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Directorate F - Food and Veterinary Office

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**FINAL REPORT OF A MISSION
CARRIED OUT IN IRELAND
FROM 08 TO 12 OF OCTOBER 2001
CONCERNING THE INSPECTIONS OF ANIMAL WELFARE STANDARDS ON
PIG, CALF AND LAYING HEN HOLDINGS**

Please note that factual errors in the draft report have been corrected in bold, italic, type. Clarifications provided by the Irish authorities on 08 January 2002 are given as footnotes in bold, italic, type to the relevant part of the report.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

CA	Competent Authority
CCA	Central Competent Authority
DS	<i>District Superintendent; Technical Agriculture Officer</i>
DVO	Divisional Veterinary Office
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
FMD	Foot and Mouth Disease
IACS	Integrated Administration Control System
SI	Statutory Instrument
SVI	<i>Superintending</i> Veterinary Inspector
SSVI	<i>Senior Superintending</i> Veterinary Inspector
VI	Veterinary Inspector

1. INTRODUCTION

The mission took place in Ireland from 8 to 12 October 2001. The mission team comprised two veterinary experts from the Food and Veterinary Office (FVO), and one legal adviser from the EU Commission services.

The mission was undertaken as part of the FVO's planned mission programme. The inspection team was accompanied during the whole mission by representatives of The Department of Agriculture, Food and Rural Development.

At the opening meeting held on 8 October 2001, the objectives of the mission were confirmed by the inspection team. Presentations were made by representatives of the Competent Authority (CA), The Department of Agriculture, Food and Rural Development, outlining the structure, administrative and operational procedures at all levels of the CA.

2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate the system of animal welfare inspections on holdings with pigs, calves and laying hens. The current mission forms part of a wider series of missions to all Member States to evaluate control systems and operational standards regarding checks of animal welfare in these three livestock sectors.

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

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings
	Local	3	The organisation of the inspections and the results of previous inspections were discussed at these meetings. These meetings were held in the three DVOs visited. The SSVI responsible for one region attended the two meetings held in the DVOs in his region.
FARM VISITS			
Pig holdings		3	A veterinarian from the local DVO carried out an inspection of the holdings.
Calf holdings		2	
Holdings with laying hens		2	

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/EC¹ 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.

¹ OJL 38, 12.02.1998, p. 10;

Article 7 of Council Directive 88/166/EEC² laying down minimum standards for the protection of laying hens in battery cages.

Article 9 of Council Directive 91/629/EEC³ of 19 November 1991 laying down the minimum standards for the protection of calves.

Article 9 of Council Directive 91/630/EEC⁴ of 19 November 1991 laying down minimum standards for the protection of pigs.

Article 7 of Council Directive 98/58/EC⁵ of 20 July 1998 concerning the protection of animals kept for farming purposes.

4. BACKGROUND TO THE CURRENT MISSION

A previous FVO mission to Ireland, from 10 to 24 November 1999, DG (SANCO) 1236/1999, included aspects relating to the welfare of laying hens. This report concluded that the checks were properly organised, however, these would only be fully implemented in 2000, a delay of 5 years after the date of implementation set by Council Directive 88/166/EEC. The full report of this mission is available at:

http://europa.eu.int/comm/food/fs/inspections/vi/reports/ireland/vi_rep_irel_1236-1999_en.pdf

Between 19 and 23 July 1999, the FVO also carried out a mission concerning BSE controls, DG (SANCO) 1119/1999, which included the following recommendation relating to the welfare of calves: “The Competent Authority should prohibit the amputation of tails of dairy cattle.” This recommendation was based on the finding that in a number of herds the tails of dairy calves were routinely amputated by the application of a rubber band. In response to this recommendation, the Irish authorities indicated that the practice of tail-docking calves is officially discouraged, but is not specifically outlawed under Irish law⁶. The full report of this mission is available at:

http://europa.eu.int/comm/food/fs/inspections/vi/reports/ireland/vi_rep_irel_1119-1999_en.pdf

The statistics in the following table were provided by the CCA:

Holdings	Pigs	Cattle under 12 months	Laying hens
Number in 2000	554	90,000 farms	295
Total number of animals	1,7 million	1 million for beef production 0.7 million replacements	1,75 million

² OJL 74, 19.03.1988, p. 83;

³ OJL 340, 11.12.1991, p. 28;

⁴ OJL 340, 11.12.1991, p. 33;

⁵ OJL 221, 08.08.1998, p.23;

⁶ *In their response to the draft report the Irish authorities noted that the practice of tail-docking of calves continues to be officially discouraged and is not legally prohibited. However, draft legislation currently under preparation will specifically outlaw this practice under Irish law.*

		for milk production	
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Regarding the 554 pig holdings in Ireland, 380 are integrated breeding and finishing holdings, 88 specialise in breeding and 86 specialise in finishing.

