepalingen inzake het verwerven, het in depot houden, het voorshrijven, het verschaffen en het toedienen van geneesmiddelen bestemd voor dieren door de dierenarts en inzake het bezet en het toedienen van geneesmiddelen bestemd voor dieren door de verantwoordelijke voor de dieren.*

A comprehensive check of the above legislation was not carried out. However, the mission team noted that Arrêté royal du 23.6.1994 relatif à la protection des porcs dans les élevages porcins introduces criteria for the noise level in pig houses which is a requirement beyond those laid down in Council Directive 91/630/EEC. It was also noted, however, that the Belgian legislation does not comply with EU legislation as follows:

- Points 3 and 4 of paragraph III in chapter II of the Annex of Council Directive 91/630/EEC setting certain restrictions for the castration, tail docking and tooth clipping of piglets have not yet been transposed.
- Point 3 of the Annex of Council Directive 98/58/EC concerning the requirement of adequate lighting for inspections in not transposed in the French version of the Belgian legislation.



A representative of the CCA reported that a proposal for the regulation of mutilations, which included restrictions on castration, tail docking and tooth clipping of piglets, was going to be discussed at the Belgian Parliament and that before the end of this year these regulations would be issued.

5.2. Competent Authority

The structure of the competent authority is the same as that described in the previous mission report, however, the ministerial responsibility for animal welfare issues has now moved from the Minister for Agriculture to the Minister of consumer affairs, public health and the environment.

5.3. Operational procedures

A work programme has been developed for all the areas of work of the veterinary services of the Ministry of Agriculture. This takes into account the available resources and sets the field service with targets for inspections of farms and animal transport and has been implemented for the first time in 2000. While the IEV/IVK was not included in this work programme, there was a high level of co-operation regarding issues of animal welfare between the two services. Most of the instructions concerning control of animal transport, which were sent to the field service of the Ministry of Agriculture, were also included in the instructions issued to veterinarians working in slaughterhouses.

In the regional office visited there was a system whereby a veterinarian would be appointed as lead inspector in each of the different areas of work. The lead inspector was responsible for administering this area of work and briefing the other colleagues involved in carrying out the checks. This enabled a level of expertise to be maintained within the office, while maximising the available resources. Every inspector carried out inspections in domains other than those in which he or she may take the lead. It was reported that an experienced inspector accompanied a newly employed veterinarian on his first inspection and weekly meetings were held with the regional veterinarian and all the inspectors of the office to discuss the various aspects of work. Procedures or technical problems arising from the inspections were reportedly discussed with the regional veterinarian or the co-ordinator of the region, who may also discuss the issues with the CCA.

Information meetings regarding the amendment to the Royal Regulations on welfare during transport were held for transporters in 1999. The regional veterinarian then sent a letter to each transporter in the beginning of this year, explaining the requirements of this legislation. Press releases and meetings with farmers were similarly organised following the publication of the relevant legislation in this sector. A representative of the CCA also reported that, since the end of 1999, an agricultural engineer has also been employed on a permanent basis to provide technical assistance and information.



5.3.1. Farm inspections

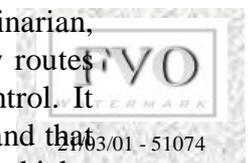
Since 1999 the CCA makes an assessment of the number of farms to be visited on a national and regional basis to meet the requirements of article 7 of both Directives 91/629/EEC and 91/630/EEC. In addition, complaints from the public about cases of mistreatment of animals are followed up by a visit from the veterinarians from the regional office. The equivalent of 8 man-years is dedicated to these inspections for the whole of Belgium. The number of farms in each region was considered when deciding the minimum number of inspections to be carried out and 20 % of all pig and veal calf farms was set as the target. New guidelines and checklists were issued from the CCA and distributed to the regions in 1999 and 2000. The selection of the farms is the responsibility of the regional office.

The majority of the inspections are carried out at the same time as other checks. These integrated checks incorporate controls for animal diseases, residues and herd and animal registration, as well as for animal welfare. In the case of pig farms, they are mostly combined with controls for Aujeszky's Disease (AD) and the selection of pig farms in one region was largely based on compliance with the requirements for AD vaccination. One of the inspecting veterinarians explained that, in his experience, farms which were not meeting the requirements of the AD vaccination programme were also likely to have problems with other aspects of management, often with direct implications for animal welfare. In addition to the controls by the veterinarians from the regional office pig farms were also partly inspected by specially appointed private veterinarians. In the first half of 2000, figures provided indicated that 2563 pig holdings and 1300 cattle holdings were inspected. These visits included inspections of dealers and assembly centres, but the majority of visits were to farms. A representative of the CCA reported that official veterinarians had inspected 56 specialist calf holdings during this time.

