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Directorate F - Food and Veterinary Office

DG(SANCO)/8554/2002 – MR Final

FINAL REPORT OF A MISSION  
CARRIED OUT IN FRANCE  
FROM 24 TO 28 JUNE 2002  
IN ORDER TO EVALUATE  
THE SYSTEMS FOR CHECKS OF ANIMAL WELFARE  
DURING TRANSPORT  
AND AT THE TIME OF SLAUGHTER

*Please note that factual errors in the draft report have been corrected in bold, italic, type. Clarifications provided by the French Authorities 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
DG SANCO	Directorate General of the European Commission for Health and Consumer Protection
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
FMD	Foot and Mouth Disease
DDSV	Direction Départementale des Services Vétérinaires
DGAL	Direction Générale de l'Alimentation
PV	Procès verbal de constatation
MS	Member State
OV	Official Veterinarian
TSE	Transmissible Spongiform Encephalopathy

## 1. INTRODUCTION

The mission took place in France from 24 to 28 of June 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, the French Ministry of Food, Agriculture, Fishery and Rural Affairs, General Directorate for Food, Animal Welfare Office.

An opening meeting was held on 24 June 2002 with the central competent authority, French Ministry of Agriculture and Fishery and Rural Affairs. 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 system for checks of animal welfare during transport and at the time of slaughter in France, in the framework of Council Directive 91/628/EEC (as amended)<sup>1</sup>, Council Regulation (EC) no. 1255/97<sup>2</sup> and Council Directive 93/119/EC<sup>3</sup>. It formed part of a wider series of missions to all Member States evaluating control systems and operational standards in this sector.

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

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings
	Local	3	During these office visits ( <i>Direction Départementale des Services Vétérinaires</i> ), an evaluation was made of the previous documented checks of animal welfare during transport and in the slaughterhouses.
<b>SITES VISITED</b>			
Staging point		1	There were no animals present in the staging point at the time of visit.
Livestock markets		2	One cattle market, with predominantly adult bovines, with around 570 heads; the second market with young (2000 calves) and adult bovine (1000), sheep (2000) and a small number of pigs and equine animals.
Slaughterhouses		2	One slaughterhouse for cattle and one for pigs.

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<sup>1</sup> OJ L 340 of 11.12.91, p. 17 (amended by Council Directive 95/29/EC, OJ L 148 of 30.6.1995, p. 52)

<sup>2</sup> OJ L 174 of 02.07.97, p. 1

<sup>3</sup> OJ L 340 of 31.12.93, p. 21

### **3. LEGAL BASIS FOR THE MISSION**

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

- Article 10 of Council Directive 91/628/EEC of 11 November 1991 (as amended) on the protection of animals during transport
- Article 14 of Council Directive 93/119/EC of 31 December 1993 on the protection of animals at the time of slaughter or killing and
- 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 Member States<sup>4</sup>.

### **4. BACKGROUND**

#### **4.1. Summary of previous mission results**

A previous mission concerning the control of staging points in France was undertaken from 2 to 5 November 1999 (reference number DG(SANCO)/1166/1999). The following recommendations were made in the report of this mission to the CA and the response of the CCA is indicated below:

- (1) Suspend the approval of one staging point visited.

The CA subsequently withdrew the approval for the staging point concerned.

- (2) Inform the Commission on other uses of staging points.
- (3) Inform the Commission on which Ports have installations to provide 12 hours rest.

The CA informed the Commission of two new staging points in the west of Brittany, but this did not satisfactorily address the recommendation as 12 hour rests are made in the vicinity of other ports where animals arrive from Ireland.

- (4) Ensure that the use of staging points in assembly centres is exclusively for this purpose during the period concerned.
- (5) Take measures to ensure that hygienic standards are maintained.
- (6) Take measures to ensure that registers are maintained and route plans controlled.

In their response to this recommendation, the CA indicated the importance of collaboration with other MSs and stated that close liaison with the Irish CA is already in place to verify that long distance transport complies with the EU requirements. No response was made regarding recommendations 2, 4 and 5.

