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FINAL REPORT OF A MISSION  
CARRIED OUT IN FRANCE  
FROM 23 TO 27 OF OCTOBER 2000  
CONCERNING THE INSPECTIONS OF ANIMAL WELFARE STANDARDS  
ON PIG AND CALF HOLDINGS

*Please note that certain comments, made by the French authorities on 28 February 2001 in response to the draft report, have been included in the text of this final report in bold, italic type or as a footnote.*



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## ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

CA	Competent Authority
CCA	Central Competent Authority
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
DSV	Direction des Services Vétérinaires
PV	Procès-verbal



## 1. INTRODUCTION

The mission took place in France from 23 to 27 October 2000. The mission team comprised two veterinary experts from the Food and Veterinary Office (FVO), and one Member State expert.

The mission was undertaken as part of the FVO's planned mission programme. The inspection team was accompanied during the whole mission by a representative of the French Ministry of Agriculture and Fisheries.

At the opening meeting held on 23 October 2000, the objectives of the mission were confirmed by the inspection team, and presentations were made by representatives of the French Ministry of Agriculture and Fisheries, outlining the structure, administrative and operational procedures of all levels of the competent authority (CA).

## 2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate CA inspections of animal welfare standards on pig and calf holdings. This was the first mission undertaken to France for this purpose. It formed part of a wider series of missions to all Member States evaluating control systems and operational standards in this sector.

In pursuit of this objective, the following sites were visited:

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings
	Regional ( <i>département</i> )	3	The organisation of the inspections and the results of previous inspections were discussed at these meetings.
LIVE ANIMAL CONTROL SITES			Comments
Pig holdings		3	A veterinarian or a technician from the regional ( <i>département</i> ) authority carried out an inspection of each holding at each of these visits.
Calf holdings		3	

## 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 9 of Council Directive 91/629/EEC of 19 November 1991 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.

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.

In addition certain aspects of Council Directive 93/119/EEC of 22 December 1993 on the protection of animals at the time of slaughter or killing were relevant to the performance of this mission.

#### **4. BACKGROUND TO THE CURRENT MISSION**

The Commission services had initiated an infringement procedure (1999/2062) in 1999 against France for not having communicated a complete report to the Commission about their inspections carried out for the application of the provisions of the Council Directives 91/629/EEC and 91/630/EEC.

The major deficiency was that the report only took into account the results of the inspections of 58 *départements* and not of all the *départements* in France. In August 2000 the French authorities transmitted a report to the Commission covering the results of the inspections in the remaining *départements*.

##### **4.1. The pig sector**

There are about 15 millions pigs in France. 18000 holdings have more than 100 pigs per holding (97% of the animals on the holding) and 60000 holdings have less than 100 pigs per holding. In the regions visited there were between 287 and 2944 pig holdings.

##### **4.2. The calf sector**

In 1999 France produced 1896000 calves and 90000 of these were suckling calves. There are 4200 veal calf holdings and 7000 holdings with suckling calves (an average of 193 calves per holding). In the regions visited there were between 51 and 315 calf holdings.

#### **5. MAIN FINDINGS**

##### **5.1. Competent authority**

The Ministry of Agriculture and Fisheries (*Ministère de l'Agriculture et de la Pêche - Direction Générale de l'Alimentation; Sous-Direction de la Santé et de la Protection Animales*) is the central competent authority for animal welfare in France and has responsibility for implementing legislation concerning animal welfare.

France is divided administratively into 100 *départements*. At the level of each *département* there is a *Directeur des Services Vétérinaires* who is the head of the veterinary service. The veterinary services are under the direct supervision of the



*Préfet du Département* who represents the state authority in the *département*. The *départements* are responsible for the development of their own operational systems for performing animal welfare controls.

Senior veterinary officials (*contrôleurs généraux des services vétérinaires*) have responsibilities at the level of 8 regions in France and act on behalf of the central competent authority. These officials are supervising the *départements* concerning the administrative policy.

## **5.2. Applicable legislation in France**

The Ministry of Agriculture and Fisheries has the main responsibility for specific legislation concerning animal welfare in France. The basic legislation is laid down in the *Code rural*.

Council Directive 91/629/EEC laying down minimum standards for the protection of calves, as amended by Council Directive 97/2/EC, and by Commission Decision 97/182/EC is implemented in France by the Ministry of Agriculture and Fisheries Regulation of 20 January 1994 (*Arrêté ministériel du 20 janvier 1994 établissant les normes minimales relatives à la protection des veaux*) as amended by Ministry of Agriculture and Fisheries Regulation of 8 December 1997 (*Arrêté ministériel du 8 décembre 1997 établissant les normes minimales relatives à la protection des veaux*).

Ministry of Agriculture and Fisheries Regulation of 20 January 1994 (*Arrêté ministériel du 20 janvier 1994 établissant les normes minimales relatives à la protection des porcs*) implements Council Directive 91/630/EEC laying down minimum standards for the protection of pigs.

Council Directive 98/58/EC concerning the protection of animals kept for farming purposes is implemented by Decree nr. 80-791 of 1 October 1980 (*Décret n° 80-791 du 1 octobre 1980*), Regulation of 25 October 1982 as amended by Regulation of 30 March 2000 (*Arrêté ministériel du 25 octobre 1982 relatif à la garde, la détention des animaux, modifié par l'arrêté ministériel du 30 mars 2000*) and Regulation of 5 June 2000 (*Arrêté ministériel du 5 juin 2000 relatif au registre d'élevage*).

