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FINAL REPORT OF A MISSION
CARRIED OUT IN THE NETHERLANDS
FROM 7 TO 11 JANUARY 2002
CONCERNING ANIMAL WELFARE DURING TRANSPORT

Please note that factual errors in the draft report have been corrected in bold, italic type.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

<i>AID</i>	General inspection services (<i>Algemene Inpectiedienst</i>)
BSE	Bovine Spongiform Encephalopathy
CA	Competent Authority
CCA	Central Competent Authority
DG SANCO	Directorate General of the European Commission for Health and Consumer Protection
EEC	European Economic Community
EC	European Community
EU	European Union
FMD	Foot and Mouth Disease
FVO	Food and Veterinary Office
<i>Halal</i>	Islamic ritual slaughter
<i>LNV</i>	The Dutch Ministry of Agriculture, Nature Protection and Fisheries (<i>Ministerie van Landbouw, Natuurbeheer en Visserij</i>)
MS	Member State
<i>PV</i>	<i>Proces Verbaal</i> (a report sent to a prosecution official who examines the case and may impose a fine which may be paid without the case having to be heard in court).
<i>RVV</i>	The meat and livestock inspection service (<i>Rijksdienst voor de Keuring van Vee en Vlees</i>)

1. INTRODUCTION

The mission took place in The Netherlands from 7 to 11 January 2002. The mission team comprised 2 inspectors 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 (CCA), The Dutch Ministry of Agriculture, Nature Protection and Fisheries (*Ministerie van Landbouw, Natuurbeheer en Visserij –LNV*).

An opening meeting was held on 7 January 2002 with the CCA. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission requested.

2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate the implementation of EC legislation concerning animal welfare during transport and at the time of slaughter. It forms part of the continuing missions to all Member States to evaluate control systems and operational standards in this field.

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

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings.
	Regional	1	During the visits to these offices, the system of vehicle authorisation was explained and an evaluation of the system for control of route plans was carried out.
	Local	1	
LIVE ANIMAL CONTROL SITES			
Assembly centres		3	Three assembly centres, where animals are gathered for long distance transport, were visited. There were activities at two of the three assembly centres at the time of the visit.
Livestock market		1	This livestock market, which deals in sheep and bovine animals, was undergoing refurbishment to meet the requirements for an assembly centre.
Slaughterhouses		3	One slaughterhouse for pigs, one for veal calves and one for casualty animals were visited.

3. LEGAL BASIS FOR THE MISSION

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 States¹.

¹ OJ L 38 of 12.2.1998, p.10

Council Directive 91/628/EEC of 11 November 1991 (as amended) on the protection of animals during transport², in particular Article 10 which enables Commission experts to carry out on-the-spot checks.

Council Directive 93/119/EEC of 31 December 1993 on the protection of animals at the time of slaughter or killing³, in particular Article 14 which enables Commission experts to carry out on-the-spot checks.

4. BACKGROUND

4.1. Summary of previous mission results

The previous mission with the same objective to The Netherlands was undertaken in 1995 (reference VI/5633/95). The report of this mission is not available on the DG (Health and Consumer Protection) Internet site (<http://europa.eu.int/comm/dg24/>). The main findings from this mission were that unfit animals were presented at a livestock market and that there was no system for control of route plans. The livestock market, where problems had occurred during the mission in 1995, has since closed down.

4.2. Background to present mission

The Netherlands was the final Member State to be visited in a series of missions to Member States (MSs) where staging points had been established. This mission was due to take place in April 2001, but was postponed following outbreaks of FMD in the Netherlands at this time.

A significant number of live animals are transported from The Netherlands to other MSs each year. In recent years, the competent authorities of several MSs have written to the Commission regarding breaches of Council Directive 91/628/EEC by Dutch transporters. At the opening meeting with the CCA, a representative of the RVV informed the mission team that in 2001 representatives of the RVV had visited Italy and Spain, two of the main destination countries for animals on long distance transport and following discussions with the competent authorities in these MSs, the RVV had developed a policy to achieve better compliance. At the opening meeting, it was reported that this policy has been progressively implemented since October 2001.