Statistics were not available regarding the number of holdings with calves, where a calf is defined in Council Directive 91/629/EEC, as “a bovine animal up to 6 months old”. The figure provided for holdings with cattle under 12 months old gives the best indication of the size of the calf sector in Ireland where Council Directive 91/629/EEC would be applicable. There are also 70,000 farms with less than 5 calves, on which the Directive would not be applicable and the CCA stated that there is no veal production in Ireland.

Regarding the 295 holdings with laying hens, there are 125 holdings with 1.75 million birds in conventional cages. According to the CCA, the number of holdings with conventional cages is not expanding. 170 farms operate alternative systems with 0.35 million hens.

5. MAIN FINDINGS

5.1. Competent Authority

In Ireland, the Competent Authority responsible for both making legislation on animal welfare and its enforcement is the Department of Agriculture, Food and Rural Development. The Animal Health and Welfare Division of the CA is responsible for transposing the relevant EC Directives into national legislation and advising on policy regarding its implementation. The Veterinary Service of the CA has the task of implementing the legislation. The Animal Health and Welfare Division together with those Veterinary Service staff responsible for animal welfare at a central level, make up the Central Competent Authority (CCA). The hierarchy of the Veterinary Service and Animal Health and Welfare Division comes together at the level of the assistant secretary of the Department of Agriculture, Food and Rural Development. The central level of the Veterinary Service issues checklists and instructions to its local levels via the regional managers and the CCA also provides technical advice and training to those carrying out inspections.

Ireland is divided into 4 regions each with a Superintending Senior Veterinary Inspector (SSVI), who acts as a regional manager of the Veterinary Service work within the region. There are 27 District Veterinary Offices (DVOs) each with a Senior Veterinary Inspector (SVI), who distributes the work and supervises its execution and a number of Veterinary Inspectors (VIs), who carry out the checks. There are 170 VIs, out of the 320 veterinary staff for the whole veterinary service in Ireland, working in the 27 DVOs. The number of VIs in each DVO differs according to the size of the area and number of farms located within the DVO. Amongst their various duties, the VIs carry out animal welfare checks of farms to meet the quota of checks assigned by the CCA, but also carry out inspections of farms when information is supplied regarding any particular risk to animal welfare.

5.2. Applicable legislation in Ireland

The Protection of Animals Act, 1911 and the protection of Animals (Amendment) Act, 1965 form the basic legal instruments covering animal welfare in general for all species.

The legal basis for carrying out inspections of animal welfare on pig, calf and laying hen holdings is laid down in their specific welfare regulations, as outlined below, and under the umbrella legislation The Protection of Animals Kept for Farming Purposes Regulations, 2000

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 Ireland by the Statutory Instrument (SI) NO. 138 of 1998.

(SI) NO. 91 of 1995 implements Council Directive 91/630/EEC laying down minimum standards for the protection of pigs.

Council Directive 88/166/EEC was transposed by (SI) NO. 238 of 1990.

Council Directive 98/58/EC concerning the protection of animals kept for farming purposes was transposed by (SI) NO. 127 of 2000.

In all cases, the transposition into national law was delayed. (SI) NO. 138 of 1998 came into operation in Ireland on 19 May 1998 instead of 1 January 1998 as foreseen by Directive 97/2/EC and Commission Decision 97/182/EC. Council Directive 91/630/EEC was transposed on 25 April 1995 instead of 1 January 1994 and Council Directive 88/166/EEC on 1 November 1990 instead of 1 January 1988.

It was also noted that preparations to transpose Council Directive 1999/74/EC, laying down minimum standards for the protection of laying hens, which has to be transposed by 1 January 2002, have not yet ***been completed.***

Regarding holdings with calves where the accommodation was built before 1 January 1994, Article 3 of Directive 91/629/EEC states that “the use of installations which do not meet the requirements shall under no circumstances extend beyond 31 December 2003”. This deadline is not transposed into national law⁷. The corresponding Irish legislation (Regulation 4 (2) of (SI) NO. 138 of 1998) allows any accommodation either built, rebuilt or brought into use for the first time before 19 May 1998, to be used until 31 December 2006.