**Council Directive 93/119/EEC concerning the protection of animals at the time of slaughter or killing is implemented by Decree nr. 97-903 of 1 October 1997 (*Décret n° 97-903 du 1 octobre 1980 relatif à la protection des animaux au moment de leur abattage ou de leur mise à mort*) and Regulation of 12 December 1997 (*Arrêté du 12 décembre 1997 relatifs aux procédés d'étourdissement et de mise à mort des animaux et aux conditions de protection animale dans les abattoirs*).**

Parts of the Council Directive 98/58/EC have only been transposed in June 2000, not as required before 1 January 2000.



### 5.3. Operational procedures

A note (*note de service*) was sent in December 1998 from the CCA to the *départements* requesting them to undertake a survey on the animal welfare conditions on pig, veal calf and laying hen farms survey, which had to be finalised on 30 March 1999. This was initiated in order to fulfil the obligation of the MS to send a report biennially to the Commission Services about the inspections carried out as required by article 7 of the pig and calf directives.

The number of inspections for the *départements* and a list of criteria to be checked during the inspections were set. This note comprised one part about animal nutrition asking about the use of antibiotics in the feedingstuffs. A table indicating the allowed and prohibited antibiotics was attached. No update of this note has been issued.<sup>1</sup>

In each *département* visited there was a unit dealing with animal protection which dealt also with other subjects such as animal health and animal nutrition. In 2 *départements* 4-5 technicians were affiliated to the head of this unit who was always a veterinarian. In one other *département* with a high number of staff, the head of the animal protection unit worked together with the technicians of other sectors (cattle, pig, poultry) and supervised these staff performing the animal welfare checks during their inspections.

No procedures and instructions were elaborated in all *départements* visited on how to handle deficiencies on the farms inspected and what specific actions and follow-up has to be taken. The findings of the inspections are discussed in the office before issuing an official letter, signed by the Director of the DSV, to the farmers concerned. In 2 *départements* no deadlines for implementing remedial actions were set for the farmers. Examples of inspections with deficiencies carried out in February and March 1999, which had not yet been followed up until the time of the mission, were seen.

There were no guidelines to describe the norms of specific technical requirements such as air quality, the need for artificial ventilation, floor characteristics (slipperiness, slats dimensions), light and fibrous food. In addition there were no guidelines for formulating action plans for farmers.<sup>2</sup>

Before 1998 there was little documentation about the inspections carried out such as reports or checklists, action plans and follow-ups except for controls on very serious offences against animal welfare. It was reported that the practice was to impose actions orally and revisits were not done systematically. Annual summary reports about the inspections carried out and the imposed sanctions were drafted in two of the three *départements* visited.

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<sup>1</sup> In their comments of 28.2.00 the CA stated that the veterinary services are made aware about the updating of the forbidden antibiotics by regular publishing in the Official Journal of the French Republic. No update of the part of the note concerning animal nutrition was planned as this was a survey during a single period.

<sup>2</sup> In their comments of 28.2.00 the CA stated that the *Instituts techniques* (*Institut de l'élevage, Institut technique du Porc*) provide guidance on technical norms for the construction of farm buildings.



The first checklists were developed in 1999 and 2000, however there was still no consistent documentation on actions imposed, the communication to the farmer and the follow up information on revisits.

The inspection checklists issued by the three DVS differed considerably from each other: one *département* followed the requirements of Council Directives 91/629/EEC and 91/630/EEC whereas the two other *départements* had checklists based on the note from the CCA in 1998.

The checklists were not always properly completed e.g. missing data such as the date of the inspection and the name of the inspector. Infractions were only indicated by marking the criteria without further explanation making a follow-up of the inspection very difficult.

During the mission checklists were used for all inspections carried out and were properly filled in. The mission team was handed over the documentation of the inspections of the 3 *départements* visited. In all cases a letter had been sent to the farmer informing about the deficiencies detected and the actions to be taken. Deadlines were set in two *départements*.

There is a close co-operation between the veterinary services and the *Gendarmerie*. All the reports of inspections performed by the *Gendarmerie* are also sent to the veterinary services and, on request, veterinary officials are requested from the *Gendarmerie* for specific advice. In some *départements* the staff of the *Gendarmerie* is trained by the veterinary services.

#### *Staff personnel*

The *départements* visited had a total staff of about 80 to 180 persons. It was reported that in the last 10 years the number of staff in all the veterinary services in France had decreased by 6 % and in the regions visited by 0 to 17 %. This reorganisation was carried out as a result of a study in which the number of staff in each *département* was set in relation to the specific tasks and workload.

#### *Training and information*

After having finalised their studies as a veterinarian, agronomist or technician, each applicant for the veterinary service has to take an induction course of two years in national schools. This course includes aspects of animal health, animal welfare, food safety and environmental topics.

There is also continuous training offered on a voluntary basis and for technical support the *Instituts Techniques* (criteria for ventilation, lighting, heating) may be consulted. New inspectors are trained in the DSVs by experienced inspectors who accompany them during the first inspections.

