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Directorate F - Food and Veterinary Office

DG(SANCO)/8555/2002 – MR Final

FINAL REPORT OF A MISSION
CARRIED OUT IN BELGIUM
FROM 18 TO 22 MARCH 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.*

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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 (previously known as DGXXIV)
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
<i>IEV/IVK</i>	<i>Institut d'Expertise Vétérinaire/Instituut voor Veterinaire Keuring</i>
<i>PV</i>	<i>Procès Verbal</i>

1. INTRODUCTION

The mission took place in Belgium from 18 to 22 March 2002. The mission team comprised three inspectors from the Food and Veterinary Office (FVO). A Commission official from the unit, which deals with legislation on animal health and welfare within DG Health and Consumer Protection, accompanied the team for the last two days of the mission.

The mission was undertaken as part of the FVO's planned mission programme. An opening meeting was held on 18 March 2002 with the central competent authority (CCA). At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team. The inspection team was accompanied during the whole mission by a representative from the CCA.

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 Belgium. This was a follow-up mission to Belgium in this regard. It is part of the continuing missions to all Member States to evaluate 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	Two provincial offices of Veterinary Service and one visit to a regional office of <i>IEV/IVK</i> . During the visits to the offices of Veterinary Service, an evaluation was made of the previous documented checks of animal welfare during transport. During the visit to the office of <i>IEV/IVK</i> the actions taken following the detection of deficiencies at slaughterhouses were discussed.
SITES VISITED			
Premises of an international transporter.		1	The checking of vehicles for long distance transport was demonstrated.
Staging point		1	This visit was added to the itinerary agreed at the opening meeting. There were no animals present in the staging point at the time of the visit.
Livestock market		2	Both were predominantly cattle markets, with around 400 cattle in one on a typical market day and 4000 cattle in the other. In Belgian legislation, livestock markets must fulfil the requirements for assembly centres as defined in Council Directive 97/12/EC.
Slaughterhouses		3	One slaughterhouse for cattle and two for both cattle and pigs. The visit to the third slaughterhouse was added during the mission.

3. LEGAL BASIS FOR THE MISSION

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

- Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States¹,
- Article 10 of Council Directive 91/628/EEC of 11 November 1991 (as amended) on the protection of animals during transport² and
- Article 14 of Council Directive 93/119/EEC of 31 December 1993 on the protection of animals at the time of slaughter or killing³.
- Council Regulation EC (No.) 1255/97 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC.⁴

4. BACKGROUND

The European Commission opened an infringement procedure against Belgium by letter of formal notice of 6.3.2000 (SG(2000)D/102128) for failure to comply with Council Directive 93/119/EEC and for failing to respect Council Directive 91/628/EEC (as amended) particularly in respect of animals transported to markets.

4.1. Summary of previous mission results

The previous mission with the same objective to Belgium was undertaken from 25 to 29 September 2000. The report of this mission is available under reference number: DG(SANCO)/1103/2000– MR – Final on the DG (Health and Consumer Protection) internet site at <http://europa.eu.int/comm/dg24/>.

In response to the recommendations made in this report, the CCA took the following measures:

- Further instructions were issued to the field services carrying out checks at markets, at places of departure and at abattoirs. Only those checks which had been documented on an official checklist or for which a PV had been issued, were to be included in the report made each year to the CCA.
- The transport of calves less than 14 days old was prohibited.

¹ OJ L 38 of 12.2.1998, p.10

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

⁴ OJ L 174 of 02.07.1997 p.1.

- Instructions to the veterinary services to ensure that route plans were returned after the completion of each journey. If there was a systematic failure to return route plans then the veterinary services were instructed not to issue health certificates for future consignments.
- Follow-up inspections by the veterinary services indicated that the register for the staging point visited was now being properly maintained.
- Checklists were issued for use by all slaughterhouse veterinarians, which included a check on the maintenance of stunning equipment.
- To evaluate trends in the slaughtering of casualty animals.
- A system for administrative fines has been given a legal framework. However, this must await a functioning Federal Agency for the Safety of the Food Chain before it can be implemented.