5. MAIN FINDINGS

5.1. Competent authority

The Ministry of Agriculture, Nature Protection and Fisheries (Ministerie van Landbouw, Natuurbeheer en Visserij - LNV), is the competent authority (CA) for animal welfare in The Netherlands. The following Departments within LNV are responsible for establishing the policy on animal welfare:

- The Agricultural Directorate (Directie Landbouw - DL) and

² OJ L 340 of 11.12.1991 p.17, (amended by Council Directive 95/29/EC, OJ L 148 of 30.6.1995 p.52)

³ OJ L 340 of 31.12.1993 p.21

- *The Veterinary and Feedstuffs Directorate, VVA (Veterinaire en Voedingsaangelegenheden)*, where the office of the Chief Veterinary Officer is located.

When new EC legislation on animal welfare is proposed, these Departments coordinate the consultation with all interested parties. Following the adoption of Council Directives they also work with the LNV's Department of legal affairs (Directie Juridische Zaken), which is responsible for drafting the corresponding Dutch legal text.

The policy regarding checks of animal welfare during transport and at the time of slaughter is established by DL and VVMA following consultation with the services that implement the legislation. The meat and livestock inspection service (Rijksdienst voor de Keuring van Vee en Vlees – RVV) is the main implementation body, carrying out checks at places of departure and destination. Staff at RVV headquarters, in its five regional offices and in its 19 district offices deal with issues concerning animal welfare during transport on a day to day basis. In each district office, there are 3 to 4 teams, which implement all aspects of veterinary legislation, including checks of animal welfare during transport.

In addition, the general inspections service (Algemene Inpectiedienst – AID) carries out checks in collaboration with RVV at livestock markets and together with the Police at roadblocks. The AID is always involved when enforcement of the relevant legislation is required.

Additional information on the organisation of all the services mentioned above is available on the official Internet site of LNV (<http://www.minlnv.nl>).

5.2. Legislation

In The Netherlands, the law on animal health and welfare (Gezondheids- en Welzijnswet voor Dieren van 1992) forms the legal basis for subsequent legislation on animal welfare. The national legislation transposing the Council Directives relevant to this mission is shown in the table below. Although the mission team did not perform a comprehensive check of the Dutch legislation, it was noted that certain criteria, which are not defined exactly in Council Directive 91/628/EEC (as amended), must meet specific measurements e.g. minimum deck heights and placement of ventilation apertures.

Council Directive	Dutch legislation
91/628/EEC as amended by 95/29/EC	<i>Besluit Dierenvervoer 1994,</i> <i>Regeling dierenvervoer 1995</i>
93/119/EEC	<i>Besluit doden van dieren 1997</i> <i>Regeling doden van dieren 1997</i>

Further legislation relevant to this mission included:

- Regulations on the operation of assembly centres for pigs, bovines and sheep, (Regeling betreffende het bijeenbrengen van dieren 2000 and wijziging regeling 2001). Although this largely deals with issues of animal health.
- A Decree on the act of ritual slaughter (Besluit Ritueel Slachten 1994)

- Regulations for suspending and withdrawing the authorisation of transporters were published on 14 December 2001 (Regeling schorsing & intrekking erkenningen).

It was also noted that since the FMD outbreaks in the Netherlands in 2001, the use of staging points remains forbidden (Regeling aanvullende voorschriften besmettelijke dierziekten 2001).

5.3. Results of previous checks

The most recent report from the CCA to the Commission relates to checks carried out in 1999. These results and a table of results of checks carried out in 2000, which was seen during this mission, indicate that the transport of unfit animals and overstocking of vehicles were the most commonly occurring deficiencies detected. The reported checks were those which involved the AID. The initial infringement was frequently detected by RVV staff at a slaughterhouse and then referred to AID for enforcement action. In the regional office visited, documents from cases, which had been referred to the AID, were seen. The outcome was usually the issue of a Proces Verbaal (PV), which resulted in a fine.

Further information on the AID procedures for imposing sanctions, which remain unchanged, is available in the report of a previous mission to The Netherlands (see report DG(SANCO)/1235/1999 from 27 to 30 September 1999 “the protection of calves and pigs confined for rearing and fattening”:

http://europa.eu.int/comm/food/fs/inspections/vi/reports/netherlands/index_en.html).

5.4. Checks seen during the mission

At the sites visited, the checks were carried out either by full time RVV veterinarians or by private practitioners contracted to do this work on behalf of the RVV. Private practitioners performed ante mortem checks in the slaughterhouses and day to day checks in the assembly centres. As the private practitioners in some cases carry out work on the farms of origin, the potential conflict of interests was discussed. The RVV representative felt that they had addressed this issue by ensuring that full time RVV staff supervise the colleagues, who are working part-time for the RVV.