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<sup>4</sup> OJ L 38 of 12.2.98, p. 10

The full report of this mission is available under reference number: DG(SANCO)/1166/1999 – MR Final on the DG (Health and Consumer Protection) internet site at <http://europa.eu.int/comm/dg24/>.

## 5. MAIN FINDINGS

### 5.1. Competent authority

#### *Organisation of the Central Veterinary Service*

The Ministry of Agriculture, Food, Fishery and Rural Affairs and particularly the sub Directorate for Animal Health and Animal Welfare within the General Directorate for Food (*Direction Général de l'Alimentation* - DGAL) is in charge of issuing regulations and instructions and co-ordinating and supervising the activity of the local offices.

#### *Organisation of the local offices*

France is divided into 100 administrative *départements* (96 on the continent and 4 overseas). In each *département*, the local Veterinary Services (*Direction Départementale des Services Vétérinaires* – DDSV) are under direct responsibility of a Director and under direct authority of the Prefect. A delegation of legal powers is granted to the Director. The departmental Veterinary Services are in charge of the implementation, according to the DGAL instructions. Particularly, the checks on animal welfare are carried out by the Service for Animal Health and Animal Welfare and, in the abattoirs, by the Service for Food Hygiene.

The Director is assisted by the agents of the veterinary services, described as follows:

- veterinary inspectors of Public Veterinary Health, both permanent official veterinarians (OVs) and contracted veterinary surgeons; the contracted veterinarians are private practitioners performing official tasks of animal health (*vétérinaires sanitaires*) or working for a certain amount of hours as official veterinary inspectors (*vétérinaires vacataires*).
- agricultural engineers (*ingénieurs des travaux agricoles*), full time civil servants with a specific three-year training;
- technicians of the veterinary services, full time civil servants with a specific two-year training.

### 5.2. Applicable legislation

Since the previous mission in 1999, the French legislation, which transposes EU legislation on the welfare of animal during transport, has been amended with the transposition of Council Directive 95/29/EC.

The applicable legislation on animal welfare during transport and at slaughter in France is as follows:

EU legislation	French legislation
<p><b>Transport</b></p> <p>Council Directive 91/628/EEC as amended by Council Directive 95/29/EC</p>	<p><i>Décret</i> n. 95-1285 of 13 December 1995, amended by <i>Décret</i> 99-961 of 24 November 1999;</p> <p><i>Arrêté</i> 5 November 1996, amended by <i>Arrêté Ministeriale</i> 24 November 1999;</p> <p><i>Décret</i> 12 February 2001, on the approval of the standard contract for public transport of livestock.</p> <p><b>Article L. 214-12 of Code Rural, regarding authorisation of transporters</b></p>
<p><b>Slaughtering</b></p> <p>Council Directive 93/119/EC</p>	<p><i>Décret</i> n. 97-903 of 1 October 1997</p> <p><i>Arrêté</i> 12 November 1997</p>

The transposition of Council Directive 95/29/EC became effective at the end of 1999. It should have entered into force on 31.12.1996. Although a comprehensive check of the above legislation was not carried out, the following points were noted:

- there is an obligation for vehicles to be inspected **by the Veterinary Services as part of the procedure for the authorisation of the transporter** and for drivers with less than 5 years experience to complete a training course validated **by the CA**. The driver is also obliged to carry a copy of his authorisation when transporting animals. These requirements are additional to Council Directive 91/628/EEC;
- Article 3 of *Décret* 12.02.2002 does not fulfil the requirements of Article 4 of Council Directive 91/628/EEC. It only applies to professionally contracted transporters and indicates that time of departure is only required “if necessary”;
- there is no obligation to give notice of the existence of the route plan through the ANIMO system (Article 5(A)(2)(c) of Council Directive 91/628/EEC);
- a market is considered as a place of departure in French legislation, when it is less than 50 km from the first place of loading, or if more than 50 km distant, where the animals are rested for a period for them to be watered and fed if necessary. Article 2(e) of Council Directive 91/628/EEC (as amended) states that the latter category of animals are watered and fed before being reloaded and does not indicate that this is only “if necessary”.