It was reported that a checklist was completed for each pig and calf holding inspected, which also indicated the outcome of the inspection. A monthly report was sent to the regional co-ordinator, who made a summary of this to the CCA. The last report from the Belgian authorities to the Commission, for inspections carried out in 1996 and 1997, does not list the most common deficiencies on pig and calf holdings, but only the number of controls performed and PVs initiated. A report of inspections carried out in 1998 and 1999 has not yet been received by the Commission services.

5.3.2. Transport checks

The most recent report to the Commission indicated that in 1999, 505 vehicles were inspected at roadside checks, 373 at markets and slaughterhouses and 11230 vehicles at the time of export. The veterinarians in the region visited made one roadside check a month with assistance from the Police. The checks were set up at the initiative of the regional veterinarian, who reported that these would usually be carried out on two nearby routes simultaneously so that transporters could not avoid passing this control. It was reported that the Police received training from the veterinarians and that there was good co-operation in carrying out these checks. Checks of vehicles



at markets were made by veterinarians working for the municipal authority and a Policeman was also present at one of the markets visited. Practising veterinarians are employed as *vétérinaire suppléant* and carry out export checks on behalf of the regional services.

The most recent instruction regarding these checks, which was issued on 11.8.2000, includes a checklist and provides some clarification on aspects of the legislation such as fitness to travel, vehicle requirements and control of journey times.

5.3.3. Controls in Slaughterhouses

Amended instructions were issued to slaughterhouse veterinarians on 28.1.2000. Checks are to be carried out at the time of arrival at the slaughterhouse, for fitness and vehicle standards, and at the time of slaughter. The CCA requires the responsible veterinarian in each slaughterhouse to keep a register documenting all incidents and in both slaughterhouses visited a detailed register was kept. Evaluation reports of all aspects of control, mostly on issues other than animal welfare were made. These were to be submitted to the regional veterinarian of the IEV/IVK every 6 months, who in turn was to make an evaluation of each slaughterhouse every three years. The CCA is seeking to harmonise the level of enforcement in slaughterhouses and an instruction has been sent to slaughterhouse veterinarians that where deficiencies are detected they must move progressively from providing information through to warnings and ultimately to sanctions. The time when the controls must move to the next stage of enforcement is not laid down, but a representative of the CCA reported that the majority of slaughterhouse veterinarians were at the stage of issuing warnings.

5.3.4. Sanctions

In the case of infringements, apart from direct action on the spot to resolve the problem, a *Procès verbal (PV)* can also be initiated. A model *PV* is included with the staff instructions referred to above and is the most common procedure for initiating a legal sanction, e.g. regarding the transport controls for 1999 23 *PVs* had been initiated (see point 5.3.2). When a *PV* is issued a copy goes to the prosecutor's office (*parquet*) which issues, if it thinks fit, a formal document to the accused person with an annex for completion if the offence is admitted. In the case of admission the prosecutor can propose a penalty fine instead of going to court. If the transaction is not accepted the matter is brought before the court. A representative of the CCA also stated that for more minor offences they were examining the possibility of introducing the concept of administrative fines.

PVs had been written at the majority of locations visited for various infringements, however the outcome of almost all of these cases was not known, as there was little or no feedback from the Ministry of Justice. One veterinarian had evidence from a newspaper that a case in which he had been involved, where tranquilisers had been used in slaughter pigs resulted in a transporter being fined 200,000 BEF. This was on the basis of legislation on both animal welfare during transport and on control of residues.



representative of the CCA stated that the lack of feed-back from the Ministry of Justice discourages the official veterinarians from making *PVs*.

In one region visited several cases of infringements detected on farm resulted in sanctions. The deficiencies included inappropriate care for the animals, animals lying in dirty conditions and insufficient feeding. In one case the animals were seized and slaughtered after consultation with the local mayor and this action also involved the social services.

Although the overall policy of the *IEV/IVK* is currently aimed at giving warnings for infringements of the animal welfare legislation, *PVs* had also been initiated for severe abuses of animal welfare detected at slaughterhouses. An example of such a *PV* was against a transporter who was involved in transporting chronically ill cows from France, to a slaughterhouse in Belgium.

5.4. Pig holdings visited

One breeding farm and one fattening farm in two different regions were visited during the mission. A veterinarian from the regional office in each case, carried out the inspection using the standard checklist issued by the CCA. On the breeding farm sows were kept in stalls in both the old and new buildings. The closed herd visited had approximately 300 breeding animals and 3000 fattening pigs. The second farm had 2700 places for fattening pigs in buildings, most of which were 30 years old and had partly or fully slatted floors.

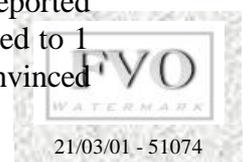
5.4.1. Sick and injured pigs

Slight injuries to ears and tails and skin lacerations were seen on one farm in some fattening pigs. The inspecting veterinarian did not make any remarks or recommendations on this issue.