The education programme includes the quality assurance scheme (norm NF 45004) which includes the writing of reports for each inspection. This scheme has been implemented for 4-5 years and the degree of implementation varies from *département* to *département*. The introduction of the quality scheme



includes two levels, of which each *département* has already achieved the first level.

The first level requires the filing of notes, the establishment of an organigramme, the supervision of the inspections and a training programme. The second level then includes the implementation of fully operational procedures, instructions and checklists.

One *contrôleur général* said that in his region, which the mission team did not visit during the mission 30-50 % are at the beginning of level 2 and 50-70 % are in the middle of the implementation of level 2 and none has yet achieved a fully operational system. In two *département* visited the procedures and instructions were not yet developed and in the third region procedures had only been established to handle complaints.

Informing farmers of their legal obligations is carried out by the Instituts Techniques and also by agricultural organisations. This is done in informal meetings or by written documents. **Members of the CCA also provide information during these meetings.**

While the awareness of the independent farmers was less developed, the farmers belonging to an association were better informed of the newest legal requirements. The mission team observed some deficiencies in knowledge in all the farms visited, however.

### 5.3.1. *Farm inspections*

The CCA announced in their note to the *départements* of December 1998 that 5% of the farms of each species have to be inspected with a minimum of 5 farms per *département*. In *départements* with a high number of farms the minimum number was however set to 30. It is not clear whether the period of time in which the minimum number of inspections has to be carried out refers to only until the end of the survey period or to an annual or biennial basis. The procedure for the selection of farms, the imposition of sanctions and follow-up are not defined at the central authority level but are under the responsibility of the DVS. It was however mentioned that the selection of the farms should be done on random sample.<sup>3</sup>

The majority of the inspections are carried out at the same time as other checks. These integrated checks incorporate controls for animal disease, residues, herd and animal registration, as well as animal welfare. Only in one *département* visited were the animal welfare criteria checked during these integrated controls formalised into a checklist.

More specific inspections are carried out if serious deficiencies on animal welfare are detected in the integrated checks, on the basis of complaints, reports of animals in poor health condition from veterinary inspections in

<sup>3</sup> In their comments of 28.2.00 the CA stated that a random selection is being fulfilled when no connection between two inspection purposes exist. Furthermore targeted inspections based on pre-selections result in more negative results.



slaughterhouses or where farms do not fulfil environmental standards. Complaints from the public about cases of mistreatment of animals are followed up by a visit from the police or the veterinary services.

The timing of inspections is not done in a representative way, as there was in at least one *département* a tendency to start the inspections only in the second half of the year (during winter). Almost exclusively no calf farms other than veal calf farms are inspected.

The CCA stated in the pre-mission questionnaire and in the biennial report to the Commission that between 1998 and 1999, 544 calves holdings and 1230 pig holdings were inspected specifically in France on animal welfare grounds.

The CCA listed the most frequently detected areas of non-compliance on pig and calf holdings as the following: no fibrous food for veal calves, no bedding for veal calves under 2 weeks of age, insufficient or lack of ventilation and insulation, insufficient hygiene and no means of protection for the piglets in farrowing crates.

Table: Number of farms and specific inspections carried out in the two years 1998 and 1999 for the 3 DSVs visited

DSV	Pigs			Calves		
	Number of farms	Number of inspections	% of inspected farms	Number of farms	Number of inspections	% of inspected farms
1	287	20	7%	58	5	9%
2	2944	21	1%	315	14	4%
3	577	24	4%	51	15	29%

While DSV 1 reaches the targets of the number of inspections as required by the CCA, DSV 2 does not fulfil the 5% level or the minimum number of farm checks (30) and DSV 3 does not fulfil the required number of checks for pig farms.

As this data refers to a two-year period, the average number of inspections per year is half of the numbers indicated.

While the data provided during the mission in DSV 1 confirmed the data from the pre-mission questionnaire, the data in DSV 3 did not correspond. It was stated in the DSV 3 report that only 5 integrated inspections and no specific check had been performed in the years 1998 and 1999 on calf farms and 14 integrated and 21 specific checks on pig farms. Even in 2000 specific checks on calf farms had not yet been performed in this DSV. DSV 2 did not provide the necessary data to the mission team.

### 5.3.2. Sanctions

The competent authorities have the legal power to issue warnings and *procès-verbaux* (PV) on which a prosecutor of the Ministry of Justice can decide whether to impose a legal sanction. **It is also possible that sanctions as a result**



**of administrative decisions are imposed by authorised officers. The Procureur of the Département has the power to take decision on follow-ups of PVs.** The legal power exists also to seize the animals and to entrust the animals to a welfare organisation. In 1999 the legislative basis was laid down to apply administrative fines (*amendes*), which have however not yet been applied. Both veterinarians and technicians have the same power to impose the above mentioned sanctions.

The *Gendarmerie* also has competence to deal with infractions regarding animal welfare. In one *département* the follow-up of complaints for animal welfare was accomplished by the *Gendarmerie*.