Another piece of legislation, which was introduced as part of the measures to reduce the risk of TSE or scrapie infected animals entering the food chain, concerns the slaughtering of casualty animals (*Arrêté* 09.06.2000, last

amended on 04.02.2002). This prohibits the following animals from arriving at slaughterhouses:

- casualty ovine and caprine animals;
- casualty bovine animals more than 24 month old;
- any animal which is ill or in state of *physiological weakness*.

This legislation does not prohibit the transport of other casualty animals, where the accident has occurred in the previous 48 hours<sup>5</sup>.

### 5.3. Implementation

Instructions are sent every year from the DGAL to the DDSVs in order to organise the checks on the welfare of the animals during transport. Each DDSV is requested to carry out 100 controls each year on the means of transport. Fifty seven *départements* had submitted the results of their inspections in 2000, the number of *départements* which provided information for 2001 was not indicated. The results of these checks in 2000 and 2001 are as follows:

	2000	2001
Total number of checks (vehicles)	7218	8205
% of checks at slaughterhouses	36.5	79.5
% of checks at ports	24.4	0.5
% of checks at assembly centres	14.6	4.6
% of roadside checks	12.7	7.9
% of checks at markets	11.8	3.1
% of checks at airports	0.03	0
% of checks at staging points	0.03	0.2
% at farms	-	2.1
Number of animals checked	1186731	2412035
Unfit animals detected	2008 (0.17%)	5480 (0.23%)
Number of checks where follow-up action was taken	470	576

In 2001, checks of vehicles on farms took place and a number of roadside checks were organised to inspect vehicles travelling more than 8 hours. ***These measures were reinforced in particular following FMD crisis.***

The following instructions were provided by the CCA:

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<sup>5</sup> *In their response to the draft report the French Authorities noted that Décret 99-1285 prevents the transport of animals which are ill or injured. They also indicate that the CA may authorise the transport of such animals in certain circumstances providing it does not give rise to unnecessary suffering. It is the Veterinarians who must evaluate each case.*

- an instruction issued on 28.02.2000 dealt with the application of the recently introduced *Arrêté* 24.11.1999; it provided definitions of “place of departure” and “staging point”, explained the procedure for authorising transporters and issuing route plans and detailed journey times and resting periods. Moreover it detailed the performance of the inspections, provided a checklist for this purpose and gave instructions in case of detection of infringements;
- an instruction of 22.06.2001, aiming to establish the checks for the year 2001, gave further details on the inspections to be performed.

#### *Controls at markets*

According to a representative of the CA at the first market visited - where the trade was only within France - agents from the DDSV were present once every three to six months. A private practitioner came to treat each sick or injured animal and, once a month, for a private control.

In the second market two technicians from the DDSV were present each market day throughout the time when the market was operational. Moreover, the official veterinarian of the Animal Health and Protection Service alternated with the Director of the DDSV to ensure an OV was present on 2-3 market days out of 4. This presence of OVs was necessary in this market, in order to certify animals for export and to validate route plans.

#### *Controls at slaughterhouses*

With regard to animal welfare at slaughter, an instruction of 24.06.1998 was distributed to all DDSVs, which explained the new regulation on this subject. It dealt particularly with staff training, the conformity of the equipment for stunning, ritual slaughter and sanctions in case of infringements.

Two of the three *départements* visited had surpassed the target of 100 checks per year. In the third *département* records 47 vehicles had been inspected at road side checks in collaboration with the police, but checks at other locations were not systematically recorded.

### **5.4. Fitness for transport**

An evaluation is made of the checks for fitness to transport based on both the checks conducted by the CA on the spot during the mission and documentation of previous checks. Animals were present in all the sites for live animals visited except in the staging point.