While the presence of a sick pen with dry bedding material was noted by the inspecting veterinarian on one of the farms, the siting of the drinker in this pen meant that not every category of sick pig would be able to access water. On the second farm animals with slight injuries had been removed to pens which, apart from providing the pigs with a more generous space allowance, were identical to the pens from which they had been removed. The inspecting veterinarian did not make any remarks or recommendations on this issue.

None of the inspecting veterinarians asked the stockman or owner to explain how euthanasia was carried out. The mission team were informed that this could only be carried out by a veterinarian and every pig farm had a contract whereby the appointed veterinarian carried out regular visits.

Checks of medicine records and mortality rates were made during the inspections. There were no medicine records on one farm and it was reported that the requirement to keep these records on farms had been postponed to 1 April 2001 because the farmers still have to be more informed and convinced of the necessity for such records.



5.4.2. Mutilations and substrates providing enrichment

Tail docking, teeth clipping and castration were carried out on the breeding farm visited. In all cases the inspecting veterinarian accepted the farmer's justification that he would have had more problems if he did not carry out tail docking and tooth clipping. None of the farms provided straw or other material to satisfy the behavioural need of pigs, other than a football. One veterinarian on one of the farms visited made a recommendation that the farmer should consider the possibilities for environmental enrichment. The mission team emphasised that aspects such as air quality, hygiene, and environmental enrichment should also be taken into consideration when dealing with problems of tail biting.

It was reported on one farm that castration previously took place at the age of 2-3 days, but was now done at the age of 10 days in order to reduce the risk of infection

5.4.3. Fixtures and floors

The inspecting veterinarians highlighted broken fixtures, which needed to be repaired, on the farms visited. On one farm the slats provided an uneven and irregular floor surface. The stockman claimed that no animals had been injured in these pens and that some of the floors would be replaced soon. Many of the pigs in these pens were very dirty, however, the inspecting veterinarian noted on his checklist that the general hygiene was in order.

5.4.4. Feed and water

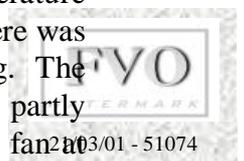
Although not subject to official controls, one farmer reported that his feed company was testing a compound feed with a high content of fibre to try to better satiate the appetite of pregnant sows. Access to water was not a focus of the controls and there was no further guidance in the staff instruction as to what is considered sufficient access to water. On the farm with fattening pigs there were several pens with drinking troughs, which were highly contaminated with faeces. There were additional nipple drinking points in the feeding troughs in these pens.

5.4.5. Space allowance

Measurements of the size of various pens were made on both farms visited. Some of the stalls for pregnant sows did not allow every animal to lie down easily. The veterinarian accepted that these were older stalls and would be replaced when they became damaged.

5.4.6. Ventilation systems and alarms

Air quality was satisfactory on one holding visited, but not on the other. During the visit, when the outside temperature was 15 °C, the temperature reached between 25 and 28 °C inside the buildings. In one building there was a strong smell of manure gases and several pigs were coughing. The inspecting veterinarian noted the problem with the ventilation and partly addressed the ventilation problem by instructing the farmer to place a fan at



one side of the building. The mission team had the opinion that more structural changes needed to be made to all the buildings to ensure an improvement in the air quality. It was also noted that the agricultural engineer, who a representative of the CCA had stated was employed for such issues, was not consulted for advice and no follow-up visit was scheduled.

On the farm with artificial ventilation, the inspecting veterinarian asked the farmer to demonstrate the alarm. Regarding the requirement for regular testing of the alarm, the farmer stated that the alarm was triggered several times in a month when the maximum temperatures set were exceeded.

5.5. Calf holdings visited

Two veal calf holdings in the same region were visited during the mission. A parent company had overall responsibility for the management of each holding and the buildings on both holdings were built and managed in a similar way. Calves aged between 1 and 2 weeks old were bought and reared in individual pens up to 8 weeks of age. On one farm with older buildings, traditional veal crates were used for this period, whereas on the farm with newer buildings, the calves could see and touch other calves throughout the rearing period. The older calves were kept in group housing systems, where 5-6 calves were accommodated in pens of around 10 m² situated on both sides of a central passageway.

A veterinarian and his technical assistant from the local sanitary team conducted the inspections. This check was normally integrated with a check for control of residues or disease control, but for the purposes of this mission concentrated only on issues of animal welfare. A standard checklist was used to record the findings.

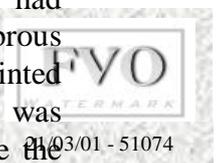
5.5.1. Sick calves

The sick calves seen on these holdings were isolated in pens with adequate bedding material. The inspecting veterinarian on one holding reported that a more detailed check of medicine records would normally be made, in particular for control of residues and it was reported that full implementation of the control of medicine records would not take place until after 1.4.2001.