⁷ *In their response to the draft report the Irish Authorities noted that the transposition error has now been corrected - all facilities, including those built, reconstructed or brought into use in the period prior to 1994, must comply with requirements of Directive 91/629/EC by 31 December 2003.*

5.3. System of supervision

Each year the CCA sets a target for the number of farms to be checked by each DVO. In 2001, the inspection target set accounted for 50% of commercial pig farms, 0.6% of holdings with calves and 14% of holdings with laying hens. This target will not be achieved due to the demand on resources required in dealing with FMD control in Ireland during the year.

All animal welfare inspections are carried out by VIs, except in one DVO, where an Agricultural Officer, with experience in this sector, carries out inspections of the animal welfare standards on holdings with laying hens. The VIs carry out a range of veterinary checks in addition to checks on animal welfare including operation of the various animal health schemes. Animal welfare checks may be carried out in combination with other inspections, in particular on holdings with calves when the VI is on the farm for another reason. In one DVO visited, one VI had carried out the majority of animal welfare inspections throughout the DVO area. In the other two DVOs, each VI was responsible for animal welfare inspections within his/her geographical area within the DVO. A VI typically performs 4 to 6 inspections per year to meet the target set by the CCA. It was left to the VI (*under the direction of the local SVI manager*) to decide when and where to carry out the inspections during the year. Generally, the inspectors visit the farms unannounced, however, in some cases the visits are announced in order to avoid unnecessary travelling.

Checklists, which had been issued by the CCA, were used by all inspectors during the visits and had also been used for the majority of reports of previous inspections. In one DVO visited, certain VIs had only submitted a report whenever the farm was fully in compliance, which was sometimes after several visits to the farm had been made. The summary of previous inspections in this DVO therefore gave the impression that all farms were in compliance and underestimated the number of deficiencies detected. In this same DVO, some individual reports had been completed after each inspection and signed by the VI. The latter procedure had been followed in the other DVOs visited. The completed checklists had then been given to the SVI, who discussed it, if necessary, with the VI and sent the completed checklist via the regional SSVI to the CCA. The CCA summarises this information in its submission to the Commission made every two years.

5.3.1. Training and information

The CCA organised regional veterinary meetings, in which animal welfare aspects are also covered, on up to 10 occasions during the year and which were attended by the SSVIs. The SSVI informs the SVIs in their regions of the outcome of these meetings. The CCA has also held training on specific aspects of animal welfare at various venues throughout the country and these have been attended by both SVIs and VIs. Personnel from the CCA and/or DVOs participate occasionally in international courses about animal welfare. There is a high level of communication between central, regional and local authorities by personal contact, phone and e-mail on animal welfare issues.

The CCA has drafted information booklets about animal welfare legislation for various types of domestic and farm animals. These booklets which are

free of charge have been distributed to veterinarians and agricultural organisations. These booklets can be ordered free of charge from the CCA. The CA has recently published a booklet “Good farming practice”.

5.3.2. Sanctions and penalties

The competent authorities have the legal power to issue advice, orders or take immediate or urgent measures. Advice is given for minor shortcomings. A court may impose a fine on a person or prohibit the person from keeping animals depending on the severity of the case.

In addition to the legal sanctions, a representative of the Integrated Administration Control System (IACS)⁸ Inspectorate explained that there is a mechanism whereby 10% of the suckler cow premium, beef special premium and the less favoured area premium could be withheld if there is non-compliance with animal welfare legislation. It was noted that a 100% penalty could be imposed where there was non-compliance with animal medicine requirements. This representative explained that on one occasion an animal welfare problem had resulted in the 10% penalty being applied.

5.3.3. Results of previous inspections

The CCA sent a report to the Commission in 2000 detailing the inspections carried out on calf and pig farms in the years 1998 and 1999. There were 712 and 901 inspections of holdings with calves (approximately 1% of holdings) in 1998 and 1999 respectively and minor deficiencies relating to hygiene standards were reported. 97 and 119 pig holdings (approximately 20% of holdings) were inspected in 1998 and 1999 respectively. In 1998, 5% of pig units did not provide the required space requirements and 6% had inadequate lighting. Inadequate lighting on 4% of pig holdings was again reported in 1999.