#### *Fitness for transport to market*

The overall fitness for transport of the animals seen was satisfactory but the fitness of a few animals was questionable:

- in both markets three ruminants with hoof problems were noticed by the CA, who proposed as corrective action a written warning to the dealers and to the farmers;

- an adult cow, which leaked milk and whose udder had weak suspensory ligaments, had probably not been milked since the previous evening;
- in the second market a ewe had 3 big safety pins in its vulva, which had been carried out to prevent the prolapse of the uterus. The OVs considered this animal fit for the intended journey which had involved transport to the market and further transport to a slaughterhouse<sup>6</sup>.

In the past veterinarians in both markets had carried out euthanasia on the few occasions when severely unfit animals had been presented.

In the second market 21 cases of infringements of animal welfare requirements, particularly related to fitness for transport, had been recorded in 2000, of which 19 had been followed by written warnings and 3 followed by *procès-verbaux* (PV). It was reported that two of these cases had resulted in fines of €76 and €182.

In 2001 there were no infringements recorded. A representative of the CA explained that this improvement was partly a result of the regulation of 09.06.2000 on casualty animals and partly due to the closure of the market for several months in 2001 during the FMD crisis.

#### *Fitness for transport to slaughter*

In both slaughterhouses visited, each unloading of animals was checked by the CA. In the bovine abattoir the veterinarian – appointed by the DDSV - performing the ante-mortem inspection had been chosen for his practical experience in cattle practice.

Although after the implementation of the regulation for casualty animals the number of seriously injured animals transported to slaughterhouse was reduced, certain seriously ill and injured animals were still transported. In an area outside the slaughterhouse, there were 4 carcasses of animals euthanised because their condition on arrival was in violation of the regulation of 9.6.2000. Records indicated that approximately 0.75% of animals arriving at this slaughterhouse were in a similar condition. The OV sent monthly summaries to the DSV of his *département*, who in turn sent the information to the DDSV of the farm of origin of the euthanised animal. One warning letter had been issued to one farmer following one such incident.

There was also a category of animals (approximately 0.1%), such as younger cattle with a broken leg, which were slaughtered in the designated area for emergency slaughter. No follow-up action was taken following the transport of any animals in this category. Several representatives of the CA were of the opinion that this transport was legal as this category of animal had not been excluded by the regulation of 09.06.2000 on casualty animals.

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<sup>6</sup> *In their response to the draft report the French Authorities noted that this procedure is carried out to prevent complications such as prolapse and that the presence of safety pins does not prejudice the fitness of the animals for transport.*

Among the pigs isolated in the casualty pen, were some which were visibly suffering and they potentially had to wait for several hours before being killed. Point 6 of Annex A of Council Directive 93/119/EC requires that such animals are either killed immediately on the spot or at the latest within two hours from unloading. It also requires that any movement to the point of killing does not entail unnecessary suffering. The loading of animals with fractures onto a trolley in order to bring them to this pen does not comply with this latter requirement. During the visit, about 35 to 40 pigs were in this sick pen. The OV in this slaughterhouse had developed a strategy to reduce the number of unfit animals arriving and stated that the severely unfit animals were killed in the shortest possible delay. In the first three months of 2002, 66 written warnings had been addressed to assemblers of pigs and to DDSVs of origin. The OV, together with a technician, had also prepared an internal instruction for staff in the slaughterhouse in relation to ante mortem inspection and the channelling of sub-optimal animals within the slaughterhouse. The OV pointed out that he had written this instruction without the assistance of the other levels of the CA and had difficulty to define the minimum standard regarding fitness for transport.

### **5.5. Means of transport**

On the basis of the information received in the three offices visited, it is estimated that 32% to 40% vehicles have been approved.