5. MAIN FINDINGS

5.1. Competent authority

The Minister of Consumer Affairs, Public Health and the Environment has ministerial responsibility for animal welfare in Belgium. The Federal Agency for the Safety of the Food Chain (*Agence Fédérale pour la Sécurité de la Chaîne Alimentaire/ Federaal Agentschap voor de Veiligheid van de Voedselketen*), in which both control services (*IEV/IVK, Service Vétérinaire*) will operate in the future, has been given a legal basis by the Royal Decree of 22 February 2001. However, the field services have not yet started operating under this mandate.

The competent authority for animal welfare, therefore, is the same as that described in the report of the mission undertaken between 13th to 18th September 1998 (reference number DGXXIV/1448/98). The various sections and responsibilities within the Veterinary Service are also described in more detail in the report on a mission on epidemio-surveillance networks for holdings with bovine animals, “*Système de réseau de surveillance des exploitations bovines*”, which was undertaken from 2nd to 6th July 2001 (DG SANCO/3338/2001). The reports of both of these missions are available at:

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

5.2. Applicable legislation

Since the previous mission, the Belgian legislation, which transposes EU legislation on the welfare of animals during transport was further amended (*Arrêté royal du 18/12/00 modifiant AR du 9/7/99, Moniteur belge du 10/1/01*). The amendment established several additional requirements for assembly centres, which in Belgium includes livestock markets, notably:

- An obligation on the operator to provide competent personnel, including veterinarians, to ensure the welfare of animals. The veterinarians are obliged to report their findings to the CA’s veterinary inspector within 48 hours of the market.
- An obligation to establish internal rules for the operation of the market.

- An obligation for the Mayor of the municipality to establish a contact point for dealing with complaints.
- A prohibition on the use of blindfolds for animals at markets.

These amendments were made in reaction to reports in the Belgian media of abuses of animal welfare at markets.

In the mission report DG(SANCO)/1103/2000, the CA was requested to ensure that bedding is provided for calves less than 2 weeks old on veal farms (point 10 of the Annex of Council Directive 91/629/EEC). This has been achieved by prohibiting the transport of calves, which are less than 14 days of age, thereby ensuring that calves arriving on veal farms are more than 2 weeks old. This is in addition to the restriction on transport of calves without totally healed navels (point 1 of Chapter 1A of the Annex of Council Directive 91/628/EEC).

5.3. Implementation

The implementation of the applicable legislation was achieved by the same services and systems described in report DG(SANCO)/1103/2000. Veterinary inspectors record the tasks carried out against several categories (see report DG SANCO/3338/01 for more details). On this basis, 5.5% of the work of veterinary service in *Wallonie* concerned animal welfare checks on farms as well as at markets, at roadside and at slaughterhouses.

The system of authorisation of transporters and vehicles is described in mission report, 1103/2000. The individual assessment of vehicles and the issuing of a licence indicating the species and number of animals for which it is approved is additional to the requirements of Council Directive 91/628/EEC (as amended).

Since the previous mission, Veterinary Service has issued two additional instructions relevant to checks of animal welfare during transport.

1. An instruction issued on 11.1.01 dealt with the implementation of checks at assembly centres/ livestock markets and included a standard checklist for recording the necessary checks. The national requirement for the operator to provide competent personnel, including veterinarians, to ensure the welfare of animals had been achieved by employing private veterinarians to carry out checks in liaison with the CA.

2. An instruction of 12.2.02 excluded the use of the “belly boxes” between the axles of livestock vehicles for the transport of pigs.

IEV/IVK had also issued two additional instructions relevant to the scope of this mission.

1. A **joint instruction from the IVK and Veterinary Service** on 13.11.00 dealt with the emergency slaughter of animals. This instruction gave details on the procedures to be followed when such animals were either transported alive to the slaughterhouse or killed and bled on the farm. This instruction:

- (a) elaborates on the offence of transporting an animal in a way which would give rise to further suffering.

- (b) gives examples, such as animals with broken limbs or pelvis, paralysis or serious injury.
- (c) indicates that the presentation of such animals at slaughterhouses was an infraction and the meat from such animals should be seized.
- (d) indicates that, animals with less severe conditions could be transported provided measures were taken to ensure that they were not subjected to further suffering, especially during loading.
- (e) indicates that animals in the latter category should be transported individually, sent to the nearest slaughterhouse and accompanied by a veterinary certificate.