In one DSV the mission team was provided with the documentation of 6 warnings addressed to issues of the calf and pig animal welfare directives. These all dated from 15 February 1999 to 9 March 1999. No follow-up control and no further prosecution had been done up to the time of the mission. In the pre-mission questionnaire it was stated that a total number of 9 warnings were issued for the whole of France in the years 1998 to 2000. In one other DSV visited the CA reported to the mission team the issuing of 1 *procès-verbal* for calves in 1999.

Although the survey of 1998 revealed that on 30% of the veal calf farms no fibrous food had been provided, there was no evidence of any warning or prosecution on this issue. It was stated that PVs are only initiated for serious abuses such as bad treatment of animals (insufficient care or cruelty).

### 5.3.3. *Supervision*

Up to the time of the mission the only official reporting of the results of the inspections to the CCA is the result of the survey launched in 1998. The CCA stated that this survey is the only basis on which the central level is informed on inspections and sanctions applied in the *départements*.

There is no system in place for regularly informing the central administration about the inspections carried out in the *départements*. The central authority informed the mission team that a programme is currently being developed, which will be used in all *départements* to report the results of the inspections to the central authority in a harmonised way.

The *contrôleurs généraux* visit the *départements* of their area several times in the year. They check the application of the legislation, give advice in administrative management for financial and staff issues and fix prioritisation of the activities. They perform an evaluation of the performance and tasks of the DSVs with general key parameters (animal population, number of imported or exported animals, number of private veterinarians...). They also have instruments to sanction staff by reducing the staff payments e.g. One *contrôleur général* stated that he had sanctioned several persons in his region. No specific supervision was however done on the inspections for animal welfare on farms.



Interregional harmonisation is assisted by monthly meetings of the regional *contrôleurs généraux* and by appointing specialist advisers on specific subjects.

#### 5.3.4. *Reports to the Commission*

Although the Council Directives required the sending of a report to the Commission of the checks carried out in 1996 for the first time, reporting on the inspection years 1994 and 1995, France has only submitted a complete report to the Commission in 2000 reporting on the years 1998 and 1999.<sup>4</sup>

The French authorities only presented the results of the survey initiated in December 1998 and officially finalised on 30 March 1999.

#### 5.4. **Pig holdings visited**

Three closed (breeding and fattening) pig farms in three different *départements* were visited during the mission. In two *départements* a veterinarian acting as head of the section responsible for animal welfare conducted the inspection together with a technician. In one other *département* a technician conducted the inspection on site alone. The inspectors used a standard checklist issued by the respective *départements*. On two farms the animals were kept in buildings older than 10 years (up to 28 years) and on one other farm most of the buildings were built or refurbished on or after 1998. On two farms the animals were exclusively kept on slatted floors and on one farm on slatted floors as well as on concrete plain floors with straw. The number of sows kept on the farms varied from 65 to 270 sows.

##### 5.4.1. *Isolation of sick and injured pigs, mutilations, euthanasia and medical treatments*

While the inspectors addressed the presence of sick pens it was accepted that in several stables there were no sick pens and that the sick pens seen on the holdings were without bedding material. On one farm visited, the sick pens located in a separate building were not used for several months; nevertheless, the inspecting veterinarian did not make any remarks or recommendations on this issue. The practice was, in general, that pigs with slight injuries were not removed from their pens. This was not detected by the inspector and this was not an issue on the other farms visited either. The presence of water at all times in the sick pens was never discussed by the inspectors.

The inspectors did not ask on every farm visited about the treatment of the animals against parasites or what measures had been taken against pests.

Only on one farm did the inspecting veterinarians ask the stockman to explain how euthanasia was carried out. This stockman killed emergency cases on a routine basis with a free bullet pistol. The inspector explained to the mission team that the French legislation only allows the killing of animals by

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<sup>4</sup> In their comments of 28.2.00 the CA stated that in 1994 and 1995 regular inspections had been carried out, no summary of these inspections was made.



veterinarians and not by farmers, however the inspector did not raise this issue in the final recommendations on the site.

While the prescription of veterinary medicines and the animal health supervision by private veterinarians was generally controlled by the keeping of a register detailing the medical treatments; the mortalities and the mortality rates were not checked. The farmers had not yet been informed of these requirements. These mortality registers were either not present or incomplete and were different from one *département* to the other and even from farm to farm. It was stated that the keeping of registers is going to be enforced now because the legislative basis has only been laid down in July 2000. The farmers' associations would be contacted to be made aware of these requirements and would be given instructions on the design of the forms.

#### 5.4.2. *Mutilations and substrates providing enrichment*

Tail docking, teeth clipping and castration were carried out on all the farms 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 other than a ball to satisfy the behavioural needs of the pigs. One stockholder stated that he had made an attempt not to dock the tails of some of the piglets but observed that the un-taildocked pigs were more aggressive than the taildocked ones. On two farms the inspector made a recommendation that the farmer should make more efforts by not tail docking whole groups. 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.

The survey from the CCA in 1998 revealed that from 1230 pig farms in the whole of France 146 farmers (12%) did not practice castration, 181 farmers (15%) did not practice teeth clipping and 151 farmers (12%) did not practise tail docking. 1-2% of all pig farmers asked a private veterinarian to do these operations.

#### 5.4.3. *Fixtures, floors and light*

The inspecting veterinarians highlighted broken fixtures, which needed to be repaired, on the farms visited. Nonetheless on one farm the inspector did not mention old electrical circuits and lamps, which were not waterproof and some seemed to be no longer in use as open leads were still present on the ceiling. There is the potential danger of electric shock for the animals as well as for the personnel, especially during cleaning.