5.5.2. Feeding and water supply

On both farms an automatic milk feeding system supplied milk twice a day and fibrous food consisted of maize silage. In addition crushed barley was fed on one of the farms. On one farm the mission team pointed out that point 11 of the annex of Council Directive 91/629/EEC (as amended) was not met as calves only received fibrous food 2 weeks after their arrival rather than when they reached 2 weeks of age.

The mission team pointed out on one farm, that while all the calves had access to milk at the same time, the calves did not have access to the fibrous food at the same time in each system. The company representative pointed out that although it was not ad lib, a greater total quantity of fibre was provided when this feeding system was used than in the system where the



fibrous food was provided in the same trough as the milk after the milk had been drunk.

On one farm water was provided in addition to milk by means of drinking nipples. These however, were fixed at head height and potentially could cause injuries. On the other farm it was reported that water could be made available between milk feeds via the automatic system and that this was provided in warm weather.

5.5.3. Fixtures, floors, bedding, light

Calves under the age of 14 days were not accommodated with bedding material. A few of these younger calves did not yet have totally healed navels and as these calves had been transported this was in contravention to point 1 of chapter IA of the Annex of Council Directive 91/628/EEC. The representative of the CCA indicated that it was intended that both of these problems would be addressed by prohibiting the trade of calves younger than 2 weeks of age.

On all holdings, there were slatted floors made out of hard wood. The standard distance of the slats (*c.* 3 cm) allowed the hooves of some of the calves to slide quite deeply into the slats. No injuries were however detected. The wood was of a very hard consistency, which became very slippery when wet with the fluid faeces of the veal calves. As a partial remedy to the slipperiness aluminium lateral strips (*c.* 5 mm thick) were fixed on the slats at a distance of about 50-60 cm. These strips provided some protection against slipping, although several calves were observed to splay their legs in order to maintain their balance and it is questionable whether they provided a comfortable lying area, as the screws, by which they were fixed, projected above the slats. No remarks were made by the inspecting veterinarian regarding floors and there was no guidance in the staff instruction regarding the standards which must be met.

The staff instruction indicates that the calves cannot be in total darkness, but sets no exact requirements for light. In the holdings visited some natural light was provided from a door at the side of each building, but this alone did not guarantee adequate light and artificial light was provided during the working day.

5.5.4. Space allowance

In some of the pens on both farms the minimum space allowance was not provided and this was detected by the inspecting veterinarian. One farmer explained that this would be corrected as soon as possible, which was accepted by the CA.

5.5.5. Ventilation systems and alarms

Although there were artificial ventilation systems present on both farms, no alarm system or back-up system was in place. The inspecting veterinarian discussed this issue and it was subsequently indicated on the checklist that



this would have to be corrected within three months. No follow-up inspection was scheduled at the time of the visit.

5.6. Fitness for transport

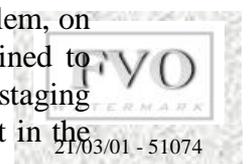
5.6.1. Animals at markets

During the visit to one of the markets, the municipal veterinarian prevented an unfit sheep from being unloaded and directions were given to take this animal directly to the slaughterhouse on the same site. It was indicated that a *Procès Verbal (PV)* would be initiated in this case. Three *PVs* had already been issued by the CA responsible for this market in 2000, 3 in 1999 and 1 in 1998. Several of these related to the transport of unfit animals, e.g. a horse with a swollen leg, which exhibited pain on standing and a bovine animal with a fractured leg. A bovine animal with a fractured limb had been humanely killed in the market on 12.9.2000 and the carcass transported to the nearby slaughterhouse. Both the operator of the market and the slaughterhouse and the municipal veterinarian indicated that this procedure would be used in future to deal with all emergency slaughter animals which arrive at the market. The municipal veterinarian, however, had recorded other incidents involving the transport of painfully lame animals, which had not been the subject of a *PV*. In one such case, the regional veterinarian reported that although the person involved had transported a lame horse to the market, he was normally exemplary in his treatment of animals and that even the most careful transporters could not prevent all such incidents. During the visit a slightly unfit foal arrived at the market. Both the market staff and the inspecting veterinarians seemed unclear what to do with this animal, as there was no suitable facility available in which it could be detained.

In the market for bovine animals, the municipal veterinarian reported that he had excluded 7 animals that morning from the market for reasons of unfitness, including cachexia, mastitis and extreme lameness. No other action or follow-up had been initiated in relation to these infringements. A report was made for each market day, but such incidents involving the transport of unfit animals were not recorded.