5.4.1. Fitness for transport

Animals were present at seven of the eight sites visited and an evaluation of the checks for fitness for transport could be made. The animal health certificates seen included veterinary certification of fitness for transport as required by Commission Decision 2001/298⁴.

At both assembly centres for bovine animals, the veterinarians considered bovine animals, which were more than 250 days pregnant, unfit for transport. The responsible veterinarian pointed out that there were some difficulties in enforcing this requirement, as a second or third insemination date may be entered with the animal's details, and this may not always

⁴ OJ L102 of 12 April 2001

indicate the correct stage of pregnancy. This veterinarian stated that rectal palpation was used to confirm pregnancy at this assembly centre. He also reported that no bovine animals had ever calved at this assembly centre.

Calves at the market were all more than 10 days old. Some still had a dried up, attached navel cord. Several calves showed evidence that they were suffering from diarrhoea, but had been considered fit for transport by the RVV veterinarian. These calves were destined for holdings within 50km of the market specialising in veal production.

At the assembly centre for pigs, unfit animals were excluded from long distance journeys. These pigs mostly had hernias, but occasionally pigs had injuries. The majority of these pigs were sent to a slaughterhouse, which handled casualty animals. One severely injured sow had been euthanised at the assembly centre, as indicated by a bill for a veterinary visit. The manager of the assembly centre had stated that all the pigs, which were in detained pens at the time of the visit, would be killed in a slaughterhouse. However, one pig, which was painfully lame, was unfit for further transport.

At the cattle slaughterhouse for veal calves, it was explained that the company did their own checks prior to the animals leaving the farm and that problems with unfit animals arriving at the slaughterhouse did not occur.

The RVV operates a system of classifying animals at the ante mortem check, primarily to exclude animals from normal slaughter if they pose a risk of contaminating the slaughterline (for details of this classification see mission report DG(SANCO)1303/00 on BSE controls in the Netherlands, available on <http://europa.eu.int/comm/dg24/>). At the high throughput slaughterhouse for pigs, the majority of remarks in the ante mortem register referred to tail bitten pigs and pigs with abscesses. Several casualty pigs, one of which was unable to walk unaided, were in a detention pen during the visit. All of these pigs were killed in this slaughterhouse and the responsible RVV veterinarians emphasised that they would not allow such animals to be re-transported to another slaughterhouse if the animals were unfit for the intended journey.

At the slaughterhouse for casualty animals, a consignment of four casualty pigs arrived from another slaughterhouse after having been consigned there by an RVV veterinarian. One of these pigs was unable to bear weight on one leg and another was partially paralysed. The ante mortem register in this slaughterhouse indicated that the majority of pigs arriving here had first been transported to a high throughput slaughterhouse and had then been re-transported to this specialist slaughterhouse, which handled casualty animals. The records indicated that the majority of pigs had abscesses, which would not make them necessarily unfit for the intended journey. However, occasionally the transport of animals with open wounds or painful lameness had been recorded. Bovine animals with obvious fractures were killed on farm and the carcass transported to the slaughterhouse. However, a small number of bovine animals with painful conditions had been transported alive to this slaughterhouse. There was no means of restraining bovine animals at this slaughterhouse, which indicated that many of them arrived in a poor condition.

5.4.2. Means of transport and authorisation

In the Netherlands, commercial transporters must give a written undertaking to comply with the legal requirements for animal welfare during transport. In

addition, every vehicle used for animal transport, regardless of the distances over which it is used, is inspected by technical staff of the *RVV*. The system in the Netherlands requires each transporter to renew his authorisation every five years and to have his vehicle inspected at this time. A standard checklist is used for carrying out the inspection. If the vehicle is considered appropriate for certain categories of animals, approval is recommended to *RVV* central office. The authorisation issued indicates the floor area on the vehicle, the categories of animal for which the vehicle can be used and the date of renewal of the authorisation. A plate carrying a code representing these details is fitted to the outside of the vehicle.

Several *RVV* staff, who were responsible for carrying out checks, were not fully familiar with the codes used on this plate. Two vehicles without a valid authorisation were seen at an assembly centre for bovine animals. Veterinarians would be regularly present to carry out checks on behalf of *RVV* at this location and complete certification for animals going on long distance transport. In the field, staff relied on the presence of the plate to indicate that the vehicle was of the required standard. At the livestock market, the mission team brought to the attention of the CA that the authorisation of one vehicle appeared to have elapsed. *AID* staff, who were present at the time of the visit, immediately then took control of the case to take enforcement action.