On one farm some fixtures were broken or rusted in such a way that sharp edges could harm the animals, e.g. a broken pipeline in a feeding trough. The veterinary inspector did not ask for immediate action to rectify these fittings.

On the farms the inspectors did not recognise deficiencies regarding floors (uneven and irregular floor surface) in all stables. On one farm the inspector did



not criticise slat openings of 3 cm or detect a lack of means of protecting the piglets in farrowing crates on one farm.

On one farm the use of wood was criticised by the inspector, as it was not suitable for cleaning and disinfection, on other farms however, this was not done.

On one farm several old stables for fattening pigs did not have any natural light. It was stated that artificial light was provided during daytime. The mission team mentioned that in such a case the use of an automatic light regulator is advisable. The letter written from the DSV to the farmer after the inspection also highlighted this and remedial actions have been imposed.

#### 5.4.4. *Feed and water*

On two farms an automatic wet feeding system supplied food several times a day. The quality of the water and the functioning of the drinkers were not controlled on any of the farms visited.

The dry pregnant sows were not provided with fibrous food with a high fibre content to satisfy their appetite. On the farm with fattening pigs there were several pens with feeding troughs which were highly contaminated with faeces. On none of the farms visited were there facilities to minimise the contamination of the pigs' feed in the troughs as required by Article 15 of Council Directive 91/630/EEC.

Although the checks of feedingstuffs was not in the primary scope of the mission the mission team observed some deficiencies in this respect. It was stated that the inspectors performing the integrated controls only collect the labels with the ingredients attached to the feed and forward these to another service dealing with these issues. There was uncertainty among the inspectors in the *départements* because on the note from the central authority sent in 1998 to the *départements*, a table was attached stating a range of permitted antibiotics at that time. However, no other note had been sent later informing them of the withdrawal of the permission to use some of these antibiotics in 1999 (Council Regulation (EC) No 2562/1999). It was stated that the *départements* are responsible for the implementation of the national legislation, of which they are made aware by an official journal.

#### 5.4.5. *Space allowance and tethering*

Measurements of the size of various pens were made on two farms visited whereas on one farm the sizes were estimated. The mission team highlighted the insufficient size of the crates for very large sows in the dry sow accommodation and the fact that the crates could not be individually adapted. Some of the crates did not allow every animal to lie down easily. In the letter sent to the farmer after the inspection remedial action has been asked for this issue.

One boar pen did not have the minimum required surface of 6 m<sup>2</sup>. The inspector did not comment on the surface space of the pen.



In one old stable on one farm about 4-5 pregnant sows were still tethered. It was stated that this stable would not be used any more as soon as a new building in construction would be finished.

#### 5.4.6. *Ventilation systems and alarms*

The inspecting veterinarian criticised the air quality in some stables on two farms. On the other farms the air quality was satisfactory. The mission team was however not convinced of the effectiveness of a natural ventilation system in one stable in hot weather conditions.

The farmers demonstrated themselves the functioning of the alarm and the back-up system for the artificial ventilation. While the inspecting veterinarians always paid attention to the alarm and the back-up system, the requirement for regular testing of the alarm and the independence of the alarm from the electricity circuit was not asked for.

On one farm the farmer claimed that he did not need a replacement system because the electricity line supplied to his farm was a high priority line because of a near-by hospital. The inspecting veterinarian accepted the explanation of the farmer. The mission team did not agree totally on this, as hospitals will always have a replacement system in place guaranteeing their independence from the electricity supply. In very serious weather conditions the time taken to repair the supply may be such that the animals may be in danger of unnecessary suffering.

#### 5.4.7. *Hygiene conditions*

On one farm the inspector described the state of hygiene as good, whereas the mission team observed dirt on fixtures and floors not removed by the last cleaning operation. On one other farm the ceilings had not been cleaned for a long time, which did the inspector not comment on.

The mission team noted in one case that no measures against the presence of flies had been undertaken.

### 5.5. **Calf holdings visited**

Three veal calf holdings in three different regions were visited during the mission. These holdings bought in calves for fattening and the holdings were all constructed in 1998 or after. They belonged all to association groups or co-operatives. All calves seen during the mission were kept in groups of 30-78 animals. The inspections were conducted in the three different *départements* by technicians together in one *département* with a veterinarian. A checklist, which was different from one *département* to the other, was used in all inspections.



### 5.5.1. *Isolation of sick and injured calves, mutilations, euthanasia and medical treatments*

All farms visited had isolation facilities for sick or injured animals. The sick calves seen on two holdings were isolated in pens with adequate bedding material. On one farm the inspector asked for the presence of a sick pen but did not inspect it. The practice was in general that calves with slight injuries or diseases were not removed from their pens in order not to disturb the group behaviour when returning a recovered animal into the group again. On two calf farms there was no water present in the sick pen. This was not detected by the inspector and this was not an issue on the other farm visited either.

On none of the farms visited did the inspectors ask the stockman to explain whether and how euthanasia was carried out. On all farms the inspectors asked whether the calves would be muzzled. The farmers on two farms replied that they had tried to practice this once but it was not successful and stopped. The farmers were not aware of the prohibition on muzzling and the inspectors did not inform the farmers during the visit.