5.6.2. Animals at staging points

In the staging point, a veterinarian authorised to certify animals for export (*vétérinaire suppléant*) inspected sheep for fitness to travel. These animals were destined for various locations throughout Europe and the veterinarian removed animals, which were showing signs of severe lameness, to hospital pens. On discussing the fitness of one animal which was slightly lame, the veterinarian remarked that he would allow slightly lame animals to be loaded as his experience led him to the conclusion that after showing a transitory lameness, slightly lame sheep were normal after a couple of hours. The staff instruction issued by the CCA on 11.8.2000 regarding fitness for journeys of > 8 hours, states that the animal must be able to stand, without a problem, on all 4 feet. In the case in question, the slightly lame sheep was destined to travel 20 hours to Spain. There was no record in the register of this staging point that unfit animals had ever been excluded from further transport in the past.



5.6.3. *Animals at slaughterhouses*

In both slaughterhouses, a register was maintained of incidents involving unfit animals. At one of the slaughterhouses, 2 or 3 such animals arrived for emergency slaughter on average each month. Three *PVs* had been initiated in the last 18 months for the transport of unfit animals. Due to lack of evidence two of these did not result in sanctions, the third case was still being processed. A representative of the CCA reported that a practical difficulty with enforcing the slaughter of these animals on the farm of origin was that many veterinarians in practice did not have the necessary equipment for performing humane slaughter.

5.7. **Means of transport**

5.7.1. *Authorisation of transporters*

In Belgium each vehicle is required to be individually authorised, regardless of the length of journey for which it is intended. Although this system of authorisation has been in existence for several years, a new instruction was issued in July 2000 specifying the requirements which must be fulfilled. All authorisations previously given must be renewed so that they meet these requirements. The new authorisation card specifies the maximum number of animals which can be transported on board each vehicle and is compatible with the SANITEL computer system.

5.7.2. *Control of vehicle standards*

The level of control of vehicle standards and the conditions they provided for the animals varied at the different sites visited. In one of the markets no actions were taken on the spot regarding deficient vehicles and indeed there was no evidence that vehicles had been closely controlled in the past. In the other market the municipal veterinarian stated that a *PV* would be initiated for a small two-tier trailer for sheep which lacked an unloading ramp. In this market several vehicles were carrying young foals or donkeys in the same compartments as adult horses and several horses had their hind feet shod. The municipal veterinarian remarked that a *PV* would be initiated for one such case where a foal was loaded among adult horses. *PVs* had been issued in the past by the CA responsible for this market for deficient vehicle structures and problems relating to overloading and segregation of different species.

Several vehicles, which were seen at one of the markets, had various deficiencies including, tailgate ramps with no lateral protection, no gate to prevent the animals escaping when the tail gate was lowered, dirty vehicles for the transport of sheep and broken batons on the tailgate of one horse trailer. Most of the structural deficiencies were on vehicles which had not yet been authorised. Several vehicles, which had already been authorised, also had deficiencies. A veterinarian in one of the slaughterhouses indicated that the batons on the tailgate ramp were unsuitable and that it presented an uneven surface for unloading. In addition, the Mission team saw that this vehicle lacked an inside gate to prevent the animals escaping when the tail gate was lowered and that the ramp was without lateral protection. In this slaughterhouse, 2 vehicles were checked per day and oral warnings were



given for infringements of structural requirements. Two tiered vehicles for transporting cattle, which were seen at one of the markets and which were authorised under the new system, did not allow larger cattle to stand without risk of injuring themselves, in contravention of point 2 (b) of Chapter IA of the Annex of Council Directive 91/628/EEC).

5.7.3. *Vehicles used for long distance transport*

Vehicles which were used for the long distance transport of animals were seen at the staging point. These vehicles were fitted with fans and drinkers and access could be achieved by removing the fans from the side of the vehicle. A ladder was also carried to access the upper tiers of the vehicle. Access to each compartment was not possible in a vehicle seen at the assembly centre. The operator of the assembly centre reported that this was one of his oldest vehicles and was only used for transport within Belgium.

5.8. **Operation of markets**

The markets presented several problems in relation to their structure and layout. At the cattle market, there were 16 unloading bays with lateral protection. However, at one point where the cattle entered the market itself many of the animals stumbled or slipped due to the layout of the passageway and the proximity of a stand for tying animals. One medium sized calf was tied close to this entrance point and was repeatedly knocked around by the larger cattle when they lost their footing. The municipal veterinarian, who was standing directly opposite this calf, did not appear to notice these events and did not act to deal with the situation on the spot. The layout of the market itself, with animals tied to railings, created particular problems for the movement of animals. Animals could turn in several directions when being moved and as a result some were hit with sticks around the head to get them to turn in the desired direction. One cow, which was being moved together with several horned animals, was badly injured on the face and was stitched up by the municipal veterinarian on the spot. None of the reports made by the municipal veterinarians indicated that there were any problems with the structure of the market. The sanitary team from the regional veterinary office had reported in the past that the equipment for cleansing and disinfection was insufficient and a new facility for cleansing and disinfection had been installed by the market operator. An innovation at this market was the installation of a computer terminal at the entrance of the market so that the authorisation of vehicles could be checked as they entered the market. This was a pilot scheme to assess how such a control would operate in practice.