In the DVOs visited, reports of previous inspections indicated that the majority of holdings were in compliance. In the calf sector, the most commonly reported deficiency related to inadequate bedding. Checks in one DVO indicated that tethering of calves was practised on two farms and the VI reported that the farmers involved were unaware that this practice was illegal. Previous reports of inspections of pig holdings indicated that broken fixtures, dirty conditions, inadequate ventilation system and lack of an alarm were the most commonly reported deficiencies. In the laying hen sector, two reports in two different DVOs indicated that problems with overstocking had been detected. This finding was notified to the CCA on both occasions, who issued a warning letter and gave an instruction that the welfare of the birds should be monitored until the houses were depopulated at the end of the production cycle.

⁸ Integrated Administration Control System (IACS) inspectorate is a division within the CA, which is responsible for implementing Commission Regulation (EEC) No 3887/92 of 23 December 1992 for certain Community aid schemes (Official Journal L 391, 31/12/1992 P. 0036 – 0045).

In addition to the checks assigned by the CCA, VIs also carry out checks in response to complaints from the public. These checks mainly concerned cattle farms and rarely farms with pigs or laying hens.

Prosecutions were initiated when a gross abuse of animal welfare was detected, in particular where there had been failure to provide appropriate care. In all DVOs, there was a policy to involve the Police (*Gardai Siochana*) at an early stage in the investigation. The CCA pointed out that the *Gardai Siochana* had some of the primary powers under the Protection of Animals Act 1911. One SVI commented that in his experience, animal welfare problems were often not resolved by going to court, as Judges were unlikely to ban farmers from keeping animals. According to this SVI, the Court frequently increased the administrative burden, by requiring the veterinary service to periodically report to the court, without any real benefit for the animals. He preferred to try to resolve such problems, where possible, by involving the farming associations and social support networks. A system of emergency funding had been used in two of the DVOs visited, to provide basic care for animals in extreme situations.

5.4. Pig holdings visited

Between 450 and 550 breeding sows and their offspring were kept on the pig farms visited. The date of construction of the buildings ranged from 1967 up to newly built accommodation. The following findings relate mainly to those areas not adequately covered during the inspections. Following one of the inspections, a representative of the CCA indicated that he was not satisfied with the performance of the inspector and asked the SVI responsible to address this issue by organising training.

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

The treatment of sick and injured pigs was discussed by the VIs on all farms visited. However, the animals in the isolation facilities were not adequately inspected on the first farm, the level of care provided on the second farm was inappropriate and the VI did not make the farmer aware of this deficiency. On the third farm, the VI did advise that chronically ill pigs should not just be humanely destroyed on Friday, but should be destroyed whenever it was obvious that they were unlikely to recover. On the last two farms in particular, there were pigs with severe injuries or visible diseases, which should have been separated or euthanised on the spot. The VIs asked the stockmen to explain how euthanasia was carried out but no inspection of the captive bolt pistol was made, where it was claimed one was used. One farmer stated that he transported chronically ill pigs in a trailer to his private veterinary practitioner who carried out the euthanasia. On two farms, where there was a wet feeding system without an independent supply of drinking water, sick sows remained in this system in conventional crates. The VIs did not address this issue, nor did they make any remarks on the inadequate number of dedicated pens with appropriate bedding for sick animals. On the last farm visited, the VI pointed out that a significant number of sows had infected wounds on their shoulders and asked the farmer to contact his private veterinary practitioner to investigate this problem.

The VIs checked records of veterinary treatments, except on one occasion. The mortalities and the mortality rates were not always checked. While the registers of veterinary treatments had been issued by the CCA and consequently were recorded in the same way on each farm, the mortality registers were either not present or incomplete and were different from one farm to the other.

5.4.2. Mutilations and substrates providing enrichment

Teeth clipping or grinding and tail docking were carried out on all the farms visited. Irish legislation permits mutilations only in cases where other means for preventing cannibalism have failed. One VI advised the farmer that he wanted to see more “toys”, the other VIs accepted the farmer’s justification for carrying out the mutilations. On the first two farms, chains were fitted to the sides of the pens or plastic buckets or salt licks placed in the pens. On the last farm, the farmer claimed that he did not provide any distractions for the pigs because he did not have a problem with tail biting. On this farm, all pigs had been tail docked and there were still some severely tail bitten pigs present. The VI did not make any remarks on this situation on the spot. Similarly, no remarks had been made in the report of the previous inspection of this farm.