Brushes and artificial teats were seen on one of the farms visited, which provided artificial enrichment to avoid the calves sucking their coats.

On one other farm however, the mission team observed one calf with a nose ring and commented that this should be avoided, as it is a kind of mutilation causing unnecessary suffering to the animals.

The checking of the medical treatment and documentation was done in a similar way as reported on the pig holdings (see chapter 4.4.1). On one farm the documentation and registers were only held for the animals actually in the stables but not for the previous groups. These documents were said to have been sent to the association head quarters. The director of the veterinary service of the *département* accompanying the mission team during the visits clarified that these documents have to be kept on the farms for three years. The mortalities were reported to be very low (under 1 %).

### 5.5.2. *Fixtures, floors and light*

On one farm visited the floor consisted of tampered soil, which was not suitable for cleaning and disinfection. The inspector made a remark on this and required that a concrete floor be established as soon as possible. The specifications and the state of the slatted floors (standard distance of the slats, slipperiness, dryness, cleanliness) were very good on all of the farms visited.

One sick pen had wooden walls and the inspecting technician did not address the unsuitability of this material for cleaning and disinfection.

On one farm a teat providing milk from the milk feeder was torn out. The inspector asked the frequency of teat changing, which was stated to be once per



week. The inspector however did not give advice to change the teat more often despite the obviously higher wear.

The French legislation indicates that calves cannot be kept in total darkness, but sets no exact requirements for light intensity. In one holding visited, some small openings at the sides of the building provided some natural light, but the mission team considered that the light was not sufficient as no additional artificial light was provided during daytime. The national inspector did not comment on this issue. On another farm an automatic programme regulated the light. On the third farm low intensity lights provided artificial light at night.

### 5.5.3. Feeding and water supply

On all three farms an automatic milk feeding system supplied milk several times a day and on two farms it could supply water as well. It was reported that water was made available between milk feeding times by the automatic system. This was considered sufficient to fulfil the requirement of paragraph 13 of the Annex of Council Directive 91/629/EEC of providing fresh water at all times in hot weather conditions. The milk automates were designed to feed up to 78 calves. The quality of the water and the functioning of the feeding system (drinkers) were not controlled on any of the farms visited.

The French CA consider that the fibre provision for calves is considered sufficient if the calves are ruminating. On two farms fibrous food provided to the calves consisted of pellets with 10% fibre content and on one of these farms there was also straw available for the calves. On the third farm all calves were bedded on straw. The mission team criticised the long interval of 2 days between the provision of bedding, considering that straw consumption is quite reduced on the second day because of contamination, and that consequently the minimum daily intake of fibre may not be ensured on each day. On those farms with straw, rumination could be observed but on the farm without straw, rumination activity could not be observed during the visit, which was however not commented on by the inspector.

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. Furthermore the mission team indicated on one farm that the maximum amount of 200-g of pellets supplied to the calves did not meet the minimum amount of 250 g of fibrous food as required by the calf directive.

There was some confusion for the inspectors in all *départements* that the haemoglobin level in the blood of the tested calves was not indicated in mmol/litre as required by the Directive. The iron content in the blood was indicated in haematocrit percent. The inspectors did not know on the spot the critical values corresponding to the requirements and the correlation factor between the two parameters. In one case however, there was in the letter to the farmer sent after the inspection remedial actions asked for an insufficient iron level in the blood, which was based on the haematocrit parameter.



#### 5.5.4. *Space allowance and tethering*

Estimations of the size of various pens were made on all the farms visited, but no direct measurements were done. **Most of the farms have passed an approval system for the protection of the environment. When farms are authorised an *arrêté préfectoral* is given for each farm in which the maximum number of animals allowed to be kept is established taking into account the stables' dimensions.** The inspectors are aware of this information when visiting a farm. The inspectors relied on this information or accepted the information about the stock density given by the farmer and did not take measurements of the surface space of the pens themselves and did not count the number of the animals in the pens.

No tethered calves were seen on any of the farms visited.

#### 5.5.5. *Ventilation systems and alarms*

The air quality was good on all the farms visited. All the farms had natural ventilation although on one farm an additional artificial ventilation system was installed, as there were problems with the health of the calves in hot weather conditions. On one farm the stock-keeper said that in critical weather conditions the air circulation is tested by an air stream indicator (artificial smokemaker).

All the farms had a backup system, which was however mainly necessary for the electricity supply of the milk feeding system. An alarm was however not present on all farms, but this is only required for artificial ventilation systems.

#### 5.5.6. *Hygiene conditions*

The hygiene conditions were good on all of the farms visited. The inspectors always asked the frequency and materials used for cleaning and disinfection. The automatic feeding systems have a regular self-cleaning mode, which can be adjusted by a programme. The slats were cleaned on one farm on a weekly basis.

## 6. CONCLUSIONS

### 6.1. **Applicable legislation in France**

The relevant EC Directives have been transposed into French law, however there were several requirements of Council Directive 98/58/EC which have been transposed later than required (see point 5.2).

### 6.2. **Implementation of the legislation**

#### 6.2.1. *Training and information*

Training, education and information on the requirements of the welfare Directives is given in a well established system to the officials of the veterinary services and also to the farmers and operators concerned.



