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

DG(SANCO)/1101/2000– MR FINAL

REPORT OF A MISSION
CARRIED OUT IN SWEDEN
FROM 27 MARCH TO 31 MARCH 2000
CONCERNING THE WELFARE OF PIGS AND CALVES ON FARM

Please note that certain comments, made by the Swedish authorities on 4 July 2000 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

EC	European Community
EEC	European Economic Community
EU	European Union
FVO	Food and Veterinary Office
PPM	Parts Per Million
SBA	Swedish Board of Agriculture

1. INTRODUCTION

The mission took place in Sweden from 27 March to 31 March 2000. The mission team comprised 2 veterinary experts from the Food and Veterinary Office (FVO) and 1 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 from the central competent authority, the Swedish Board of Agriculture.

An opening meeting was held on 27 March with the Swedish Board of Agriculture (SBA). At this meeting, the objectives of the mission were confirmed by the inspection team and additional information required for the satisfactory completion of the mission requested. The regional and local levels of the competent authority were responsible for the selection of farms to be visited during the mission.

2. OBJECTIVES OF THE MISSION

The objective of the mission was to verify how the competent authority implement and enforce the minimum standards of animal welfare for calves and pigs as laid down by Council Directives 91/629/EEC and 91/630/EEC respectively. In pursuit of these objectives the following visits were carried out:

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings
	Regional	2	In both of the counties visited meetings were held with the responsible officials.
	Local	2	Meetings were held in two of the four municipalities visited.
FARMS			Comments
Pig holdings		3	The itinerary included a visit to a fourth pig holding, but this was substituted with a visit to an additional calf holding at the request of the mission team.
Cattle holdings		6	

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.

In addition certain aspects of the following legislation were relevant to the performance of this mission:

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.

4. BACKGROUND

4.1. The pig sector

There were 7300 holdings with pigs in Sweden in 1998 with an average of 35 sows and 300 pigs in total per farm. In the counties visited there were approximately 1500 holdings with pigs and in one of the counties visited there was an average of 55 sows per holding.

4.2. The calf sector

There were 36,600 holdings with cattle in Sweden in 1998 with an average of 30 dairy cows and 11 other types of cattle per farm. Between the two counties visited there were 3880 holdings with cattle the majority of which were dairy herds. The average size of the herds in one of the counties visited was 37 dairy cows and 12 other types of cattle. There is no veal farming industry in Sweden.

5. MAIN FINDINGS

5.1. Competent authority

In Sweden the Ministry of Agriculture has delegated the main tasks on animal welfare matters to the Swedish Board of Agriculture (*Jordbruksverket*). The Swedish Board of Agriculture (SBA) consists of nine departments. The Department for Animal Production and Health has three divisions including the Animal Welfare Division. The Animal Welfare Division has a staff of 21 of whom 13 are veterinarians. This Division is responsible for issuing regulations (*föreskrifter*) and recommendations (*allmänna råd*). It provides advice to all local and regional authorities and publishes and distributes the legislation in the form of free booklets. It also publishes an information paper "*Djuridiken*" and distributes information via the Internet. The SBA also makes decisions on issues such as the approval of new animal management technologies and co-ordinates national supervising projects.

In Sweden there are 21 counties, which represents the regional level of administration. Each county has an administrative board (*Länsstyrelsen*) which deals with many issues in addition to animal welfare. The county administrative board co-operates with the municipalities (*Kommuner*), which is the local level of administration, and the police, on cases where animals are taken into care and where farmers are prohibited from keeping animals. The county board is also responsible for the prior approval of farm buildings and organises meetings for farmers. The county board provides information for the SBA but acts independently of the central competent authority.

The 288 municipalities liaise with both the central and regional administration in relation to issues of animal welfare, but set their own agendas regarding animal welfare inspections. The Municipal Committee responsible for animal welfare also deals with matters of environmental health. This committee, which is made up of locally elected

politicians, decides how much of the annual budget is spent on animal welfare control, how many inspections are carried out and which farms are selected. In the municipalities visited there was close co-operation with the county board regarding cases which required animals to be taken into care and where prohibitions on the keeping of animals was to be considered. In no circumstances had the SBA or the county board issued instructions to the local inspectors.

In order to reinforce the SBA's co-ordinating and supporting work in animal welfare, the board has just recently appointed a central supervisory group, which is working to provide and issue recommendations for animal welfare supervision in Sweden.