5.4.3. Fixtures, floors and light

The VIs highlighted broken fixtures, which needed to be repaired, although no dates were fixed for the repairs to be carried out. Occasionally the VIs were over-reliant on the farmer’s response that floors and other fixtures were adequate rather than checking it themselves.

On the first farm visited, the VI did not comment on the lighting regime in the houses for the finishing pigs. These pigs had nine periods of one and a half hours of light over each twenty four hour period. Point 5 of the Annex of Directive 91/630/EEC stipulates that artificial light must function for a period at least equivalent to the period of natural light normally available between 9 a.m. and 5 p.m.⁹. The transposition of this requirement into Irish legislation (*point 5 of the Schedule to (SI) NO. 91 of 1995*), provides for light “for at least 8 hours a day”, which does not exclude interruptions of this period.

The light in the old houses on the last farm was insufficient for inspecting the animals. The inspector made a general recommendation that the light was inadequate, but his only instruction on this issue to the farmer was to replace the bulb in the room with no light whatsoever at the time of the visit.

5.4.4. Feed and water

All inspectors discussed the feed and water supply but not all checked on the functioning of the automatic devices. On the first farm, the feeders in some

⁹ *In their response to the draft report the Irish Authorities noted that the legal position has now been amended and information is being provided to the industry re-emphasising the necessary requirement.*

of the finishing pens did not provide all the pigs access to the feed at the same time. When the feed in the hopper was replenished, the mission team noticed competition between the pigs to get access to the feed. These were also the pens with the interrupted lighting regime.

5.4.5. Space allowance

Space allowances were generally checked in a thorough and systematic way. VIs detected that several pens of growing pigs on all the farms visited were overstocked. In general, the farmer's assurance to reduce numbers as the pigs got bigger was accepted by the VI. The second farm visited had the greatest problem with overstocking, which according to the farmer, was because the vehicle to transport pigs to the slaughterhouse had not turned up. It was unclear what course of action the VI was going to follow in this case.

On all farms visited, there were several boar pens, which did not provide the minimum required surface area of 6 m². On the first two farms visited, the VI did not point out this deficiency on the spot. This requirement was not included in the checklist issued by the CCA. On one farm, the VI did not make any remarks regarding one boar pen, which did not permit the boar to see other pigs as required by Council Directive 91/630/EEC, Annex, Chapter II (I).

5.4.6. Ventilation systems and alarms

The VIs discussed the ventilation systems and gave advice where it seemed to be necessary, in particular where there was evidence of respiratory disease. On this farm, the VI expressed doubts about the adequacy of ventilation in several pens where there was a natural system of ventilation. The same VI, however did not discuss the presence of an alarm and a back up system for those buildings where there was automatic ventilation. On one farm a report of a previous inspection on 26 September 2001, mentioned that an alarm to indicate failure of the ventilation system was required. This still had not been fitted at the time of the current visit and the VI indicated that this deficiency must be corrected.

5.4.7. Staff responsible for the care of the animals

On the first farm visited, the manager had undertaken a 2 year pig management course. The second and third farms visited were operated by personnel with a long experience of pig farming. It is questionable whether two stockmen is sufficient for farms with more than 450 sows plus all their offspring, given the level of care, in particular for sick animals, on the last two farms visited.

5.5. Holdings with calves visited

Two holdings with calves were visited during the mission and in each case were inspected by a VI from the local DVO. The first had a 60 cow dairy herd, with 30 calves accommodated in a byre, which had been converted into a calf house between 1980/85. The owner and his son were responsible for the care of all animals. This farm had been inspected one month before the mission. The second farm had 140 dairy cows, with 60 calves

accommodated in various houses ranging in age from about 20 years old to calf hutches, which had been in use since 1999. A representative of the CA stated that the size of the last farm was well above the average dairy farms in the country.

5.5.1. Isolation of sick calves, mutilations and medical treatments

There were no sick calves seen on either farm visited. The VIs checked that both farms had suitable sick bays if they were needed. Isolation of sick calves was not part of the normal management on one farm, while in the other this was largely achieved through the system of rearing in calf hutches. The VIs also checked that the required register for medical treatments and mortalities had been completed.