In the other market, which had been visited on the previous mission, considerable efforts had been made to change the organisation of the market. Reports made by the municipal veterinarian had been analysed by the regional veterinarian and actions proposed. A bulletin had been published informing the clients of the market of the regulations and the procedures to be followed regarding the unloading of animals. The use of sticks was only permitted on the day of the cattle sale and heavy plastic sticks were on sale during the time of the visit. A letter was shown to the mission team that the market operator had excluded one dealer, under the markets own regulations, for excessive beating of animals. Sheep and calves were restricted to two distinct areas of



the market and unloading of both of these species and of the horses commenced at a specific time so that the municipal veterinarian could control the unloading activities. As distinct from the findings in the previous mission report, it was no longer possible for vehicles to enter the parts of the market where the animals were kept. During loading a few sheep were lifted into the back of vans, in which other goods were being transported. The previously reported problem of sheep leaving in car boots was not seen and the operator and the municipal veterinarian maintained that since the reorganisation of the market with more tightly focused controls this no longer occurred.

5.9. Operation of staging point

The CA had ensured that the approved staging point met all the structural requirements of Council regulation EC No. 1255/1997, however, there was no evidence in the register that the requirement for a 24 hour period without livestock was being respected after every 6 days of use. Records of unfit animals being detained from further transport had also not been recorded in the register.

5.10. Control of route plans and journey times.

In the regional office visited, efforts had been made to follow the staff instruction and to indicate on every ANIMO message whenever a route plan accompanied a consignment of live animals. In Belgium the issuing veterinarian (*vétérinaire suppléant*) is responsible for approving route plans and ensuring that these are returned after the completion of the journey. Previously the regional veterinarian had not supervised the issuing veterinarian regarding the latter's responsibility to check that route plans are returned. Following the recent staff instruction the regional veterinarian had started to obtain copies of returned route plans from the issuing veterinarians. One of the returned route plans indicated that a consignment of bovine animals and pigs had made a journey of 34 hours to Italy. The regional veterinarian stated that excess journey times were a common problem and the representative of the CCA stated that Member States of destination seldom informed the CCA of such infringements. The regional veterinarian set out the course of action he would follow, firstly to contact the veterinarian, who was responsible for issuing the route plan, then to investigate who was responsible for the authorisation of the transporter and to consider the possibility of refusing to issue further animal health certificates. The latter option is laid down in the staff instruction of 11.8.2000, where transporters are systematically abusing the requirements.

The staff instruction interprets the maximum journey times in terms of maximum distances and in the case of the export of pigs to Italy, the regional veterinarian stated that a 24 hour rest period would be required for any export with a destination south of Naples. It was reported that 80% of route plans were returned for journeys beginning at the collection centre. These related to exports of pigs to Italy and all journeys exceeding 24 hours indicated that a staging point near Rome was used. There were, however, several returned route plans which failed to indicate the time of arrival in Italy. In the staging point, several UK route plans for sheep indicated that the mid journey rest for sheep must be a minimum of 8 hours, which was made in



the staging point before the remaining 14 hour leg was undertaken. Several route plans issued by the Spanish authorities were also seen, these did not indicate where to return the completed route plan.

During the previous mission, concerns were raised that the CA could not ensure that journey times within the country on basic vehicles were within a journey time of 8 hours, in particular for animals which passed through markets. It was still the case that neither market could be considered as the place of departure for animals arriving from more than 50 km away, despite efforts made at one market to provide adult cattle with limited access to drinking water.

5.11. Slaughtering

The slaughterhouse, which had been visited during the previous mission and where there had been major deficiencies in relation to the stunning of cattle, had made major improvements in the way this procedure was performed. The stunning box had been replaced to give the operator better access to the animal and the handling was performed in a calm and patient way, with the subsequent stunning and bleeding of the animals effectively carried out. A register was kept of the maintenance of the stunning equipment in this slaughterhouse. In the second slaughterhouse, although it could be seen from the guns themselves that some maintenance had been carried out, the condition of the guns was not optimal. In this slaughterhouse the CA did not carry out checks of this maintenance or require records to be kept. In addition to the slaughter of ruminants and horses, pigs were also slaughtered in the second slaughterhouse. This was performed after they passed through a restrainer fitted with an automatic electrical stunner. It was reported that a back-up electrical stunner was used to restun 2.2% of pigs, indicating that the automatic stunner may not have been appropriately set for all categories of pigs. There was no voltmeter or ammeter visible to the operator of the back-up device.

All of the sheep and some of the cattle slaughtered in one of the slaughterhouses were killed without stunning by ritual slaughter. The handling of these animals was carried out in a satisfactory manner prior to killing. One of the operators of this slaughterhouse reported that all lambs were ritually slaughtered regardless of whether the meat was to be sold as such. However, assurances were later given by a representative of the CCA that 98% of carcase meat and 100% of the offal from this slaughterhouse was destined for sale as ritually slaughtered meat.