5.2. Applicable legislation in Sweden

The Parliament in Sweden has adopted the Animal Welfare Act (**1988:534**), which is the primary legislation in this area. In this act legislative powers were delegated to the Government, which has adopted the Animal Welfare Ordinance (**1988:539**), which gives more detailed rules. In the Animal Welfare Ordinance the government has delegated some legislative powers to the SBA, who have in turn implemented Council Directives 91/629/EEC and 91/630/EEC by the following regulations: *föreskrifter* SJVFS 1993:129 L100 as amended by 1995:93 L100:2, 1997:30 L100:3, 1997:124 L100:4 and 1998:25 L100:5. They have also implemented recommendations (*allmänna råd*) 1994:2 L101 as amended by L 101:1 and L101:2, which are additional to the regulations, but which are not binding.

Although a comprehensive check of the legislation was not carried out, several requirements which go beyond the requirements of the directives were noted.

- There is a ban on the use of crates for confining sows, which is based on the requirement in the Animal Welfare Ordinance that animals must not be confined in a way that does not allow them the necessary freedom of movement.
- Buildings for cattle and pigs must not be built, extended or altered without prior approval from the competent authority.
- The minimum weaning age for pigs is four weeks of age.
- Pens for sick animals are required for both pigs and calves.
- Tail-docking of all animals is prohibited.
- Bedding is required for calves up to one month and for all pigs.
- Minimum feeding spaces are laid down.
- The formula for calculating the minimum total floor area in straw-based systems for pigs provides space allowances which are in excess of article 3 of Council Directive 91/630.

Although the formula for calculating the minimum total unobstructed floor area in partially bedded systems also provides space allowances which are in excess of article 3 of Council Directive 91/630/EEC for most categories of pigs. However, for certain

categories of pigs the calculated area is less than that required by EU legislation (e.g. 20-22 kg and 30-33 kg).

It is recommended in the *allmänna råd* that a pig unit should have an alarm system to indicate if the temperature gets too high or if there is a breakdown in the electricity supply. It is also recommended that piglets should be kept in groups for the entire growing period and calves over 1 month of age should all have bedding.

On examination of records by the Commission legislative services, following the conclusion of this mission, it was found that the Swedish authorities have not yet notified the Commission of the provisions of national law in the field governed by Council Directive 98/58/EC.

5.3. Operational procedures

5.3.1. Prior approval of buildings

The county board is the level of the competent authority which has responsibility for operating the system of prior approval of buildings described above. Officials from the county board illustrated this procedure by way of an example from their files. This was the file for one of the farms subsequently visited and the original submission by the farmer was accompanied by a construction plan, which had been drawn up by the company supplying the installation. The county vet and agricultural technician firstly jointly gave their approval to construct this building and after its construction carried out an on the spot check.

The Officials at this meeting with representatives of the county board informed the mission team that this system of approval had been operating since 1973 and that they processed up to 150 applications each year. Any farmer who failed to seek this approval was subject to an administrative fine.

5.3.2. Inspectors

Although at present there are no educational requirements for municipality animal welfare inspectors, most have a university education in environmental health. One of the county vets stated that officials from the municipalities have previously contacted him when setting the criteria for selection of inspectors and in his opinion it was preferable if the inspector also had a background in farming. There was a variation in the resources available in the municipalities for animal welfare issues, with 8 municipalities in one county dedicating between 0.05 and 1 man-year for all inspections. It was also reported that some municipalities were without a designated animal welfare inspector and that these municipalities would utilise an environmental health officer to investigate emergency situations or complaints.

5.3.3. Training

The Animal Welfare Division of the SBA arranges two-day courses for county veterinary officers and local inspectors every other year. Representatives from 18 counties attended these courses in recent years with 136 (47%) and 169 (58%) of the municipalities represented in 1996 and 1998 respectively. In addition the municipalities can choose to send inspectors to courses organised by Swedish universities on animal welfare and inspection.

5.3.4. *Selection of farms¹*

Officials from the municipalities at both meetings at municipality level reported that farms with more than 200 livestock units (1 cow = 1 unit) would be visited more regularly. In several municipalities a form of self-reporting had been established whereby the farmer provided certain information about his farm, and this information is used by the officials in the municipality to prioritise visits. However, most of the questions on these self-report forms were concerned with issues relating to environmental control. The national farmer's union had also established a self report which included questions more directly relating to animal welfare and it was possible for the municipality officials to access this information if the farmer gave his consent.

5.3.5. *Checks carried out*

Over a 2 year period (1996 and 1997), 1045 pig holdings and 3099 calf holdings were inspected in Sweden, representing approximately 14% and 8.5% of pig and cattle farms respectively.