On both farms, calves were dehorned by thermocauterisation, on one farm under local anaesthesia. On the farm, where male calves were kept for further fattening, they were castrated by Burdizzo before they reached the age of 6 months. Tail-docking of calves was not carried out on either farm visited. One of the VIs and one farmer reported that this was not a common practice, but they were aware that it was carried out on a small number of dairy farms.

5.5.2. Fibrous food

On both farms the VIs did not make any remarks on the provision of fibrous food to calves. Calves received starter pellets and could eat the straw bedding provided on both farms visited. They received hay from 3 weeks of age. The calf starter pellet, which was provided for the 2 week old calves, had a fibre content of 8.5%, but in interpreting point 11 of the Annex of Council Directive 91/629/EEC, the CCA did not consider this as a fibrous food¹⁰.

5.5.3. Space allowance and social contact

The VIs found that the pens with calves in groups provided adequate space allowance. On one farm, young calves were kept individually in commercially available plastic hutches. Although the VI had some reservations about the calves being able to see neighbouring calves, he did not conclude that tactile contact between calves was impossible. The hutches did not comply with Article 3(2) of Council Directive 91/629/EEC with respect to social contact.

5.6. Holdings with laying hens visited

Two holdings with laying hens located in two different DVO areas were visited. On one holding, the inspection was carried out by an *District Superintendent; Technical Agriculture Officer (DS)*

¹⁰ *In their response to the draft report the Irish Authorities noted that the calves had access to good quality straw from less than 2 weeks of age, meeting the requirement of Point 11 of the Annex to 91/619/EC concerning access to fibrous food. As the CA considered that there was already adequate fibre in the diet, they did not consider it necessary to assess the additional contribution of the starter pellet as a source of fibre.*

and on the other holding the inspection was carried out by a VI. On the first holding there were approximately 11,500 birds accommodated in one house and on the second holding, 8,500 laying hens were accommodated in two houses. Both inspections were carried out in a systematic way, and both inspectors used a checklist to ensure that they covered the main requirements. The following findings relate mainly to those areas not adequately covered during the inspections.

5.6.1. Inspection of hens

On the first holding, there were four tiers of battery cages. The AO remarked that there was insufficient light for inspecting the hens in the lower tier of cages and asked the flock keeper to address this problem. Although there was a device to facilitate inspection of the upper tiers, the flock keeper stated that birds in these tiers were inspected twice weekly. The AO did not indicate to the flock keeper that all birds must be inspected at least once daily, as required by point 8 of the Annex of Council Directive 88/166/EEC.

On the second holding visited, there were three tiers of cages and the VI remarked that there was insufficient light for inspecting the hens in the lower tier of cages and asked the flock keeper to address this problem.

5.6.2. Mortality and medical records

On both farms, the owners stated that no medical treatments had been carried out on the birds from their arrival on the farm. Although a non-veterinarian carried out the first inspection, this inspector did a thorough check of mortality records and indicated that if the rate was more than 3%, he would have expected a veterinary investigation to be carried out.

On the second holding, mortality records were not checked by the VI. The flock owner stated that on their arrival, the birds in one house had suffered from a clinical problem manifested as conjunctivitis. The supplier had replaced the affected birds and the flock-owner reported that the mortality rate in this house, with **4,500** birds, was currently 4 or 5 birds a week.

5.6.3. Water and feed

On the first holding visited, a laboratory examination of the microbial content of the water indicated that there were “coliforms too numerous to count”. This test had been carried out three months earlier and the AO pointed out that the flock-owner had taken remedial action to reduce the bacterial contamination of the water supply by installing an ultra violet treatment system.

5.6.4. Space allowance

On both holdings, the VI and AO respectively, measured the dimensions of one example of each cage type. However, on one holding, one type of cage was more than four years old and several had been damaged so that the measurements made would not have been representative of the damaged cages.

On the first holding, the AO calculated the number of cages and subsequently compared the maximum number of birds, which could be legally accommodated, with the number which had arrived on the holding. Twenty birds more than the maximum had been supplied. Although the number of deaths up to the time of the visit meant that it would now be possible to provide the required space allowance for each bird, the mission team noticed one overstocked cage. The AO did not report to the flock-owner his finding that too many birds had been delivered in the first instance.