The trucks for the international transport of cattle seen during the mission, complied with the majority of requirements of Council Directive 91/628/EEC (as amended) and Council Regulation No. 411/98. The minimum deck height (155cm) laid down in Dutch legislation for bovine animals, however, does not ensure that “adequate space to stand in their natural position” is provided for all categories of bovine animals. The *RVV* veterinarian at the assembly centre indicated that he would not allow the taller heifers to be loaded on one truck, which had a deck height of 162 cm. Instead, he indicated that these cattle would be loaded onto the trailer, which provided more headspace.

Trucks for the transport of veal calves to slaughter were seen during unloading. The *RVV* veterinarian, who was present for every unloading, did a cursory check of the vehicle at this time. The vehicles seen complied with the requirements of Council Directive 91/628/EEC (as amended), except for the unloading ramp, which did not always provide a stable surface. The ramp was split in two halves longitudinally and during unloading, the two sides bounced up and down independently of each other creating both unnecessary noise and on occasion, presenting a potential source of injury to the calves.

Two trucks, which had been approved for the transport of pigs, complied with Council Directive 91/628/EEC (as amended) and Council Regulation No. 411/98, except in the following aspects:

- No direct access to all of the animals. In order to get access to an animal in one compartment during the journey, the entire deck of the multi-tiered truck would have to be unloaded. A representative of the CCA reported that a letter had been issued to commercial transporters in 1998, in which the CCA was prepared to accept that this requirement was not met. A copy of this letter was requested, but was not made available to the mission team.

- Water not provided throughout the journey. Although the vehicles were fitted with nipple drinkers and two water tanks, each with a capacity of 500 L, these could not be filled with water on the day of the visit due to freezing temperatures.
- Inadequate protection from climatic conditions. Some pigs were transported to Spain in compartments located between the axles of the trailers. These compartments did not provide adequate protection from the spray from the road during wet conditions. A representative of the *RVV* indicated that these compartments would be taken out of use in the next two months following an agreement with the transport companies.

5.4.3. *Handling of animals*

The handling of animals at all the locations visited was generally done in a calm and professional way, with the exception of four incidents:

- In the livestock market, one trailer of less than 6m, from which calves were unloaded, had no ramp from the upper deck and calves were lifted from this deck onto the ramp below. Although most of the calves were unloaded without event, on one occasion, the transporter pulled one calf by the leg from the upper deck and allowed it to fall onto the ramp below. The *RVV* veterinarian, who was present, made no intervention.
- At the assembly centre for pigs, the number of pigs in the last compartment of one deck pigs of a multi-deck vehicle resulted in too many pigs on the hydraulic platform during unloading. Several pigs were on top of each other while the platform was being lowered and one pig's leg was sticking out from between the gates of the unloading platform. Again, no intervention was made by the *RVV* personnel present.
- At the same assembly centre for pigs, one employee was observed kicking pigs in order to get them to move in the desired direction. Again, without intervention from the *RVV* personnel present.
- In the slaughterhouse for calves, one small calf was transported in the same compartment as larger bull calves. After unloading, this calf was bullied by several of the larger calves. No actions were taken by the *RVV* veterinarian regarding the failure to segregate this calf at the slaughterhouse or during transport. Ante mortem records indicated that smaller calves were occasionally delivered together with bigger calves to this slaughterhouse.

At the high throughput pig slaughterhouse, an incident of rough handling by slaughterhouse staff had been reported by the *RVV* to the factory management, who took immediate action to ensure that this did not recur. It was reported that video material was used to provide animal handlers with training at this establishment.

5.4.4. *Facilities at assembly centres and market*

The *RVV* had approved the assembly centres visited, on the basis that they fulfilled the requirements of The Dutch Law on Animal Health and Welfare. There were appropriate facilities to ensure the safe passage of the animals within the assembly centre and the market. Recent refurbishment at the assembly centres visited, included indoor facilities for cleaning and disinfecting vehicles and wheel washes at the entrance to the centres.

Previously cleaning and disinfecting vehicles outside had been problematic when there were freezing temperatures.