In the two counties visited 2.5% and 8% of pig holdings and 12% and 30% of calf holdings were inspected between 1998 and 1999. Officials from both the SBA and the county boards reported that the number of checks varied between municipalities and that recently in several municipalities the reason for inspections was often due to a complaint or follow-up of a detected problem. One of the municipalities visited had carried out inspections of all its farms, many of which were mixed species farms, between 1995 and 1998. However at a meeting with officials from this municipality it was reported that the number of checks had been reduced since 1998 due to uncertainty regarding who would be responsible for carrying out these checks in the future. This uncertainty was due to the prospect of changes to the competency of the various levels in the competent authority, which is currently the subject of an on going review under the central supervisory group (see 5.1).

5.3.6. *Results of inspections*

It was reported that the most frequently detected areas of non-compliance on calf holdings were too little bedding, inadequate ventilation, dirty animals and environment, overcrowding, tethered calves and not enough light. Similar non-compliances were detected on pig holdings and in addition sows kept in crates and inappropriate care of sick animals were also reported. Municipality officials reported that where minor infringements were detected a verbal instruction was given, but if the situation was not satisfactorily resolved at a revisit, the municipality issued an order instructing the farmer to correct the deficiency.

¹ The Swedish authorities pointed out, in their comments of 4 July 2000 on the draft version of this report, that district veterinary officers, employed by the SBA monitor some animal welfare provisions during inspections of milk production holdings and if a district veterinary officer has reason to criticise animal welfare and no remedial action is taken, he must report the matter to the municipality. The reports of their inspections are also sent to the municipality concerned, which can use it as a basis for its priority work on animal welfare surveillance.

5.3.7. *Taking animals into care and prohibitions on the keeping of animals*

In cases where there was a failure to provide basic care for animals, the county administrative boards have used their powers under the Swedish Animal Welfare Act to seize animals and to prohibit farmers from keeping animals. At both meetings with representatives from the county boards it was explained that the municipality usually applies to the county board to make a decision to take animals on a farm into care, but will make such decisions themselves if the case has to be urgently addressed or in cases involving individual animals (e.g. pets).

In one county it was explained that their adopted procedure involved one vet giving assistance to the municipalities in order to help them make decisions and a second vet was involved in hearing any appeals against such decisions. In another county one vet was responsible for both providing advice and hearing appeals on decisions made by the municipalities. It was stressed however in both counties that in any event the regional level has *not the power to* tell the local level what to decide. In the previous 12 months two cattle farms in one county were the subject of a taking into care order and one of these cases also resulted in a prohibition on the farmer from keeping animals. In this county, the first procedure for reaching this decision was to hold a meeting to hear all the opinions relating to the case. This included the farmer in question, who could also bring a legal representative. After the proceedings of this meeting were considered, a further visit was made to the farm and finally the county board would make its decision. A prohibition could be appealed but it was not possible for someone who was closely related to the farmer to take over the running of the farm in his or her name, for instance the farmer's wife. Such a move was considered a deception and any animals involved would be seized. It was reported that it is up to each county to devise a mechanism for reaching decisions on prohibitions.

5.3.8. *National inspection strategies*

The SBA launches a national enforcement strategy on animal welfare (*Projekts*) once every two years. One such project in 1995 looked at the keeping of sows and involved the inspection of 1000 pig holdings. Sows were found to be confined for a period of between 8 and 60 days on 4% of holdings at this time. Such findings are the subject of enforcement actions by the supervising authority. The most recent *Projekt* involved inspections of animal transport and although the municipalities visited were very positive about taking part, some municipalities have chosen not to participate.

5.4. Field visits carried out by the mission team

5.4.1. *Inspections of pig holdings*

The mission team observed the inspection of three pig holdings. Each inspection was carried out by one of three local inspectors, each of whom was from a different municipality and who was accompanied by representatives from both the central and regional authorities. One birth to finisher and two weaner producing units were visited. It was reported that the inspector would normally have inspected other farm activities, such as manure handling and use of chemicals on farm.

5.4.1.1 Space allowances and provision of bedding

With the exception of one group of recently served sows, sows on all the farms visited were not confined in crates or stalls. On the farm where sows were confined, the inspector concluded that this practice complied with the Swedish legislation, which allows single sows to be confined for up to one week around the time of service or farrowing. He also reported that it was common practice to confine sows in this way. The county vet did not agree with this interpretation and explained that only problem sows could be confined in this manner. The county vet would not normally have been present during an inspection carried out by the local inspector.

Although no measurements were made of any of the pens, none of the pens for growing pigs were overcrowded. Several inspectors cited the Swedish requirement for prior approval of buildings by the county board as sufficient evidence that the pens met the legislative requirements.

