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Directorate F - Food and Veterinary Office

DG(SANCO)/8556/2002 – MR Final

FINAL REPORT OF A MISSION
CARRIED OUT IN ITALY
FROM 25 FEBRUARY TO 1 MARCH 2002
CONCERNING ANIMAL WELFARE DURING TRANSPORT AND CERTAIN
ASPECTS AT SLAUGHTER

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

ASL	<i>Aziende Sanitarie Locali</i>
BSE	Bovine Spongiform Encephalopathy
BIP	Border Inspection Post
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	Food and Mouth Disease
FVO	Food and Veterinary Office
L	Litres
Ro Ro	Roll on Roll off ferry
SVC	Standing Veterinary Committee
<i>UVAC</i>	<i>Uffici Veterinari per gli Adempimenti CEE</i>
VS	Veterinary Service

1. INTRODUCTION

The mission took place in Italy from 25 February to 1 March 2002. The mission team comprised 2 inspectors from the Food and Veterinary Office (FVO) and a Member State expert.

The mission was undertaken as part of the FVO's planned mission programme. The mission team was accompanied during the mission by a representative from the central competent authority (CCA), the Ministry of Health.

An opening meeting was held on 25 February 2002 with the CCA. At this meeting, the objectives of the mission were confirmed by the inspection team and further clarification sought on several answers given by the CCA in answering a pre-mission questionnaire.

2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate progress in the operation of controls operated by the CA for animal welfare during transport and at slaughter since the last mission was carried out between 6 to 10 November 2000 (reference DG (SANCO)/1125/2000).

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

MEETINGS WITH CA			Comments
Competent authority	Central	2	Opening and closing meetings
	Regional	3	Authorities from the Puglia region were also present at the opening meeting.
LIVE ANIMAL CONTROL SITES			
Staging points		1	Located in Puglia
Ports		2	Bari and Brindisi are used by Ro-Ro ferries transporting live animals to Greece.
Market		1	Located in Lombardia
Slaughterhouses		4	These slaughterhouses, located in Puglia, Emilia Romagna and Lombardia specialised in the slaughter of horses, ruminants and pigs.

3. LEGAL BASIS FOR THE MISSION

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

Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States.

Article 10 of Council Directive 91/628/EEC (as amended by 95/29/EC) of 11 November 1991 (as amended) on the protection of animals during transport.

Council Directive 93/119/EC of 22 December on the protection of animals at the time of slaughter or killing

Council Regulation (EC) No. 411/98 of 16 February 1998 on additional animal protection standards for the carriage of livestock on journeys exceeding eight hours.

Council Regulation (EC) No.1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex of Directive 91/628/EEC (as amended).

Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing.

4. BACKGROUND TO THE CURRENT MISSION

The previous mission to Italy concerning animal welfare during transport (reference number DG(SANCO)/1105/2000) is available at:

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

The overall assessment of this mission was that, when compared with deficiencies identified in previous FVO missions, limited progress had been made. An effective level of enforcement of the provisions of Council Directive 91/628/EEC (as amended by 95/29/EC) had not yet been achieved. Although the CCA and some documents indicated that direct actions had been taken on the spot to resolve problems, there was a widespread failure to impose effective and enforceable sanctions where infringements were detected.

In particular the following recommendations to the Italian CCA were made in the mission report (summarised):

- Implement an effective sanction system including its enforcement.
- Improve checks of animals and means of transport (fitness for travel, travel-time, condition of lorries and their authorisation) and ensure all facilities at staging points respect Regulation 1255/97.
- Provide appropriate facilities and guidance for staff at ports, in order to ensure better surveillance of animals and checks for sea vessels.
- Insurance that all requirements at abattoirs for live animals and at slaughter are met.

5. MAIN FINDINGS

5.1. Applicable legislation

There is no change in legislation since the last mission on animal welfare during transport in November 2000. (See previous report DG(SANCO)/1105/2000.)

5.2. Competent Authority

The Competent Authorities and their responsibilities have not changed since the last mission in November 2000 (See previous report DG(SANCO)/1105/2000.)

5.3. Implementation and surveillance

5.3.1. Previous checks

The last report on animal welfare during transport to the Commission covered the period 1998 and 1999. The mission team has been informed that the reports for the years 2000 and 2001 is currently under preparation and will be sent to the Commission mid 2002. However article 8 of Council Directive 91/628/EEC (as amended by 95/29/EC) requires that such a report is made each year.