The system of pre-approval of farms as well as the systematic supervision of the association groups (mainly for the calf farms) ensures a certain quality standard of buildings and installations. The control of operations such as cleaning and disinfection, care of the animals and the keeping of registers is ensured to some extent. On some occasions however, the inspecting veterinarians relied on data from the farmer and on previous inspections carried out in the framework of the pre-approval and no longer verified the requirements (e.g. sizes of pens, stocking density).

6.2.2. *Implementation of a control system, follow-up and application of sanctions*

The implementation of the legislation and the level of enforcement are not ensured in a satisfactory way. The main conclusions are the following:

- The responsibility for the implementation of the control system is in the *départements* and insufficient guidelines are issued from the CCA. As a consequence the operation of checks was performed in a different way in the *départements* visited.
- The number of inspections of pig and veal calf holdings carried out does not provide a representative sample of these particular farming systems as a pre-selection of farms is done on the basis of the results of integrated checks, complaints, and the visits are not distributed randomly during the year. Furthermore calves in dairy and suckler holdings are not included in the farm checks and therefore the selection does not represent these sectors. The criteria checked during the integrated inspections do not cover all the provisions of the animal welfare Directives and cannot be regarded as fulfilling Article 7 of the Council Directives. The minimum numbers of specific inspections set by the central administration were not always fulfilled in all *départements* visited in the two sectors.
- No procedures and staff instructions for the operation of inspections have yet been established in the *départements* visited. In one *département* a procedure for dealing with complaints had been developed. Since 1999 checklists were used, which did not yet meet all the requirements of the directives. No exact requirements for parameters such as light, floors are set to give additional advice to the inspector. In one *département* quite detailed checklists have been developed in 2000. Most checklists seen from previous inspections were not always properly completed, which would make a follow-up of the inspection very difficult and may not give sufficient judicial evidence in case of a court case. However the checklists completed during the inspections on the mission were more properly filled in.
- Overall the inspections carried out by the inspectors of the CA during the mission were performed in a competent way, although certain aspects of the inspections seen during the mission were not satisfactory (see points 5.4 and 5.5). There was however no satisfactory evidence that this was the routine way of doing the inspections as on several occasions the inspector was the head of the sector of animal welfare in the DSV and the Director of the DSV interfered



on several occasions during the inspections. The documentation of previous inspections did not show that these individuals routinely carried out the checks and that the inspections were carried out to the same standard.

- The follow-up of previous inspections where deficiencies had been detected was not satisfactory. Both veterinarians and technicians have strong legislative power to impose sanctions. These instruments are however not effectively used; written warnings and PVs are very rare and mainly only imposed for serious abuses of animal treatment.
- Some of the requirements from Council Directive 98/58/EC have not yet been communicated from the central authority to the départements and were also not checked during the inspections. The non-updating of the note de service from 1998 also led to the uncertainty among the inspectors about the use of antibiotics prohibited in 1999. The CCA did not feel responsible for the standards of inspection seen during the mission as the note de service in 1998 constituted, in their opinion, only a request for doing a survey and not as a guideline for doing inspections. It remains under the responsibility of the DSVs to build up their inspection system directly on the basis of the national legislation and not on instructions issued by the CCA.

#### 6.2.3. *Supervision*

The issuing of a request for doing a survey in December 1998 represents up to now the only instrument of supervision done by the CCA, which is not sufficient to guarantee a satisfactory application of the legislative requirements in all the *départements* of France. The CCA is not **sufficiently** aware of all the checks and imposed sanctions done in the *départements*, as there is no system of regular information exchange in place. The currently developed database programme is one instrument in achieving this.

Supervision of new inspectors is carried out by experienced inspectors who accompany them during the inspections. The findings of the inspections are discussed in the office before issuing an official letter, signed by the Director of the DSV, to the farmers concerned.

The supervision carried out by the regional *contrôleurs généraux* provides good guidance for the general issues of the management of the DSV (prioritisation, finance, and staff policy). They did however not give specific advice in the operation of checks for animal welfare on farms.

#### 6.2.4. *Reports to the Commission*

The first biennial report sent to the Commission was only sent in 2000 and reported on the inspection years 1998 and 1999 and did not, as required, include data from 1996 onwards. The consistency of the content of the report is not totally ensured.

The report only presented the results of the survey initiated in December 1998 and officially finalised on 30 March 1999 and did not refer to all the results of



inspections carried out in the two years period, as required by Article 7 of the on farm welfare Directives.

The data on the number of inspections provided directly to the mission team in one *département* did not correspond in at least one *département* to the data provided from the CCA in the pre-mission questionnaire. Not all the indicated numbers in the report to the Commission are based on inspections fulfilling the criteria of the on farm welfare directives.

### **6.3. Tail docking and tooth clipping of pigs**

The requirements of the Directive whereby tail docking and tooth clipping of pigs should only be carried out where there is evidence to justify this, was not strictly followed (see point 5.4.2).

### **6.4. Appropriate care for sick and injured animals**

The inspecting veterinarians largely ensured that sick and injured animals received appropriate care. The practice is not to separate slightly sick or injured animals. The sick and injured pigs seen were however isolated mostly in pens of the same construction as the other pens in the same section, without any bedding.