The majority of local inspectors were satisfied with the amount of bedding provided for all categories of pigs on the farms visited, apart from one inspector who required a mat or more bedding to be provided for small piglets, several of which had knee abrasions. On a large pig unit a small amount of bedding was provided for growing pigs and the local inspector explained that he had to reconcile the requirement for bedding with the farmer's need to handle the manure effectively.

5.4.1.2 Surgical mutilations

In compliance with Swedish legislation, tail docking was not practised on any of the farms visited. However, tooth clipping was carried out routinely on two out of the three farms visited. The inspectors did not ask for any justification for this practice. Swedish legislation allows routine tooth clipping provided it is carried out in the first week of life.

5.4.1.3 Unfit and injured pigs

The majority of local inspectors recommended that a veterinarian should be involved where unfit or injured pigs were seen. However, on one farm a group of 30 group housed dry sows had a large number of skin injuries and there were two sows in the farrowing house which had savaged their piglets. No remarks were made on these issues. The farmer reported that a veterinarian from the Swedish Animal Health Service had visited the previous week but that such issues were not discussed during these visits. On another farm, the farmer reported that he would carry out the euthanasia of all categories of pigs himself.

5.4.1.4 Ventilation and alarms

Several inspectors commented on the air quality on two of the farms visited. Swedish legislation requires that the ammonia level should not be greater than 10 PPM and several inspectors considered that this was exceeded if the smell of ammonia was detectable. It was not clear what steps the farmer was being asked to take in order to improve the air quality on the farms where this requirement was not met. None of the inspectors made any remarks about alarms for automatic ventilation systems. Swedish law requires a contingency plan in the event of a failure of such systems and recommends that an alarm is installed (see point 5.2). However,

the existence of such a contingency plan was not directly raised by any of the inspectors but only at the instigation of the mission team.

5.4.2. *Inspections of calf holdings*

Six cattle holdings were inspected during the mission. In each case a local inspector from the municipality carried out the inspection and in addition to the mission team, representatives from both the central and regional authorities were also present. The inspector reported that normally all animals present on the farm would have been inspected as well as environmental aspects of farm activities. Five of the six farms were dairy farms and the sixth farm was a suckler beef herd.

Most of the accommodation for calves had been in use before Council Directive 91/629/EEC (as amended) entered into force and so did not yet have to meet all the requirements. The calf accommodation on the sixth cattle holding was constructed in 1998 and this holding was added to the itinerary at the request of the mission team.

5.4.2.1 Construction and provisions of calf pens

Measurements of pens were only made when doubts were raised as to whether pens for group reared calves were in compliance or not and in some cases pens for individual calves were measured. Several inspectors cited the Swedish requirement for buildings to be pre-examined prior to being built as proof that the pens met the legislative requirements. On one farm the farmer had not applied for this approval before constructing calving boxes and the inspector did not make any remarks on this issue.

The farmer was a member of the committee responsible for animal welfare. On another farm a pen to accommodate sick calves was indicated on the plan for the calf accommodation but this had not yet been constructed and the inspector did not make any remarks on this issue.

The transitional periods for the various space allowances in the legislation caused confusion for several inspectors. These inspectors did not have sufficient information with them or were not sufficiently informed to conclude on-the-spot as to whether the requirements were met on several farms inspected and deferred judgement.

On the last farm visited the pens were constructed in 1998. The dividing wall between calf pens was solid up to a height of 80 cm and above this height neighbouring calves could see and touch each other through the bars which formed the remainder of the wall. It was reported that Swedish legislation had previously required the sides of calf pens to be completely solid. The legislation in force prescribes that calf pens must have solid sides up to a height of 80 cm and above this height they must be perforated.

In every case bedding was provided for calves up to one month of age and on one farm where the older calves, which were accommodated on slats, were dirty, the inspector recommended that the pen should be modified so that bedding could be provided.

5.4.2.2 Alarms

On all farms visited calves were accommodated in the same air space as the dairy cows. None of the inspectors made any remarks about the provision of alarms to indicate a failure of the ventilation system. Swedish legislation only requires an alarm for ventilation systems in accommodation used exclusively for calves, which is not in line with EC legislation which requires an alarm where the well being of the calves is dependent on such a system.