5.3.2. Situation in the ports

5.3.3.1. Instructions

The CCA informed ASL (2 August 2000 and 31 October 2000) that they should have a daily presence in the ports, especially during summer, and should carry out an adequate number of checks. The CCA reminded the ASL that they should verify whether transporters had made a reservation for the sea journey and that, if necessary, ASL had the authority to order the driver to take the animals to the nearest staging point. The CCA also wrote to the harbour authorities suggesting that they should provide facilities to allow effective controls to be carried out, as well as a sheltered parking area for livestock vehicles and a place for unloading animals.

In addition, the CCA requested the regional SV, the UVAC and the BIPs by circular letter dated 11 June 2001 to intensify checks in summertime. The CCA emphasised the following points when carrying out random checks:

- fitness to travel
- loading density
- accommodation of animals within the vehicles
- technical equipment of trucks
- travel time / route plans.

Furthermore a special communication (06 August 2001) was transmitted to the ASL in Bari and ASL in Brindisi to remind the inspectors of the following:

- daily presence of veterinary service during loading of ferries and
- the necessity of infringement procedures, where necessary, following the note of 11 June 2001.

5.3.3.2. Checks

In Bari the checks are carried out by both the UVAC or by *CITES (Corpo Forestale dello Stato /Forestry)*. There was no transport of live animals in both ports visited during the mission. The mission team has been informed that due to the market situation in the EU the volume of live animal transports has been reduced substantially.

Since the beginning of 2002 the checks have been carried out using a checklist provided by the CA based on the information given by the CCA.

The checklist presented covered all the major issues for animal welfare on transport.

There are no special facilities for a thorough check of animal welfare in either port. In Bari, where an infringement is suspected, the CA can order the unloading of the animals in one of the 2 staging points in the vicinity of Bari. It was reported that the use of the staging point as a place for more thorough inspections was also useful as it added extra costs to the transporters who did not respect EU animal welfare requirements. There was no information on the register kept by the staging point operator to indicate that consignments had been sent there by the port inspectors. This is a gap in communication between the CA in the port of Bari and the CA of the staging point visited.

In Brindisi, the local VS undertook the checks. One of the veterinary inspectors stated that it was difficult to carry out detailed inspections due to the lack of appropriate facilities¹. There were still no office or possibilities to unload animals or structures to undertake emergency slaughter. The loading densities of animals on lorries can practically only be calculated on the basis of numbers given by the health certificates and information given by papers describing the trucks. Several attempts had been made by the CCA to convince the Port authority to set up facilities, but to date there had been no response.

5.3.3.3. Reporting System

Since January 2002 for every check carried out in both ports, a summary report has been sent to the regional VS. It is proposed to make a yearly report of these checks to the CCA for the preparation of the yearly report to the EU Commission.

5.3.3.4. Sanctions

In Brindisi 11 fines have been filed against foreign transporters (mainly of Greek or Dutch origin) but none of these had yet been paid. The CCA has consulted the Ministry of Justice in order to improve the situation with the enforcement of sanctions. The Italian Ministry of Justice has confirmed, in a communication received after the mission, that there is no legal instrument to obtain the mandatory payment of the sanctions from a transporter living abroad. The possibility of confiscating trucks until such fines had been paid had been proposed by the CCA.

In Bari there were similar experiences with fines not paid by foreign transporters. In one particular case, a Greek driver was sentenced to pay the amount of about 1500 €. The whole legal process took about 2 years.

¹ *In their response to the draft report the Italian Authorities indicated that at port considered as "check during transport" no special equipment is obligatory. They also indicated that when an infringement is suspected, the CA from both ports Bari and Brindisi send these consignments to the staging points near to Bari.*

In both ports the mission team has been informed that all related legal files have been brought to the attention of the MS concerned via the CCA, embassies or consulates but no adequate responses have yet been received.

5.3.4. Situation in the market

The animals mainly originated from the region but some arrived from France. Due to the BSE crisis the number of cattle present has been reduced to about 1/3 of its normal trade.

5.3.4.1. Instructions

In the market visited, the criteria, which the CA had provided for the local VS to check, was principally the same as described for the controls in the port. (Letter of 11 June 2001).