Regarding the checks of vehicles performed during the mission the vehicles seen in the slaughterhouses were in good general condition and fulfilled the minimum requirements. Although the overall situation at the market was satisfactory, the following points were noted:

- checks on the vehicles in the first market were not performed on a routine basis; the only one transporter to whom the CA asked for the agreement had not been approved. The overall condition of the trucks was good although one trailer, which had been designed for transporting horses, was used to transport a cow and a calf and did not have a ramp;
- in the second market, vehicles were again of a generally satisfactory standard but one vehicle, which had been approved, had a ramp with an inclination of 75%. A small vehicle had a second level for transporting small ruminants but this compartment did not possess a ramp for unloading, which may give rise to mishandling of animals during unloading;
- adult bovine animals with horns, were loaded onto the upper deck of a two-deck vehicle and could not stand in a natural position because of the low level of the roof of the second deck. Action was taken by the CA after this observation made by the mission team. One OV indicated that similar corrective action had been taken in the past;
- a Spanish truck, loaded with young bovine animals destined for Spain, was not adequately equipped for watering the animals and one compartment provided inadequate headspace. During one office visit, in another *département*, it was also found that vehicles were used to

transport animals from a market to Spain on journeys of up to 18 hours without being equipped for connection to a water supply;

- the main problem in the second market was related to the cleaning and disinfecting of the vehicles. They were not cleaned before loading the animals although equipment for this purpose was available<sup>7</sup>. A survey carried out in 1999 by the CA indicated 62% of vehicles in a six week period had not been properly cleaned but there had not been adequate follow-up action with the result that dirty vehicles were still present. One of the OVs indicated that a PV would be initiated for the worst dirty vehicle seen during the visit.

## **5.6. Facilities and animal handling at markets**

EU legislation provides requirements for animal handling at the time of loading and unloading at markets, but does not extend to the movement of animals within markets. Some bovine animals in both markets had injured their horns during the unloading or movement within the market. In the larger market, the flooring, particularly in the loading area gave rise to several animals slipping during loading/unloading and the CA had indicated this problem to the management of the market in March 2002, but remedial action had not yet been taken.

Water was provided to the animals using mobile drinkers in one market and troughs placed in some of the pens of the larger market. This system however did not ensure that all the animals were adequately watered because often water was only available to the animals in the loading pens and animals passed through these pens quickly without allowing them enough time to drink. This was particularly important in those cases where animals had been loaded in farms during the night and reached the final destination several hours after the re-loading in the market. Feed was not provided unless the animals were accommodated in the market during the night.

Most of the animals in pens were free and had good space to turn around and to lie down. Some of the adult bovines were tied up in rows by the horns or by the neck with a slipknot. Some animals which had been tied by the neck struggled or had insufficient rope to enable them to lie down. Thus there was a potential risk of strangulation.

The general behaviour of the traders and the transporters was calm, however due to the design of the facilities for moving animals within the market and the practise of tying animals to rails, a few animals were occasionally struck on the face to get them to move in the desired direction. This was tolerated by the CA.

Some trucks with animals on board, were parked in the courtyard of the market and in the nearby village waiting in hot conditions, without any

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<sup>7</sup> *In their response to the draft report the French Authorities noted that the equipment for cleaning and disinfecting was insufficient. Several times they had indicated this deficiency to the market operators, who instead had the priority to develop the computerised system for traceability.*

protection from the sun, while the drivers were having lunch after the market had closed.

### **5.7. Animal handling and facilities at slaughterhouses**

At the two slaughterhouses visited, the movement of animals within the lairage and to the point of killing was generally satisfactory. Premises were generally compliant with the requirements of EU legislation, however some deficiencies were noticed:

- the sick pen in the pig abattoir was equipped with a portable trough, which was very dirty and inadequate for the number of animals present. Annex A, Chapter II, point 9 of Council Directive 93/119/EC requires that any animal which is not taken directly to the place of slaughter must have drinking water available to them at all times. Some of these animals had arrived the night before and remained in the pen for more than 12 hours, without bedding and feed, which would not comply with the last indent of point 7 and point 9 of Annex A of Chapter II of Council Directive 93/119/EC;
- it was established practice for all pigs arriving at the slaughterhouse that they had not been fed within 24 hours of slaughter, in order to reduce the risk of contamination of the meat during the evisceration procedures;
- the main system for electrical stunning of the pigs, although effective, lacked a device for measuring the impedance of the load and the backup equipment was not provided with the devices required (Annex C, II(3)(A)(2) of Council Directive 93/119/EC). The computer monitoring the main equipment indicated that on 2% of occasions an optimal stun was not delivered. The OV indicated that if the machine operated and no pig was present in the stunner this would account for some of these instances;
- in the bovine slaughterhouse, the stunning pen was too large for young calves, consequently three calves were placed in the box at the same time and then stunned one by one. This would not comply with the requirement that the animal can only be placed in this pen when the operator is ready to stun them (point 1c of Chapter II of Annex C of Council Directive 93/119/EC).