6. CONCLUSIONS

6.1. Belgian legislation

The relevant EU directives have all been transposed into Belgian law, however there are several requirements of Council Directive 91/630/EEC and one requirement of Council Directive 98/58/EC which have not been transposed into Belgian legislation (see point 5.1).



6.2. Inspections of pig and calf holdings

The number of inspections of pig and veal calf holdings carried out provides a representative sample of these particular farming systems. However, calves in dairy and suckler holdings are not included in the farm checks and therefore the selection does not represent these sectors.

Although the staff instructions and checklists provided the inspectors with a list of the criteria which they must control, the guidance in the staff instruction was limited for certain criteria (see points 5.4.2, 5.4.6 and 5.5.3 regarding enrichment, ventilation and floors). Inspection visits were well documented, however, follow-up action and inspections were not always clearly indicated. The CCA has not fulfilled its obligations regarding reports to the Commission on the basis of Council Directives 91/629/EEC and 91/630/EEC and the CCA still does not receive all the information it will require to meet the requirements of Commission Decision 2000/50/EC.

6.3. Operation of controls regarding transport and slaughter

When comparing the results of this mission with the previous mission carried out in 1998 (DGXXIV/1448/98), considerable progress has been made. In particular, serious abuses of animal welfare have been minimised at the locations previously visited, but there are still some areas which need to be addressed.

6.3.1. Fitness

The transport of unfit animals to slaughterhouses, which occurs on a recurring but infrequent basis (see point 5.6) is not in compliance with article 12 of Council Directive 93/119/EEC. Efforts had been made to deal with unfit animals when they arrived at markets or slaughterhouses, but there was insufficient evidence of effective sanctions to discourage the transport of such animals in the future.

The staff instruction further defines fitness as laid down in paragraph 1(b) of article 3 of Council Directive 91/628/EEC. This interpretation was not always followed in particular with regard to the strict interpretation for journeys of more than eight hours.

6.3.2. Means of transport

Although vehicles were seen with deficiencies similar to those seen during the previous mission, there was an increased level of awareness among the controlling veterinarians of the standards required and actions were initiated on several occasions. The revised system of authorisation, in particular checking each vehicle using a centrally issued checklist and specifying the maximum number of animals which can be carried, is a major improvement in this procedure. Although authorisations had been given for a few vehicles which did not meet all the requirements (see point 5.7.2 regarding head space). The compatibility of the authorisation card with the SANITEL computer system is being used to monitor that vehicles are authorised, in



addition the data available on this system also makes basic monitoring of stocking densities possible.

6.3.3. Markets

The operators of both markets visited accepted a high degree of responsibility for the welfare of animals on their premises and worked closely with the competent authority in relation to the controls carried out at their markets. Substantial efforts have been made at the market previously visited to improve conditions, however, efforts made at the other market visited dealt more with problems as they arose (see point 5.6.1, fitness at markets), and improvements in the market itself have largely addressed issues of animal health (see point 5.8, operation of markets). Problems also remain at the horse market regarding appropriate segregation of the different categories of animals at this market.

The CA still does not ensure that journey on basic vehicles, especially where time is spent at a market, are completed within the maximum 8 hours laid down in point 2 of chapter VII of Council Directive 91/628/EEC.

6.3.4. Staging point

The CA ensured that the staging point was structurally in compliance with Council Regulation (EC) No. 1255/1997 and that most of the required details were recorded in the register. However, the register was incomplete.

6.3.5. Route plans

The system for approving route plans had improved from the previous mission and there was evidence that efforts had been made to have these returned after the journey had been completed. However, the CA did not always effectively monitor that these journeys had been completed as planned. The instruction to withhold animal health certificates where journey times are systematically ignored, represents a positive step towards ensuring better compliance.

6.3.6. Stunning and slaughter

The handling and stunning procedures seen were performed well. However, controls were not always carried out to ensure that the equipment met all the specifications and was maintained as laid down in Council Directive 93/119/EEC. Although it was not seen in operation, from the figures supplied the electrical stunner for pigs did not effectively stun all categories of pigs. The reported failure of private veterinarians to be suitably equipped to slaughter animals, which are unfit for transport, contributes to the problem of the continuing transport of these animals for slaughter.

6.3.7. Follow-up and sanctions

Inspections were well recorded at most of the locations visited during the mission. However, follow-up action was not always clearly indicated and was especially difficult where the incidents had not even been documented (e.g. 2003/01 - 51074 one of the markets). The effectiveness of sanctions initiated by the CA was



also insufficient (e.g. to discourage the transport of unfit animals). The lack of feedback from the Prosecutor's office on the results of actions taken, or the reasons why cases did not progress, is a major obstacle to achieving more effective enforcement of the requirements of EU animal welfare legislation.