In addition to the instructions given by the CCA the management of the market, which was owned by the municipality, had a "Market regulation". This established rules for the users of the market, which included information on the welfare of animals traded in the market.

5.3.4.2. Checks

The market takes place on Fridays from 05h30 to 12h00, and during this period two official veterinarians were present to check on every loading or unloading. Checklists were used by the responsible veterinarian in the market. If necessary, checks are carried out in collaboration with the Municipal Police. The veterinarians were well motivated and trained for the job. It was noticed that there was an excellent relationship with the dealers who accepted the veterinarian's professional authority. Continuous training was assured by the regional VS.

5.3.4.3. Reporting System

A register of the movements/loading-unloading in the market was maintained. The check lists completed by the veterinarians were collated and sent every 3-month to the regional VS. Each transporter had a national certificate ("*modello 4*") to use **for each consignment**.

5.3.4.4. Sanctions

No sanctions have been filed, however the responsible veterinarian indicated that in the past he had given advice to correct some minor deficiencies.

5.3.5. Situation in the staging points

5.3.5.1. Instructions

Again the same letter dated 11-06-2001 provided principally identical information and instructions to the local VS in the staging point visited.

The staging point was operating on a provisional authorisation. The regional CA told the mission team that before a permanent authorisation will be granted the staging point will be inspected carefully again.

5.3.5.2. Checks

An official veterinarian, who belonged to the Animal Health department of the local ASL, carried out the check in the staging point. There were no checklists used. The identification of animals was randomly controlled and the inspection for animal welfare was superficial. No particular attention was given to the technical state of the trucks but the accompanying paper work was checked. Various non-compliances were not detected (see 5.4. below)².

5.3.5.3. Reporting System

The register was satisfactorily maintained. The staging point had not been left free of animals for the necessary time after cleansing and disinfecting on several occasions. Furthermore there was no recording that consignments had been sent from the port of Bari for detailed inspection as had been reported by the officials at the port. No formalised system for reporting such incidents had been established.

5.3.5.4. Sanctions

No sanctions had been initiated by the officials although severe deficiencies were noted during the mission.

5.3.6. Situation in the slaughterhouses

5.3.6.1. Instructions

In the four abattoirs visited, the veterinarians in charge were familiar with the instructions and circular letters already mentioned. In the biggest of the four slaughterhouses, internal procedures were laid down which also covered animal welfare.

5.3.6.2. Checks

In all slaughterhouses, official veterinarians carried out the inspections. The number of veterinarians in the establishments varied according to the size of the abattoirs and the number of animals slaughtered. Technicians and/or personal of the establishment supported the official veterinarians in their duties.

The checks relating to animal welfare comprised the following:

- administrative papers including route-plans,
- the trucks,
- fitness of animals for regular slaughter,
- ante- and post-mortem inspections,

² *In their response to the draft report, the Italian Authorities noted that corrective actions have been asked to relevant VSs and an instruction reminding to all CAs to carry out more careful checks has been issued.*

- facilities for keeping animals,
- unloading,
- stunning and killing.

All these checks had been undertaken but still a number of deficiencies, of which some were severe, were noted. (see 5.7.)

In the "clean" part of in one slaughterhouse a group of visitors were smoking and were not appropriately dressed with protective clothes. Although this finding is outside the scope of this mission, it is not acceptable from a public health perspective.

5.3.6.3. Reporting System

In all abattoirs visited documentation on identification, health certificates and ante- and post-mortem inspections were presented. In two of the establishments these documents were kept electronically by the company, who also had access to the data relating to veterinary surveillance. All documents were kept by the official veterinarians except the route-plans, which remained with the transporter.

5.3.6.4. Sanctions

No sanctions have been initiated by the veterinarians in the inspected abattoirs but various infringements dealing mainly with overstocking or incomplete route-plans had been reported to the regional CA. If the consignment did come from another Member State, the competent UVAC had also been informed.

5.4. Fitness of animals for transport and slaughter

5.4.1. In the market

All animals seen in the market were in excellent condition and fit for further transport. Some of the horses still wore unsuitable string halters, which could have given rise to injuries to the face of these animals.

The veterinarian in charge stated that in the event of an unfit animal arriving at the market, they would send it as soon as possible to the nearest slaughterhouse (about 1km away) for emergency killing. There are no facilities to slaughter animals on the market.