Checks were rarely made of how the euthanasia of animals was carried out. It was noted that one farmer relied on a bullet pistol as a method of killing such animals. On this occasion the inspecting veterinarian was not aware of the French legislation which allows stockmen to kill animals.

### **6.5. Questions on legal requirements**

The French CA consider the provision of fibrous food as sufficient as long as the calves ruminate and the minimum intake, as laid down in the directive, is accomplished. From the French point of view the physical structure does not need to be considered and a minimum chemical content of fibre in the feedingstuff is also not fixed. Also in the EC directive there are no provisions for the physical structure and the minimum chemical content of fibres in the feedingstuffs. It remains open to question whether fibrous food has to meet minimum requirements on the physical structure (minimum length and width of particles) as well on the chemical content of fibre.

On the veal farms visited there were automatic milk feeding systems supplying milk and water subsequently several times a day. Paragraph 13 of the annex of Council Directive 91/629/EEC states that fresh water should be provided at all times in hot weather conditions. These systems fulfil only part of the requirement in the respect that at all times liquid is provided to the calves but the liquid is constituted either by milk or by water. It is questionable furthermore whether the feeders as one drinking point for up to 78 calves on one farm visited can satisfy the water needs for this number of calves in hot weather conditions.

In the *départements* visited the iron content in the blood of veal calves was indicated in haematocrit percent. It is not clear whether the haematocrit parameter



is a suitably reliable parameter for the haemoglobin level in the blood as other factors such as dehydration may also influence the haematocrit parameter.

## **6.6. Overall conclusion**

Although progress was observed in all *départements* visited in developing their operations of checks, the implementation of the directives on animal welfare of pigs and calves on farm was not yet ensured in a satisfactory way. The targets for the numbers of inspections set by the CCA were not met in all the *départements* visited and the selection of farms was not randomised.

Procedures and staff instructions for the operation of inspections have not yet been drafted and most of the checklists do not include all the requirements of the Directives.

The inspections carried out by the inspectors of the CA during the mission were performed in a competent way, although certain aspects of the inspections seen during the mission were not satisfactory. There was however no satisfactory evidence that this was the routine way of doing the inspections.

There is good co-operation between the DSV and the *Gendarmerie* and also satisfactory communication regarding the courts dealing with the sanctions.

The supervision of the veterinary services in the *départements* by the CCA is poor. The CCA has recognised this weakness and is developing a programme to ensure a uniform and more frequent reporting of the inspections carried out in the *départements*.

The application and monitoring of sanctions has not yet been adequately addressed by the CA and needs further improvement.

The reporting of the results of the inspections from the CCA to the Commission Services was done for the first time in 2000 and not as required by the Directives in 1996. The consistency of the content of the report is not totally ensured.

## **7. CLOSING MEETING**

A closing meeting was held on 27 October 2000 with the central competent authority and a representative of the regional *contrôleurs généraux*. At this meeting, the main findings and conclusions of the mission were presented by the mission team. The mission team acknowledged the co-operation given by the CA during the mission.

## **8. RECOMMENDATIONS**

### **8.1. To the competent authorities of France**

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 one month of the receipt of the final mission report.



- 8.1.1. Take measures to ensure the satisfactory implementation and supervision of the operation of checks concerning the Directives on animal welfare of pigs and calves on farm in all the *départements* in France.
- 8.1.2. Ensure that the inspections of calf and pig holdings are representative of the different systems of farming in France.
- 8.1.3. Take measures to ensure the effective application of sanctions and to monitor this at central level, so that the requirements of both Article 8 and 18 of Council Directive 91/628/EEC and Commission Decision 2000/50/EC are fulfilled.
- 8.1.4. Ensure that inspecting veterinarians and technicians receive adequate information, training or other forms of support to assist them in enforcing the requirements, in particular with regard to standards of suitability of floors, light, feeding facilities, ventilation and environmental enrichment **and the permission of stockmen to humanely kill animals as well as the means of killing as well as with regard to controls of antibiotics in feedingstuffs**. Appropriate corrective action and follow-up actions must also be assured.
- 8.1.5. Ensure that the reports communicated to the Commission are based on clearly defined inspections fulfilling the provisions of the Directives.
- 8.1.6. To further develop and advise farmers of ways of reducing the need to tail dock piglets.

## **8.2. To the Commission Services**

- 8.2.1. Consider the points highlighted in Chapter 6.5. about the definition of fibrous food for calves, the fulfilment of provision of fresh water by milk feeding automates and the suitability of the haematocrit parameter as an indicator for the content of iron in the blood of calves.



## **ADDENDUM TO MISSION REPORT DG (SANCO)/1263/2000**

### **Competent authority response to the recommendations in the report**

1. The competent authority submitted comments on the draft report which were taken into consideration prior to the preparation of the final report.
2. In these comments the CA made the following comments on several of the above recommendations:

Regarding recommendation 8.1.1 the CA declared that the inspection programme for certain farm animals will be revised. The CA stated that the further establishment of the quality assurance scheme will lead to a more harmonised implementation of the inspections and follow-up. The *Procureurs* in the *départements* will be made aware about animal welfare issues in order to ensure a more effective follow-up.