2. The second instruction from *IEV/IVK* on 27.2.01 concerned the monitoring of animal welfare requirements in slaughterhouses. This established a system of recording checks on three separate checklists, which indicated the criteria to be checked:

- (a) during loading and unloading
- (b) during the handling and movement of the animals within the slaughterhouse
- (c) to ensure that the structure and facilities provided for the animals, including stunning equipment, were appropriate.

5.4. Fitness for transport

An evaluation is made of the checks for fitness for transport based on both the checks conducted by the CA on the spot during the mission and documentation of previous checks. Animals were present at five of the sites for live animals visited.

5.4.1. Fitness for transport to market

In the two markets visited, actions had been taken when unfit animals had been transported to market:

- Severely injured animals had been euthanased on the spot.
- Warnings had mostly been given where lame or extremely thin animals had been presented
- *PVs* initiated in certain cases such as for cows, which were at the point of calving. The latter animals, which were of the Belgian Blue breed, required a caesarian section at the market.

In both markets, the majority of animals seen were fit for transport. Actions were taken by the veterinarians on the spot:

- In one of the markets visited, one of the veterinarians prevented the unloading of an animal which had become recumbent during the journey and had only got back on its feet after the other animals had been unloaded.

- One cow with an abnormal arching of the spine with a resultant abnormal locomotion was not considered fit and the veterinarian arranged to have this animal euthanased.

However, the CA veterinarians only investigated the circumstances why a calf with chronic respiratory disease and possibly other chronic illnesses had been presented at the market after this animal was pointed out by the mission team.

There were approximately 4,000 cattle at this market, which had 44 points for loading and unloading animals. This arrangement limited the effectiveness of the checks of animals entering the market.

5.4.2. *Fitness for transport to slaughterhouses*

In the three slaughterhouses visited, actions had been taken in response to extreme cases of animal suffering during transport.

- In one slaughterhouse, records indicated that five unfit cows had been transported together in the same trailer and one animal had died during transport. The official veterinarian had initiated proceedings so that a *PV* had been served on the transporter concerned.
- In a second slaughterhouse, the official veterinarian had again initiated a *PV* against a person, who had transported an animal with three broken legs. This action was in line with an instruction from the *IEV/IVK* stating that an animal with fractured limbs was unfit for transport.

Records at all slaughterhouses indicated that small numbers of less extreme cases of unfit animals arrived on a regular basis. No follow-up action was taken following the transport and emergency slaughter of individual animals with various conditions, which would have excluded the animals from transport under Article 12 of Council Directive 93/119/EC. In one of the slaughterhouses, bovine animals had also been killed on the farm of origin and the carcass transported to the slaughterhouse. The carcasses were detained and the meat only passed fit for human consumption when all the necessary tests for public health proved negative. Salmonella bacteria had been detected in one such carcass, which was subsequently condemned. The veterinary inspector reported that private veterinarians were increasingly better equipped to slaughter animals on farm.

The *IEV/IVK* indicated that there is a downward trend in emergency slaughter of cattle. Between 1993 and 1997 there were approximately 8,000 cases a year in Belgium. Since then the numbers have fallen to approximately 4,000 cases annually. This was due, according to a representative of the CA, to lower prices and increased costs. The person presenting the animal had to pay for a veterinary inspection prior to transport and the range of tests required for reasons of public health.

In the third slaughterhouse, which was added to the agreed programme for the mission, two sows, which were unable to stand, were lying on the concrete outside the main lairage. No intervention was made to have these animals killed until a veterinarian from the Veterinary Service, who was not

responsible for procedures in the slaughterhouse, organised for a slaughterman to come and kill the animals immediately.

The Veterinary Service infrequently carries out checks at slaughterhouses, in co-operation with *IEV/IVK*. On one occasion, this collaboration had resulted in a joint letter being sent to the management of one slaughterhouse where an inappropriate method of restraint was used for the ritual slaughter of calves. The mission team were informed that the CA had subsequently withdrawn the approval for this slaughterhouse to kill calves by ritual slaughter, as corrective measures had not been taken before the deadline given. During another joint surveillance, the Veterinary Service had found that 30% of a consignment of ducks for *foie gras* production had perforated oesophagus. The national approval of the farm of origin to carry out this method of production had been subsequently withdrawn.