6. CONCLUSIONS

6.1. Swedish legislation

Swedish legislation goes beyond the requirements of Council Directive 91/630/EEC in prohibiting the systematic confinement of sows in dry sow stalls or farrowing crates. Apart from one farm (see point 5.4.1.1) these requirements were met on the farms visited. Swedish legislation also goes beyond the EU requirements in several other areas including a prohibition on tail-docking and provision of bedding for all pigs and calves up to one month of age and these requirements were met on the farms visited. The requirement in Swedish legislation for the prior approval of buildings by the competent authority is a significant means for ensuring that buildings comply with the legislative requirements (see point 5.3.1). Sweden also has powerful legal instruments to seize animals and to prohibit farmers from keeping animals and there were records of actions taken in this respect in extreme cases of animal neglect. However, there are deficiencies in the legislation in relation to restrictions on the routine teeth clipping of piglets (see point 5.4.1.2), space allowances for some categories of pigs (see point 5.2.) and the requirement for alarms (see point 5.4.1.4 and 5.4.2.2).

Subsequent to the completion of this mission it also transpires that the Swedish authorities have not yet informed the Commission of the provisions made to comply with the requirements of Council Directive 98/58/EC which should have been adopted by 31 December 1999 at the latest.

6.2. Operation of checks

The 288 municipalities (local administrations) act completely independently in planning and carrying out animal welfare checks, with the regional and central authorities only becoming involved at the request of officials from the municipalities (see point 5.3.7). The various measures to improve co-operation between the different levels within the competent authority have resulted in increased levels of enforcement (see point 5.3.7.). However, the level of checks is not uniformly distributed and in several municipalities the majority of inspections have been based on complaints and follow-up of problem cases since 1998 (see point 5.3.5.).

6.3. Performance of inspections during the mission

While the overall level of competence of the inspectors was satisfactory, some of the local inspectors involved in on farm checks during the mission had difficulties in interpreting the legislation and the absence of clear guidelines led to the officials making contradictory conclusions on the spot (see point 5.4.1.1 and 5.4.2.1). The written material available to inspectors on the spot frequently did not clarify the issue (see point 5.4.2.1). Inspectors

also considered that the Swedish system of prior approval of buildings was sufficient evidence that buildings complied with the legislation instead of using the farm visit to check this system of approval.

6.4. Training

The majority of inspectors in the municipalities visited had attended training courses, but the overall attendance rate at national training courses was relatively low (see 5.3.3). This was due to the non-obligatory nature of these courses.

7. CLOSING MEETING

A closing meeting was held on 31 March 2000 with the central competent authority, the Swedish Board of Agriculture. At this meeting, the main findings of the mission were presented by the inspection team. The representatives of the SBA acknowledged that there were legislative gaps regarding the requirement for pig units with automated ventilation to have alarms and with restrictions on routine tooth clipping of piglets.

A representative of SBA pointed out that a project was being carried out at a Swedish University to produce a more definitive report form for carrying out on-farm welfare checks based on the variety of versions available from the municipalities. However, it was pointed out that the municipalities could not be instructed on how to carry out such checks.

The mission team also pointed out that Commission Decision 2000/50, which requires each member state to submit a standardised report of the results of inspections by 30 April 2002, requires changes to the way results of inspections are compiled.

8. RECOMMENDATIONS

8.1. To the competent authorities of Sweden

The competent authorities of Sweden are requested to immediately inform the Commission of the provisions made to address recommendation 8.1.1 and within 3 months of receipt of the final mission report of the actions taken and planned to address recommendations 8.1.2, 8.1.3 and 8.1.4:

8.1.1. Inform the Commission of the laws, regulations and administrative provisions, including sanctions adopted to comply with the requirements of Council Directive 98/58/EC.

8.1.2. Amend Swedish legislation so that

- All automated ventilation essential for the well-being of calves and pigs is required to have an alarm to indicate the failure of the system as laid down in point 4 of the Annex of both Council Directives 91/629/EEC and 91/630/EEC.

- Where tooth clipping of piglets is practised, the farmer is required to provide evidence justifying the need to do so as laid down in point 4 of part III of chapter II of the Annex of Council Directive 91/630/EEC.

- The unobstructed floor area available to each category of pig is at least equal to those laid down in Council Directive 91/630/EEC.

8.1.3. Devise a mechanism whereby the performance of local inspectors can be monitored effectively and which ensures that all inspectors in the field are provided with information and training enabling them to give their conclusions on the spot.

8.1.4. Ensure that the inspections carried out to comply with article 7 of Council Directives 91/629/EEC and 91/630/EEC are representative of the different rearing systems throughout Sweden.

ADDENDUM TO MISSION REPORT DG (SANCO)/1101/2000

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. Regarding recommendation 8.1.1 the Swedish authorities indicated in their written comments of 4 July 2000 that there is already Swedish legislation transposing Council Directive 98/58/EC and that the other recommendations will be addressed within the three month deadline laid down.