After stunning with the captive bolt pistol, the bovine animals were hung and then an electrode was applied to the ear for about 30 seconds before the incision of the blood vessels. The aim of this procedure was explained by the CA as to prevent injuries occurring to the workers due to the involuntary kicking which occurs after stunning.

### **5.8. Controls at staging point**

This staging point had adequate facilities to unload and re-load animals and to accommodate them. Suitable equipment and feed was in place for watering and feeding the animals for which the CA had given its approval. However, the following important shortcomings were noticed:

- the earthen floor in both the cowsheds and the unloading area and the wooden material used in construction were not possible to clean and disinfect;
- no protective clothes for persons entering the staging point were available;
- the dirty bedding material in the pens had not been removed after the last consignment but only covered with new straw;
- the register indicated that cleaning and disinfecting was not carried out as laid down in point 1c of part A of Annex I of Regulation (EC) No. 1255/97. It was reported that monocalcium phosphate was used to disinfect the premises whenever the bedding was removed on an irregular basis. The mission team did not consider this as an appropriate disinfectant;
- it was reported that on three occasions animals had been prevented from further transport, but this had not been recorded;
- the register also lacked the name and address of the driver;
- although this staging point had not been approved for use by young calves, consignments of calves, although infrequent, were recorded in the register. The equipment for feeding calves was appropriate for this category of animal, but was insufficient for the number of calves which had stayed at the staging point<sup>8</sup>;
- the commercial stamp of the staging point had been used to confirm the checks at the staging point on the route plan. This would not comply with Article 6 of Regulation (EC) No. 1255/97, which requires an official confirmation.

Previously, animals arriving from ferry ports three hours drive from the staging point had been rested for 12 hours as foreseen in the accompanying route plans. However, a representative of the CCA indicated that they did not consider this staging point to be within the immediate vicinity of the port within the meaning of point 7(b) of Chapter 7 of the Annex of Council Directive 91/628/EEC (as amended). The CCA also indicated that they were involved in discussion with the Irish authorities on this point and hoped to soon implement an agreed procedure for animals arriving by Ro-Ro ferries.

## **5.9. Documentation and route plans**

Transporters carried suitable documentation to comply with the requirements of Article 4 of Council Directive 91/628/EEC (as amended) at only one site, the large pig slaughterhouse visited.

The findings in relation to control of route plans were as follows:

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<sup>8</sup> *In their response to the draft report the French Authorities noted that in future this staging point will no longer receive calves.*

- all of the route plans seen in the three offices visited had been completed incorrectly. These had been approved by the CA prior to the journey. One route plan presented by a transporter at one of the markets visited had been completed correctly;
- at the staging point copies of route plans which had accompanied consignments of animals from Ireland between 1999 and 2002 were seen. Some of these had also been approved although they had been filled in incorrectly. The copies seen indicated that there had been some improvement in the way route plans originating from Ireland had been completed in the last year.

Two out of three offices visited had not received any route plans back, while one returned route plan was seen in the third office visited. The CA acknowledged that there is a widespread failure by transporters to return route plans.

#### **5.10. Reporting, follow-up and collaboration with other Member States**

Inspections were well recorded at most of the locations visited. However, there was evidence that not all OV's in slaughterhouses were systematically reporting incidents when unfit animals arrive at slaughterhouses. At the larger markets, where there had been a more regular presence of the CA, checks had been recorded and follow-up actions were taken for the most severe incidents.