Where assembly centre or markets are considered as places of departure, paragraph 2 (e) of Article 2 of Council Directive 91/628/EEC requires that animals, which have already travelled more than 50 km, are watered and fed at these facilities before being reloaded. The *RVV* did not have a system to distinguish between animals, which had travelled more than 50 km to the assembly centre, from those which had travelled less than 50 km. The following facilities in this regard were provided at the sites visited:

- At one assembly centre, for bovine animals and sheep, there were facilities for feeding and watering all the animals. No animals were present at the time of the visit.
- At a second assembly centre, although cattle received water and feed, there were no watering facilities in the pens for sheep.
- At the assembly centre for pigs, several pens had no suitable means for providing water to the pigs.
- At the market visited, consignments of sheep, which included animals from more than 50 km away, regularly underwent further journeys of up to 14 hours. There were no facilities for providing these animals with water during their time at the market. The market was currently undergoing refurbishment, but there was no indication that any consideration had been given to installing watering facilities.

5.4.5. Administrative measures, route plans and sanctions

The route plan for one consignment of pigs, which was leaving the assembly centre at the time of the visit, had been completed correctly. However, the route plan, which accompanied the heifers from another assembly centre visited, had not been completed correctly. Here, details, which should have been completed during the journey, had been completed in advance.

In each of the two offices visited, 10 to 12 exports, which took place over the last 12 months, were selected at random and the accompanying route plans were requested. Three of the route plans had been approved, although the following important details were missing: the estimated journey time; the hour of departure and the signature of the person responsible for the animals during the journey. For these selected exports, three other route plans had not been returned following the completion of the journey and several others did not indicate the date and time of arrival at the destination.

The *RVV* were already aware that there was a widespread failure to ensure that route plans were returned following completion of a journey. Since October 2001, a system to improve this situation had been implemented. In the offices visited, a database had been set up. Here the issue of each route plans was recorded together with details of the export and the system was interrogated daily to detect failures to return the route plan within 7 days after the journey. Reminder letters had been sent out when transporters failed to meet this requirement. This system did not include a check of whether journey times had been respected. A representative of *RVV* stated that in December 2001, the CA had issued a letter to 2200 transporters, informing them that their authorisation could be suspended if they failed to comply with all the requirements of Council Directive 91/628/EEC (as amended).

This punitive measure also applies to those incidents occurring in other MSs, where the CA of that MS has indicated that legal actions have been taken against a transporter for failure to comply with this Directive.

A representative of the *RVV* indicated that in 2001, all complaints received were centrally registered. The enforcement policy was that a transporter would first be given a warning for a first offence, a threat to remove his authorisation would be made for a subsequent offence and a third offence would result in suspension of the authorisation for two weeks. Warning letters were issued by the Regional *RVV* veterinarian and a suspension would be made by the Director of the *RVV*. The stated policy was that a repeat offence within 12 months of the reinstatement of the authorisation would result in suspension of the authorisation for four weeks. The *RVV* had considered the withdrawal of the authorisation, but as a relative or a business partner could take out another authorisation and the business would resume, they believed the current policy would be more effective. Suspension of the authorisation of one transporter is currently in progress and 16 other transporters have been warned that their authorisation may also be suspended.

5.4.6. *Stunning and slaughter of animals*

Three slaughterhouses were visited during the mission. The first slaughterhouse was a slaughterhouse for pigs, which specialised in cull sows, the second slaughtered was for bovine animals of less than one year of age, and the third slaughterhouse specialised in handling casualty pigs and cattle.

Electrical stunning was used in both slaughterhouses, which handled pigs. In the high throughput slaughterhouse, the restrainer for the pigs was fitted with an automatic programmed electrical stunner. Although not all the parameters as required in Annex C, II, 3, A, 2 of Council Directive 93/119/EEC were visible, according to computer data seen, the equipment guaranteed an effective stunning of 98.6 to 99.4% of pigs. During the visit, one pig was not completely stunned, and a back-up device was used to immediately restun this pig. There was no voltmeter or ammeter for this back-up device visible to the operator. A register of the maintenance of the stunning equipment was kept in this slaughterhouse.

During the visit to the slaughterhouse specialising in casualty animals, four pigs were electrically stunned. The electrical stunner did not incorporate a device that measures the impedance of the load and prevents operation of the apparatus if the minimum required current cannot be passed. There was only one red light visible on this device, which indicated when the stunning equipment was functioning, and there was nothing to indicate the voltage and the current under load. In this slaughterhouse, there was a captive bolt pistol at the place of slaughter as a back-up device. The cartridges for this pistol, however, were stored on a wash hand basin, which is an inappropriate place of storage.