On the second holding, the VI detected that one house was approximately 5% overstocked. This had also been detected during a previous visit to this holding on 5 September 2001. The problem had been reported through his SVI to the CCA, and a warning letter from the CCA had been issued to the flock-owner. The CCA had judged that the overstocking problem could continue until depopulation occurred in November 2001, provided the VI kept the flock under supervision regarding any overt signs of suffering. Attempts had been made to distribute the birds more evenly throughout the house. The VI reported that up until the initial visit on 5 September 2001, the flock-owner had been unaware of the space requirements. Following the reporting of this finding the CCA had not contacted either the company which supplied the birds or the company which supplied the cages to this flock-owner regarding the overstocking problem. It was not known, therefore, if these companies were aware of the legal space requirements.

5.6.5. Ventilation systems and alarms

On both holdings, the inspectors considered that the air quality was adequate. Although the atmosphere was not obviously harmful to the poultry, in parts of the second house on the second holding, the air quality was poor. The birds with the poorest feather quality were found in the part of the house with the poorest ventilation. This was also the house with an overstocking problem.

On both holdings the inspectors were satisfied that there was an alarm to indicate failure of the ventilation system.

6. CONCLUSIONS

6.1. Applicable legislation in Ireland

The requirements of the Directives have been transposed into Irish legislation. The late transposition of these requirements potentially allows buildings to be constructed in accordance with Irish legislation but which would not comply with EC Directives.

The extended transitional period allowed under Irish legislation for accommodation for calves built before 1994 allows such accommodation to continue to be used 3 years longer than provided by Article 3(4) of Council Directive 91/629/EEC (as amended)¹¹. Given that calf rearing is the biggest

¹¹ See footnote no 7

of the three livestock sectors in Ireland, this transitional period can be applied on a significant percentage of holdings in Ireland which would subsequently not be in compliance with Council Directive 91/629/EEC (as amended).

6.2. System of supervision

The targets for the numbers of inspections set by the CCA and the system of farm selection principally meets the EC requirements. However, as the individual farm selection is left to the discretion of each VI (*under the direction of the local SVI manager*), this may result in the checks not providing “a statistically representative sample” as required by article 7 of Council Directive 91/629/EEC and 91/630/EEC.

Procedures and staff instructions for the operation of inspections, which have been drafted at the central level, were applied by the regional and local services. Participants from throughout the country have attended training organised by the CCA. Clear instructions have been given regarding how to deal with gross abuses of animal welfare and this had been applied in those situations where a co-ordinated effort was needed to resolve a serious animal welfare problem. Some of these cases involved the only formal legal sanctions for breeches of animal welfare legislation. The lack of instructions to inspecting veterinarians on what action to take regarding the more commonly occurring deficiencies has led, on some occasions, to unclear orders for corrective action being given¹².

The following conclusions are drawn regarding each of the livestock sectors:

6.2.1. Inspections of pig holdings

The requirements for boar pens were not adequately checked and the absence of these criteria from the checklist may account for this failure.

VIs gave insufficient attention to the means provided to satisfy the behavioural needs of pigs e.g. for rooting material (point 16 of Chapter I of the Annex of Council Directive 91/630/EEC). This may have been due to the lack of guidance on this requirement in the CCA’s written instruction.

Irish legislation provides for light “for at least 8 hours a day”, which does not exclude interruptions of this period and may have contributed to the failure of the VI to address this issue. Intermittent lighting is not equivalent to the natural light period normally available between 9 a.m. and 5 p.m. and does not therefore meet the requirements of point 5 of Chapter I of the Annex of Council Directive 91/630/EEC¹³.

¹² *In their response to the draft report the Irish Authorities noted that in the context of this inspection mission and their end-of-year review of previous years inspections, revised and up-dated guidelines for on-farm welfare inspections are being prepared which will address any deficiencies identified during the course of the mission.*

¹³ *See footnote no 9*

It was not always ensured that chronically ill pigs were spared unnecessary suffering.

6.2.2. Inspections of holdings with calves

The VIs checked most of the criteria in a satisfactory manner. However, there was a lack of awareness regarding the requirement of Article 3 (2) of Council Directive 91/629/EEC, where calf pens established after 1 January 1998 must allow tactile contact between calves. Adequate fibrous food was not always provided where calves were reared in hutches. There was also a certain lack of awareness in the farming community regarding the prohibition on the tethering of calves.

6.2.3. Inspections of holdings with laying hens

The checks performed during the mission were performed in a satisfactory way. However, it was not always ensured that a proper inspection of the hens was made at least once daily.