Collaboration with the Irish CA had increased since the last mission, whereby the French CA verified on request whether certain consignments had arrived at their planned staging point. On at least one occasion in 2001, a consignment of horses destined for Italy did not rest the animals at the proposed staging point. The French CA had also performed non-discriminatory checks of animals arriving at these ports by checking 2 or 3 vehicles each month. This had resulted in 4 PVs being served on Irish transporters and this had been communicated to the Irish CA. The French CA indicated that they had seen some improvement in the level of compliance of Irish transporters since these measures had been taken.

## **6. CONCLUSIONS**

### **6.1. Legislation**

The legislation concerning casualty animals whereby many unfit adult bovine animals are now killed on farm has had a secondary positive effect on animal welfare during transport, by reducing the number of casualty slaughter animals arriving at slaughterhouses. The legislation lists categories of injured animals which should not arrive at slaughterhouse, for reasons of risk of TSEs.

The French legislation on animal welfare during transport adds important requirements for the authorisation of transporters. However, partly because of the late transposition of this requirement, a significant number of transporters have not yet been authorised.

The lack of a complete transposition of Article 4 of Council Directive 91/628/EEC makes it impossible to perform effective checks of journey times within France. There was a widespread failure to ensure that consignments were accompanied by documentation to indicate the place and time of departure<sup>9</sup>.

The lack of obligation to notify the existence of a route plan in the ANIMO system is not in compliance with Article 5(A)(2)(c) of Council Directive 91/628/EEC<sup>10</sup>.

## **6.2. Implementation**

The instructions and the check list provided to staff together with the target of 100 checks for each *département* on animal welfare during transport have provided a good basis to comply with the requirements of Article 8 of Council Directive 91/628/EEC (as amended). However, recording and reporting of checks is not established for all sites where animals are transported and not every *département* submits an annual report on the outcome of checks.

There was no official written guidance, apart from the legal references, to assist OV's in deciding when an animal is unfit for transport. This has resulted in individual OV's developing their own standards and instructions for slaughterhouse workers independently of the other levels of the CA.

## **6.3. Surveillance**

### *Fitness of animals*

The level of surveillance on fitness for transport was generally satisfactory. At markets, most attention was given to the fitness of the animals and appropriate actions had been taken in the past, when very seriously injured animals had been presented. In slaughterhouses, although the transport of certain severely injured animals was still tolerated, actions had been taken to reduce the number of unfit animals arriving there, in particular those categories specifically prescribed by legislation.

### *Vehicles and journey times*

Vehicles seen in the sites visited were generally satisfactory. However, the registration of transporters is not complete and several deficiencies related to vehicles belonging to unregistered transporters. The requirements for vehicles to be thoroughly cleaned before loading the animals (Council Directive 91/628/EEC, Annex, Chapter I, (A)(8)) was not always respected as the CA had been tolerant of such deficiencies in the past. In addition, surveillance of vehicles used for journeys of more than 8 hours had not

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<sup>9</sup> *In their response to the draft report the French Authorities noted that with regard to this matter an instruction will be issued. They also noted that the place of departure is well indicated in both health and commercial documents accompanying animals.*

<sup>10</sup> *In their response to the draft report the French Authorities noted that the lack of a specific field in the ANIMO message explains this failure.*

always ensured that these vehicles conform to the requirements of Regulation (EC) No. 411/98. Route plans were generally inadequately controlled.

#### *Staging point*

There was inadequate supervision by the CA, as they failed to ensure that all the requirements of Council Regulation (EC) No. 1255/97 are respected. This represents a potential risk for the animal health situation in the EU.

#### *Communication with other Member States*

The communication between the French CCA and the Irish CCA may have resulted in an improvement in the compliance of Irish transporters when compared with the results of the previous mission DG(SANCO)/1166/1999.

#### *Facilities at slaughterhouses*

The facilities and treatment of animals at slaughterhouses were generally satisfactory, with the exception of the movement of some categories of severely injured pigs within the slaughterhouse; the inadequate supply of drinking water for casualty pigs; lack of bedding for those staying more than 12 hours; the stunning equipment which did not fully respect the requirements of Annex C, Chapter II (3)(A)(2) of Council Directive 93/119/EC and calves placed in a stunning pen before the operator was ready to stun them (Annex C, Chapter II (1)(c) of Council Directive 93/119/EC).