In the slaughterhouse for calves, all the animals were stunned with a captive bolt device and then killed by Islamic ritual slaughter (*Halal*). A representative of the CCA reported that the *Halal* office based in the Saudia Arabian embassy had accepted this arrangement. The initiative followed consultations between a Dutch animal welfare group, the meat industry and the CCA. During the visit, all animals were stunned effectively. Two back-

up captive bolt pistols were at the place of stunning. In this slaughterhouse, although it could be seen from the guns themselves that some maintenance had been carried out, no maintenance books were kept and the *RVV* did not carry out other checks of the maintenance.

In the slaughterhouse for casualty animals, there were no facilities for restraining bovine animals. Although the majority of animals arriving at this slaughterhouse were in a poor condition (see point 5.4.1), certain categories of animals had arrived, e.g. a blind bovine animal, for which a means of restraining the animal would be appropriate (Council Directive 93/119/EEC, Annex B, point 1). The back-up captive bolt pistol for bovine animals was not kept at the place of stunning, which does not meet the requirements of article 6 of Council Directive 93/119/EEC.

6. CONCLUSIONS

6.1. Legislation

Although the mission team did not perform a comprehensive check of the Dutch legislation, it was noted that specific measurements are laid down in the national legislation for certain criteria, which are not so exactly defined in Council Directive 91/628/EEC (as amended). Where the legal text was evaluated, this is included under the relevant conclusion below.

6.2. Checks carried out

6.2.1. Fitness for transport

The limit established (250th day of pregnancy) for the long distance transport of bovine animals should ensure that animals do not give birth during the journey. The systematic exclusion of unfit pigs from long distance transport also ensured that only animals fit for the intended journey are exported. In addition, the killing on farm of bovine animals with fractures and the transport of the carcase to the slaughterhouse ensures that further suffering is avoided for these animals. Although *RVV* had referred several cases involving the transport of unfit animals to *AID* for sanction, the approval by *RVV* of the transport of a small percentage of animals with painful conditions to specialist slaughterhouses does not comply with the requirements of Article 12 of Council Directive 93/119/EEC. In addition, the further transport of pigs suffering from painful conditions from one slaughterhouse to another may result in their slaughter being delayed, which does not comply with point 6 of Annex A of Council Directive 93/119/EEC.

6.2.2. Means of transport and authorisation

The obligation for transporters to display the details of their approval on the outside of the vehicle is a positive initiative, which goes beyond the requirements of Council Directive 91/628/EEC (as amended). However, the usefulness of such a system was somewhat diminished, as several staff carrying out checks were not fully aware of the meaning of the codes used.

The vehicles authorised for transport of cattle meet all of the requirements of Council Directive 91/628/EEC (as amended) and Council Regulation No.

411/98 with the exception of the unloading ramp and the space to stand in their natural position on certain vehicles. Regarding the latter, the minimum deck height laid down in Dutch legislation (155 cm) does not provide adequate space for certain adult bovine animals.

Although vehicles for the long distance transport of cattle were equipped so that access could be gained to each compartment, the CA had approved vehicles for the long distance transport of pigs which did not provide direct access to each compartment. Vehicles for the long distance transport of pigs, which were seen during the mission, also did not provide pigs with continuous access to water.

6.2.3. Handling of animals

Generally done in a satisfactory way, although where exceptions occurred there was not always intervention by RVV. The unloading of pigs from the final compartment of a multi-tier truck was a systematic problem, which had not been addressed.

6.2.4. Facilities at assembly centres and market

The approval of the assembly centres had mainly concentrated on animal health requirements and recent refurbishment had further enhanced these aspects. However, the requirements for provision of feed and water had not been completely guaranteed at three out of the four sites visited, which indicates that this requirement may have been overlooked.

6.2.5. Administrative measures, route plans and sanctions

The system for return of route plans, as currently implemented has not yet been effective in ensuring that route plans are returned (Council Directive 91/628/EEC Article 5A 2(d) (ii)). Although the progressive implementation proposed should improve the rate of return of route plans, it does not include a check of whether journey times have been respected.

The communication with other Member States prior to the enhancement of the control of long distance transport is a positive initiative in line with the requirements of paragraph 4 of Article 18 of Council Directive 91/628/EEC. The subsequent policy of suspending the authorisation of transporters for repeated offences is being implemented. This overcomes some of the legal difficulties where the incidents occur outside the jurisdiction of The Netherlands and should prove to be an effective tool to achieve better compliance with the requirements for long distance transport.