The current policy of giving a written warning to a flock keeper where systematic overstocking is detected, and monitoring the situation until the houses are emptied at the end of the production cycle is considered insufficient enforcement of Article 3 of Council Directive 88/166/EEC¹⁴. The lack of follow-up action with the supplier of the birds is equally a weakness in ensuring future compliance. The late implementation by the CA of checks of holdings with laying hens may have contributed to the lack of compliance.

6.3. Overall assessment of the competent authority

The late transposition of all the relevant EC Directives represents a risk of a substantial number of holdings not being in compliance.

The inspections carried out by the inspectors of the CA during the mission were generally performed in a competent way. However, there was a lack of emphasis on avoiding unnecessary suffering, in particular on pig farms¹⁵. The system of recording inspections was generally satisfactory. A well co-ordinated system of follow up has been adopted where extreme deficiencies have been detected, however follow-up of the more commonly occurring deficiencies was less satisfactory. The CCA has also not adequately informed the industry of certain legislative requirements.

¹⁴ *In their response to the draft report the Irish Authorities noted that such a policy does not exist. On two occasions, this course action was taken in response to detection of non-compliance, taking into account the specific circumstances of the individual cases. The CA indicated that they are committed to taking action to ensure compliance with the requirements of Directive 88/166/EEC.*

¹⁵ *In their response to the draft report the Irish Authorities noted that the perceived lack of emphasis on avoiding unnecessary suffering, particularly on pig farms, is being addressed by increasing awareness in the industry and by means of additional training and education of their inspectors in the context of their continuing drive to ensure high animal welfare standards within the Irish farming industry.*

7. CLOSING MEETING

A closing meeting was held on 12 October 2001 with the central competent authority. At this meeting, the main findings and conclusions of the mission were presented by the mission team and the CCA acknowledged that some of the findings indicated that further guidance to staff may be required. Regarding the late transposition of the EC Directives, a representative of the CCA pointed out that, in the past, this had arisen due to problems in particular with the Attorney General's office, but that a new unit was being set up to deal with the transposition of EU legislation. The CCA stated that they would provide an update on the status of this unit when providing their comments on the draft report of this mission. The mission team acknowledged the good co-operation given by the CCA during the mission, but requested that greater efforts be made in future to supply information in advance as requested.

8. RECOMMENDATIONS

To the competent authorities of the Republic of Ireland

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. Take measures to ensure that the deadlines for the transitional periods in Article 3(4) of Council Directive 91/629/EEC are respected.
- 8.2. Take measures to ensure that the selection of farms meets the requirements of Article 7 of Council Directive 91/629/EEC and Council Directive 91/630/EEC.
- 8.3. Take measures to ensure the lighting regime for pigs is respected (Council Directive 91/630/EEC Annex, Chapter I, point 5).
- 8.4. Provide guidance, supervision, information, training or other forms of support to assist VIs on the course of action to take when they detect deficiencies, in particular regarding:
 - The care of sick and/or injured animals (Council Directives 91/630/EEC Annex, point 14 and 98/58/EC, Annex, point 4),
 - Euthanasia of animals (Council Directives 93/119/EEC, Article 12 and 98/58/EC, Article 3)
 - Space allowance on holdings with laying hens (Article 3 of Council Directive 88/166/EEC) and regarding boar pens as required by Council Directives 91/630/EEC Annex, Chapter II (I).
 - The suitability of accommodation for calves (Article 3(3) and point 8 of the Annex of Council Directive 91/629/EEC).

- Environmental enrichment and the justification for tail docking pigs (Council Directives 91/630/EEC, Annex, Chapter I point 16 and Chapter III, point 4) and
- The documentation of mortalities on holdings with pigs or laying hens (Council Directive 98/58/EC, Annex, point 5).

ADDENDUM

In their response of 08-01-2002 the Irish Competent Authority has asked for some modifications and given several clarifications, which have been incorporated in the final report.

Furthermore, the CA has indicated that corrective actions have been taken in response to certain recommendations and have given a commitment to address the other recommendations.

Regarding the requirement for the selection of farms to be a "statistically representative sample" the Irish authorities do not accept that their checks were not in compliance with the requirements of Article 7 of the Directives 91/629/EC and 91/630/EC. Nevertheless they will elaborate updated guidelines to the inspecting staff, which will include additional advice on sample selection.