### **6.4. Overall assessment of the competent authority**

The competent authorities have control systems in place for both animal welfare during transport and at the time of slaughter and impose sanctions when major deficiencies are detected. Certain other deficiencies, relating in particular to fitness of animals arriving at slaughterhouses and inadequate vehicles are tolerated and effective follow-up action is seldom taken. There has been little progress in relation to controls at staging points since the last mission on this subject in 1999.

## **7. CLOSING MEETING**

A closing meeting was held on 28 June 2002 with the central competent authority, the French Ministry of Food, Agriculture, Fishery and Rural Affairs. At this meeting, the mission team acknowledged the co-operation given by the CA during the mission. The main findings and conclusions of the mission were presented by the inspection team and the representatives of the CA responded by indicating their willingness to address the failures highlighted.

## **8. RECOMMENDATIONS**

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

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

- (1) The CCA should ensure that French legislation includes the EU requirements regarding:
  - (a) Notification of the existence of a route plan through the ANIMO system as foreseen in Article 5(A)(2)(c) of Council Directive 91/628/EEC.
  - (b) Consignments of animals are accompanied by documentation, which indicates the date and time of departure (Article 4 of Council Directive 91/628/EEC as amended).
- (2) The CA should ensure that animals unfit for transport are not transported in violation of Article 12 of Council Directive 93/119/EC. The CCA should provide further assistance to veterinarians to assess fitness for transport through supervision, information or training.
- (3) The CA should ensure that measures are taken so that operating transporters comply with the requirement to be authorised (Article 5(A)(1) of Council Directive 91/628/EEC).
- (4) The CA should ensure that transporters respect the obligation to clean and disinfect the means of transport before loading animals (Annex, Chapter I, (A)(8) of Council Directive 91/628/EEC) and that vehicles for long distance transport meet the requirements for watering animals during long distance travel (Point 6 of the Annex of Council Regulation (EC) No.411/98).
- (5) The CCA should ensure that a system is developed for the control of route plans so that they are approved only after they have been correctly completed and are returned after the journey (Article 5(d)(ii) of Council Directive 91/628/EEC as amended).
- (6) The CA should suspend the approval of the staging point visited until it can meet all the requirements of Council Regulation (EC) no. 1255/97, in particular regarding cleaning and disinfecting as laid down in part A of Annex I.
- (7) The CCA should also ensure that all French staging points are operating in compliance with Council Regulation (EC) no. 1255/97.
- (8) The CA should ensure that the equipment in slaughterhouses for stunning are fully compliant with the requirements of Annex C, Chapter II (3)(A)(2) of Council Directive 93/119/EC, and that the

requirements of Annex C, Chapter II (1)(c) of Council Directive 93/119/EC are fully respected.

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

None

## **9. ADDENDUM TO MISSION REPORT DG(SANCO)/8554/2002**

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

In relation to recommendations, the Central Competent Authority indicated:

- (1) The CCA is going to issue an instruction to the relevant Veterinary Services in relation to the use of ANIMO and the requirements for documents accompanying animals.
- (2) The CCA will provide further instructions but indicate it is difficult to give precise definitions concerning the fitness for transport.
- (3) The CCA stress the importance they give to the system for authorising transporters and give assurance that this requirement will be respected.
- (4) The CCA will issue a reminder to the relevant inspection services and are going to establish a timetable for the market concerned to provide appropriate facilities. Enforcement action will be taken for vehicles continuing to arrive without the necessary cleaning and disinfecting.
- (5) (6) (8) The CCA will remind the Veterinary Services on these issues, which have already been the subject of legislation and instructions.
- (7) The CCA will issue a warning letter for the staging point visited. The CCA also indicated that the local Authorities would benefit if the ANIMO system was capable of providing prior notification of the arrival of consignments.