6.4. Overall assessment of the competent authority

Control of animal welfare on farm and during transport is now a clearly defined area of work with targets set for the field services of the Ministry of Agriculture. There was a high level of co-operation between the Ministry of Agriculture veterinarians and those of the IEV/IVK during the mission regarding issues of animal welfare, both at the central and local level. The controls particularly in the slaughterhouse and the market featured in the last mission report (DGXXIV/1448/98) had been considerably improved. However, some of the controls operated at the slaughterhouse and the market, not previously visited, were not as well implemented.

The more detailed staff instructions and checklists, which were issued by the CCA and which were mostly followed in the field, represent real efforts to achieve a harmonised level of inspection of the legislative requirements. Overall the inspections were carried out in a competent way, although certain aspects of the inspections seen during the mission were not wholly satisfactory and the follow-up action was not always clear.

Difficulties with the controls, highlighted in point 6.3 above, have also been detected in other Member States. The application and monitoring of sanctions is a principle area of enforcement which has not been adequately addressed by the CA (see points 5.3.4 and 5.6 regarding sanctions and fitness to travel).

7. CLOSING MEETING

A closing meeting was held on 29 September 2000 with the central competent authority and representatives of the regional services. At this meeting, the mission team acknowledged the co-operation given by the CA during the mission and in particular, for adapting the itinerary to ensure that almost all sites were visited at times when they were operational with animals present. The mission team presented the main findings and conclusions of the mission and the representatives of the CA responded by indicating their willingness to address the failures highlighted. On the particular issue of the application of sanctions, a representative of the CCA reported that they were considering introducing a system of administrative fines for more minor offences.

8. RECOMMENDATIONS

8.1. To the competent authorities of Belgium

The competent authorities are requested to inform the Commission Services of the actions taken and planned to address the following recommendations and to provide a timetable for the completion of these actions. This should be done within 1 month of receipt of the final mission report.



- 8.1.1. Finalise and adopt the necessary measures to transpose the requirements for castration, tail docking and tooth clipping of piglets as laid down in Council Directive 91/630/EEC and transpose the requirement for adequate lighting for inspections of farms as laid down in point 3 of the Annex of Council Directive 98/58/EC into the French version of the Belgian legislation.
- 8.1.2. Ensure that the reports to the Commission on inspections carried out meet all the requirements of article 8 of Council Directive 91/628/EEC, article 7 of Council Directive 91/629/EEC, article 7 of Council Directive 91/630/EEC and Commission Decision 2000/50/EC. The inspections of calf holdings must be representative of the different systems of farming as laid down in article 7 of Council Directive 91/629/EEC.
- 8.1.3. Ensure that calves, which do not have totally healed navels are not transported as required by point 1 of Chapter 1A of the Annex of Council Directive 91/628/EEC. Also ensure that regarding accommodation for calves, bedding is provided for calves less than 2 weeks old, as required by point 10 of the Annex of Council Directive 91/629/EEC.
- 8.1.4. Ensure that effective monitoring of route plans is carried out and that action is taken where the requirements have not been respected. A system should also be developed to monitor the maximum journey time of 8 hours, particularly where the journey is on a basic vehicle and involves time at a market.
- 8.1.5. Ensure that the register maintained at the staging point meets all the requirements of Council Regulation (EC) No. 1255/97.
- 8.1.6. Ensure that markets provide appropriate facilities, in particular to ensure the safe passage of the animals within the market and for the segregation of different categories of animals so as to prevent any unnecessary suffering.
- 8.1.7. Ensure that stunning equipment in slaughterhouses is operated in such a way that it meets all the requirements of point 2 of article 6 and point 3A of chapter II of Annex C of Council Directive 93/119/EEC. Steps should also be taken to address the difficulties reported in slaughtering unfit animals on farm as required by article 12 of chapter III of Council Directive 93/119/EEC.
- 8.1.8. Ensure that, where necessary, corrective and follow-up action is taken when a deficiency is detected and implement a system to ensure the effective application of sanctions. It would also be beneficial if the system of administrative fines, as proposed by the CCA, could be introduced for more minor offences.



8.2. To the Commission Services

- 8.2.1 Consider amending the model route plan, in light of the difficulties in control highlighted in this report.
- 8.2.2 Consider proposing a code of rules giving general guidance on how farm checks should be carried out, as laid down in article 7 of both Directives 91/629/EEC and 91/630/EEC, and which should also provide guidance on the minimum standards required for housing systems.
- 8.2.3 Consider the findings contained in this report in the context of the ongoing examination of possible infringement proceedings against Belgium for failing to observe Council Directives 91/628/EEC, 95/29/EEC and 93/119/EEC.

ADDENDUM TO MISSION REPORT DG (SANCO)/1103/2000

The Competent authority did not supply any comments on a draft version of this report.