5.5. Means of transport

The mission team observed that the majority of veterinarians carried out checks using the standard checklist issued by the CCA. Individual vehicle licences were inspected by veterinarians to verify if the stocking density was in line with the minimum requirements.

Several vehicles seen, particularly at the markets, had unloading ramps without lateral protection. However as animals were seen to be led individually from these vehicles, lateral protection can be considered unnecessary in such circumstances. Although one such vehicle was being used to transport three adult bovine animals, which were unloaded without incident, the licence indicated that the vehicle was also approved for the transport of 40 calves. To unload this number of calves from a vehicle without lateral protection may be more problematic.

Staff from one of the veterinary service offices visited, were involved in roadside checks in co-operation with the Police (*Unité de contrôle routier*). This took place on one market day during the previous 12 months. During the checks one overloaded vehicle had been detected.

Regarding the checks of vehicles performed during the mission:

- In the first slaughterhouse, it was not clear what checks of vehicles were being made by the veterinarian during the visit. However, previous documented checks indicated that the criteria listed on the checklist had been checked on a regular basis.
- At the second slaughterhouses visited, the veterinarians did a check on both the documentation accompanying the consignment and the physical condition of the truck and recorded their findings on the standard checklist.
- At the third slaughterhouse, which was visited due to its proximity to the market visited, there were no physical checks of the arriving vehicles at the time of the visit. The mission team pointed out that one trailer, which had transported pigs to this slaughterhouse, was in a poor state of repair.

During the visit to a transporter's premises, a vehicle, which was used for long distance transport, was inspected. It had been approved by the CA as having all the

features required, however, direct access at all times to all of the animals was not possible (point 3 of the Annex Council Regulation EC (No) 411/98).

5.6. 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. The Belgian CA had increased the level of surveillance at markets when compared to the situation described in previous mission reports. Documentation indicated that the CA had identified lack of segregation and bad handling as a recurring problem at markets. Actions taken in these circumstances included:

- Oral warnings
- *PVs* initiated against two transporters in the largest market for maltreatment during loading
- Suspension of one dealer for similar offences in the smaller market visited. This dealer was again present in the market during the mission team's visit and the responsible veterinarians paid particular attention to his handling during the loading of the animals.

Both markets provided adequate facilities for unloading animals. However, there was unnecessary beating of animals, which principally arises from the lack of appropriate facilities or rules when moving animals from the place of arrival to the place of departure. The smaller market only has two points of entry and exit to the covered hall, whereas the larger market, where the animals are unloaded directly into the covered hall, has 44 points of entry/exit. This latter arrangement gives problems for the movement of animals at the time of reloading. The animals are moved across the hall to the loading bay where the purchaser has parked his vehicle by a combination of being led and driven from behind. These animal movements take place simultaneously and there is no convention on how to move the animals from one point of the market to the other. The result is that animals come from different directions and people and other animals obstruct their way.

The practice of tying animals gives limited room for animals to lie down and limits the ability to drink, where water is provided. The larger market had provisionally adopted a mobile system for providing water. It was explained that this passed each animal four times during the course of the market and one of the veterinarians was of the opinion that this could provide the animals with sufficient access to water. However, animals, which were tightly packed along a rail or which were tied up short, had limited room to manoeuvre to drink.

During the visits, the majority of different categories of animals were segregated from each other, although this was not always ensured:

- In the larger market, on two occasions, a small bovine animal was tied at the end of a rail, which also accommodated larger bovine animals. This lack of segregation and space led to the smaller animals being either crushed against the supporting barriers or being forced to lie underneath the larger animals.
- The limited space for each animal also led on occasion to unnecessary beating of animals to force them between two other animals, which had already been tied up.

- One animal, which had lain down, was dragged along the ground by its halter, without any intervention by the CA veterinarians.

The operators of the largest market are seeking to address the problems with the infrastructure. Their plans include a system of pens where the animals would remain loose and would have access to feed and water during their time at the market.

5.7. Animal handling and facilities at slaughterhouses

At three slaughterhouses visited, the movement of animals within the lairage and to the point of killing was generally satisfactory. The following actions by the CA were seen in response to problems with animal handling:

- In the first slaughterhouse, an aggressive sow was segregated from other sows. However no intervention was made regarding a situation where a larger pig was bullying a smaller pig.
- During the unloading of cattle in the same slaughterhouse the transporter was seen to twist one animal's tail and was asked to stop this by the responsible veterinarian. The same transporter, however, beat the animals excessively as he drove them into the slaughterhouse.
- In the second slaughterhouse for pigs, the unloading of pigs from a multi-deck vehicle was done in a careless way. The gates of the unloading platform were left open during the process of unloading, which could have resulted in pigs falling from the level of the upper deck.