6.2.6. Stunning of animals

Stunning of animals was carried out in compliance with Council Directive 93/119/EEC. The practice of *Halal* slaughter after prior stunning with a captive bolt represents a positive initiative by the CA and the other parties involved. On the other hand, on occasions, the maintenance of the stunning equipment, the presence of monitoring devices for electrical equipment and back-up devices at the place of slaughter had not been adequately checked by the RVV.

6.3. Overall Conclusion

In investigating the complaints received from other Member States, the Competent Authorities had recognised certain systematic failures regarding their checks of consignments transported over long distances. Steps have been taken to address these failures and to penalise transporters who repeatedly infringe the requirements, even when these occur outside the national jurisdiction. The continued commitment of CCA's top management to solve these problems should help to reduce the number of problems arising during the international transport of live animals. However, additional efforts must be made if the deficiencies identified during this mission are to be addressed. In particular, all levels of the services concerned will need to implement the actions necessary to achieve better compliance.

7. CLOSING MEETING

A closing meeting was held on 11 January 2002 with representatives from the central competent authority, The Dutch Ministry of Agriculture Nature Protection and Fisheries. At this meeting, the main findings of the mission were presented by the inspection team. The representatives of the central competent authority indicated that they would look again at the control systems in place in light of the mission findings and indicated that they are reviewing the policy on "fitness for transport" in particular regarding bovine animals. They also recognised the need to motivate and train staff in order to achieve a better implementation of checks of animal welfare during transport.

8. RECOMMENDATIONS TO THE COMPETENT AUTHORITIES OF THE NETHERLANDS

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

- (1) Take additional measures to exclude unfit animals from further transportation. In particular, to ensure that when animals are further transported from one slaughterhouse to another, the requirements of article 12 of chapter III and point 6 of Annex A of Council Directive 93/119/EEC are respected.
- (2) Take measures to ensure that vehicles used meet the requirements of Council Directive 91/628/EEC (as amended) and where applicable, Council Regulation No. 411/98. In particular,
 - (a) Regarding the transport of pigs on journeys of more than eight hours, the CA should ensure that vehicles provide direct access to the animals, continuous provision of water and compartments, which provide adequate protection against climatic conditions.
 - (b) Regarding the transport of cattle, the CA should ensure that vehicles allow the animals to stand in their natural position and that the vehicle has suitable equipment for unloading.

- (3) Take measures to ensure that approved assembly centres meet the requirements of Paragraph 2 (e) of Article 2 of Council Directive 91/628/EEC.
- (4) Improve checks of animal handling at assembly centres and markets. In particular, ensure that all persons handling animals at these locations are adequately supervised and that the problem with unloading pigs from the final compartment of a multi-tier truck is addressed.
- (5) Further develop the system for monitoring route plans, to ensure that journey time requirements are respected. This should include communication with other Member States, in line with paragraph 4 of Article 18 of Council Directive 91/628/EEC, to verify the authenticity of the returned route plans.
- (6) Take measures to ensure that stunning equipment in slaughterhouses is operated in such a way that it meets all the requirements of point 2 of article 6 and point 3A of chapter II of Annex C of Council Directive 93/119/EEC.

9. ADDENDUM TO MISSION REPORT DG (SANCO)/3382/2001

Competent Authority response to the recommendations in the report

- (1) In relation to the 1st recommendation, the Central Competent Authority indicated that strict interpretation of these requirements of Council Directive 93/119/EEC will be stressed at meetings with specialists in the field and at training days for workers.
- (2) In relation to recommendation 2(a), the Central Competent Authority stated that a solution is being sought to the lack of direct access to pigs on long distance journeys and that the use of “piglet boxes” under the main body of the vehicle have been prohibited. In relation to recommendation 2(b), the CCA stated that the legislation will be amended to reflect the administrative procedures already in place to ensure adequate head space on vehicles for cattle.
- (3) In relation to the 3rd and 4th recommendations, the CCA indicated that stricter supervision will take place.
- (4) In relation to 5th recommendation, the CCA indicated that the system for control of route plans is being further developed and sanctions implemented in accordance with the rules for the suspension and withdrawal of authorisations of transport firms.
- (5) In relation to the 6th recommendation, the CCA indicated that agreements will be made with slaughterhouse management to adapt stunning equipment in line with the requirements.