Documentation seen indicated that the *IEV/IVK* had already initiated a *PV* against both a person and his responsible supervisor for maltreatment of animals in the lairage of this latter slaughterhouse. The veterinarians had been informed by the offender that the *PV* had resulted in a fine of €250.

There was no possibility at two of the three slaughterhouses visited, to provide animals, which were not taken directly to slaughter, with water. The *IEV/IVK* had previously written to the management of one of these slaughterhouses in relation to this deficiency, but had not established a deadline by which it should be corrected.

Although one slaughterhouse did have appropriate drinking facilities for animals, the feeding arrangement for these cattle was less satisfactory. Straw was provided both on top of the water in the drinking trough and on the floor. Animals kept in short stalls had limited room to manoeuvre to eat food from the floor.

The stunning procedures seen were generally satisfactory. Findings relating to stunning are as follows:

- In both slaughterhouses, where a review of documented checks was carried out, the veterinarians had completed the checklists provided by the CA.
- In one slaughterhouse, the last completed checklist providing evidence of this control was nine months prior to the mission. Appropriately functioning equipment was, however, present on the day of the visit.
- In two slaughterhouses, back-up captive bolt pistols were at the point of killing to deal with animals, which had not been adequately stunned. In the slaughterhouse

for pigs, where a CO₂ gas chamber was used, the requirement for a back-up device was not respected (Article 6 of Council Directive 93/119/EEC).

- In one slaughterhouse, there was a delay in shackling and bleeding one calf following stunning. The operator responsible for bleeding the animal was not organised to carry this out when the animal had been stunned.

During a visit to one of the offices of the Veterinary Service, the mission team were informed of a joint inspection of a poultry slaughterhouse by the Veterinary Service and *IEV/IVK*. Here a problem with the birds experiencing pre-stunning shocks was detected. It was reported that corrective action was taken to eliminate this problem by changing the slope at the entrance to the water bath stunner.

5.8. Documentation, route plans and staging point register

At no point was documentation seen, which would indicate the date and time of departure of a consignment and which should accompany the animals on journeys of more than 50km (Article 4 of Council Directive 91/628/EEC - as amended). At the first slaughterhouse visited a consignment of cattle, which had arrived from a market, were unloaded at 12:30. The commercial document, which accompanied them, had been printed at 9:57. These animals had left their farm of origin earlier that morning, had then spent time at the market, without access to water and then been further transported. Part of the consignment remained on the vehicle as they were destined for another slaughterhouse. This scenario is unlikely to comply with the maximum journey time of 8 hours laid down by point 2 of Chapter VII of the Annex of Council Directive 91/628/EEC (as amended). In the report DG(SANCO)/1103/2000, a recommendation was made to the CCA to develop a system to monitor the journey time, particularly where the journey is on a basic vehicle and involves time at a market. A representative of the CCA indicated that their assessment had been that journeys through markets could be achieved within a maximum of 8 hours. In the light of the above finding, an assurance was given to look at this issue again.

The CA acknowledged that prior to December 2001 there had been a widespread failure by transporters to return route plans. The findings in relation to control of route plans were as follows:

- Date and time of departure on the Belgian version of the route plan does not follow the sequence provided by Council Regulation EC (No.) 1255/97. This has resulted, on some occasions, in route plans missing “time of departure”, which made the route plans useless for verifying compliance with journey times.
- One international transporter, visited during the mission, had not kept any copies of route plans for any export consignments. He was unaware of his obligation to retain copies of route plans for six months after completion of the journey as laid down by the Belgian legislation *AR du 9.7.99* transposing Article 5(e) of Council Directive 91/628/EEC.
- The veterinary inspectors in both offices visited had written to all their transporters and dealers informing them that failure to return route plans could result in animal health certificates for future exports being withheld.

- In one office, this threat had been carried out for exports using one persistently offending transporter, who had not given a reasonable explanation for this failure.
- In the second office, this situation was complicated by the fact that the majority of transporters operating in this area were Dutch transporters, making sanctions more difficult to enforce.
- There was no system to prevent transporters, from whom health certificates had been withheld, from operating in other regions of Belgium.
- The majority of returned route plans lacked important information to enable the CA to verify if journey times had been respected. In several cases the departure time had not been indicated and in other cases the time of arrival at the destination had not been indicated.

Regarding the last point, a veterinary inspector pointed out that the Belgian version of the route plan was confusing for those completing it. “Date and time of departure” was indicated on that part of the form for planning the journey and it would have been clearer if this had been in the part for completion during the journey.

The staging point register followed the format provided in “*Moniteur Belge*”, the official publication of the Ministry. However this format does not respect the requirement of point 7(e) of Council Regulation EC (No.) 1255/97 as there was no place for recording the name and address of the transporter in addition to that of the driver. The format from “*Moniteur Belge*” required the authorisation number of the transporter. A recommendation had been made to the CA in report DG(SANCO)/1103/2000, to ensure that registers maintained at staging points meet all the requirements of Council Regulation (EC) No. 1255/97.

5.9. Reporting and sanctions

Inspections were well recorded at most of the locations visited during the mission. Follow-up actions were indicated for the most severe incidents reported, but were not always indicated for some serious deficiencies, in particular the transport of unfit animals to slaughterhouses. At both markets the reporting of checks had been standardised, and generally followed the frequency laid down in Belgian legislation. The majority of reports had been made by the veterinarians employed by the market. In general, it was noticed that more deficiencies had been recorded by those veterinarians employed by the CA when compared with the reports of the veterinarians employed by the market. One veterinary inspector reported that he had held meetings with all those veterinarians involved in controls at markets and had issued them with a set of instructions and checklists for this work. He stated that following this initiative, one veterinarian, who was employed by one of the markets, was not prepared to work within this more regulated system and resigned his post.

The effectiveness of sanctions initiated by the CA suffered from the same problem as indicated in the previous mission report i.e. the feedback from the Prosecutor’s office on the outcome of sanctions remains ad hoc. Training sessions, in collaboration with officials from the Prosecutor’s office have taken place for CA personnel who have the authority to issue a *PV*. A representative of the CCA stated that they had requested from the national Prosecutor’s office the outcome of *PVs*

initiated by Veterinary Service. It was reported that less than 50% of prosecutions had resulted in a sanction being applied.

6. CONCLUSIONS

6.1. Legislation

The recent amendments to the relevant Belgian law provide additional requirements to those in Council Directive 91/628/EEC, in particular, regarding the minimum age for the transport of calves and for controls at markets.

6.2. Implementation

The instructions provided to staff, together with the training given, has contributed to an improved effectiveness of checks at markets. The provision of checklists for use by slaughterhouse veterinarians is also a positive development.

Regarding the recommendations made in report DG(SANCO)/1103/2000, the following conclusions are made

- An adequate system for monitoring journey times has not been implemented (Article 4 of Council Directive 91/628 - as amended).
- The register for staging points lacked the name and address of the transporter. This had been omitted in the format provided in *Moniteur Belge*.
- Although a similar system for control of route plans was seen in operation in another office during the previous mission, this had only been implemented in the offices visited during this mission in the last four months. The layout of route plan used may have led to the failure, on several occasions, to record time of departure.
- The instruction on unfit animals at slaughterhouses may have resulted in the interpretation that it is only an offence to transport animals with multiple broken limbs. The transport of an animal with a single broken limb, in general, does not comply with Article 12 of Council Directive 93/119/EEC.

6.3. Surveillance

6.3.1. Of means of transport

Vehicles seen at markets were generally satisfactory. However, the approval of several vehicles unsuitable for live animal consignments indicates that some criteria (e.g. lateral protection) are overlooked when the approval is given centrally.

The requirement for vehicles for long distance transport to be equipped so that direct access at all times to all of the animals is possible (point 3 of the Annex Council Regulation EC (No) 411/98) was not always ensured.

6.3.2. *At markets*

The level of veterinary surveillance at markets has been significantly improved and sanctions have been initiated for some of the worst abuses. The movement and segregation of animals within markets is still a source of problems.

6.3.3. *At slaughterhouses*

On several occasions, collaboration between the Veterinary service and IEV/IVK in carrying out checks at slaughterhouses had improved the effectiveness of corrective actions. Although the use of standard checklists generally ensured that the relevant requirements were checked, not all of the EU requirements had been met in all of the slaughterhouses visited.

6.3.4. *Reporting and sanctions*

Reporting indicated that the level of supervision by the CA at markets was more effective than by the veterinarians employed by the market.

The system of administrative sanctions, which the CCA had proposed during the last mission, has been given a legal basis but has not yet been implemented. The effectiveness of the existing system of issuing a *Porcès Verbal* continues to be undermined by the lack of information on the outcome.

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

When compared with the results of the previous two missions, there is evidence that the CA has made sustained efforts to improve the level of compliance with the EU requirements for animal welfare during transport and at slaughter. In particular, the staff instructions and checklists, which were issued by the CCA, were more closely followed by staff in the field, creating a more harmonised level of inspection.

Nevertheless, only two of the recommendations made in the report DG(SANCO)/1103/2000 have been implemented satisfactorily and several of the recommendations made in the previous report are, therefore, still relevant and are repeated below.

7. **CLOSING MEETING**

A closing meeting was held on 22 March 2002 with the central competent authority and representatives of the regional services. At this meeting, the mission team acknowledged the co-operation given by the CA during the mission. The mission team presented the main findings and conclusions of the mission 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 Belgium

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) The CCA should ensure that all offices are operating a system to ensure that route plans are returned (Article 5(d)(ii) of Council Directive 91/628, as amended). Sanctions imposed on transporters who continue to fail to respect this requirement or who persistently fill in route plans incorrectly should be enforced on a national basis.
- (2) The CCA should put in place a system to ensure that all animals are accompanied by documentation, which indicates the date and time of departure (Article 4 of Council Directive 91/628, as amended). This should allow monitoring of journey times, particularly where the journey is on a basic vehicle and involves time at a market.
- (3) The CA should revise its instructions on emergency slaughter to ensure that Article 12 of Council Directive 93/119 EEC is fully complied with, particularly regarding the transport of animals with broken legs.
- (4) The CA should ensure that vehicles used to transport bovine animals, which are not led individually off the vehicles, should have unloading ramps equipped with adequate lateral protection (point 4 of Annex IA of Council Directive 91/628 as amended). In particular, attention should be given to this requirement when individual vehicle licences are approved.
- (5) Checks of vehicles used for long distance transport should ensure that there is direct access at all times to all of the animals (point 3 of the Annex Council Regulation EC (No) 411/98).
- (6) The CA should ensure that registers kept at the staging points meet all EU requirements. In particular, the format used should include all of the points included in 7(e) of Annex IC of Council Regulation (EC) No. 1255/97.
- (7) The CA should ensure that there is always back-up stunning equipment at the point of killing (point 2 of article 6 of Council Directive 93/119/EC) and that arrangements are in place so that animals are bled as soon as possible after stunning (point 2 of Annex D of Council Directive 93/119/EEC)
- (8) The CCA should seek ways of improving the effectiveness of enforcement actions (Article 18 of Council Directive 91/628 as amended). In particular, to develop further links with the Prosecutor's office and increase the information available on the outcome of such actions.

8.2. To the Commission Services

- (1) The Commission Services should consider proposing legislation concerning operations at markets within the framework of the revision of Council Directive 91/628/EEC. Requirements should be applicable to markets involved in national as well as international trade. In particular, for the movement of animals within the market, the construction and facilities of the market, and their operation should be such as to spare animals any avoidable excitement, pain or suffering
- (2) The findings from this mission should be considered in the context of the infringement procedure (SG (2000)D/102128 of 6.3.2000) opened against Belgium in this regard.

9. ADDENDUM TO MISSION REPORT DG (SANCO)/8555/2002

Competent Authority response to the recommendations in the report

1. Regarding recommendation 3, the IEV/IVK issued an instruction on 17.5.02, which pointed out that an animal with a broken leg was unfit for transport.
2. Regarding recommendation 7, the same IEV/IVK instruction required official veterinarians to ensure that back-up stunning equipment was present at the place of slaughter.
3. The competent authority also indicated that follow-up action had been carried out at the individual slaughterhouses visited during the mission to correct the deficiencies cited in this report.