5.4.2. In the staging point

The official inspector did not notice three lame sheep. One of the sheep had a broken leg, which was not of recent origin. The inspector did not ask the manager of the staging point to take immediate care for the animal and two hours later after the visit was almost finished the sheep was still alive and suffering. Finally only after further intervention by the mission team was the sheep humanely killed.

The inspector did not notice that several sheep had clinical signs of mastitis. The sheep in the staging point were watered but fed only with straw according to the information given by the owner/manager. The inspector concerned took no notice of the problem and therefore gave no further advice (*see footnote 2*).

The cattle staged there gave no reason for concern.

5.4.3. In the slaughterhouses

In general the animals arriving in the abattoirs visited were in good condition. The ante-mortem registers did not indicate that any animals were unfit. A number of horses in the abattoir in Bari were tethered with unsuitable string halters. During the mission one unfit pig was unloaded in the pig slaughterhouse. It was stunned by a captive bolt pistol on the spot and bled after transportation into the abattoir.

5.5. Registers and administrative documents including route-plans

5.5.1. In the ports

The controls in the ports were considered by the CCA as road side checks. The team was informed that the transporter's authorisation, health certificates and route-plans are checked. Completed checklists from previous inspections were seen.

5.5.2. In the staging point

The register was satisfactory for recording the necessary information. No entry on any deficiencies or incidents had been made, although the responsible in the port of Bari informed that the staging point was used for more detailed checks of suspicious consignments.

5.5.3. In the slaughterhouses

In all abattoirs visited, inspection registers were presented. Since only a limited number of animals slaughtered travelled over a long distance, limited consignments required route plans. Ante- and post-mortem registers were maintained and did not show any discrepancies.

5.5.4. In the market

The veterinary inspector kept a register of all loading and unloading of animals to ensure traceability. Apart from a small amount of *bovine* coming from other Member States (mainly France) all animals traded in the market were from the region, a limited number of animals were accompanied by a route plan. Reports on checks carried out were presented.

5.6. Means of transport

5.6.1. In ports

No lorries transporting live animals were seen. The team has been informed that the standards of vehicles has improved since the last mission on transport

5.6.2. In the staging point

The three vehicles including their trailers were new and met the standards for long distance transport of live animals. Access to every compartment was possible, there were facilities for watering the animals including tanks of c. 400 L as well as functioning forced ventilation. The driver presented valid authorisations and he confirmed that he had special training on handling animals.

5.6.3. In the slaughterhouses

Since the animals came from the vicinity of the slaughterhouses no particular attention was given to the vehicles but the overall standard of the vehicles was good.

5.6.4. In the market

The animals came from the vicinity of the market and there were no particular deficiencies noted.

5.7. Facilities including stunning equipment

5.7.1. In ports

In Brindisi, there were no facilities for those staff carrying out the checks. There was no office for the official veterinarian and there was no possibility for removing the animals from the vehicle or for carrying out emergency slaughter. Even when considered as a road side check, the complete lack of inspection facilities made careful surveillance impossible³.

In the port of Bari, the inspecting veterinarians had an office but facilities for a thorough inspection were lacking. However the mission team was informed that where the veterinarian had any suspicion he would order the transporter to go to one of the two staging points near Bari for further inspection. Though some consignments had been sent to a staging point, this had not been recorded in the staging point register.

5.7.2. In the staging point

The facilities in the staging point were suitable for the purpose. The bedding for sheep and cattle was acceptable but particularly in the corridors from the sheep pens there were gaps where animals could get hurt when driven through the premises for loading/unloading. Facilities for watering and feeding were available. One of the pens was a sick bay but was not in use. The manager/owner explained that in case an animal needs to be treated or put down, he would call his private veterinarian.

5.7.3. In the slaughterhouses

In general, the facilities in all establishments visited were acceptable. The lairages were protected against the weather and appropriate for the number of animals. The rails of the pens were safe and the floor was not slippery. In the cases where the animals were kept for longer periods, water and feed could be provided.

The facilities for unloading and handling the animals through the lairage in the cattle slaughterhouse in Emilia-Romagna were very modern and fulfilled

³ *In their response to the draft report, the Italian Authorities noted that they had already asked the Port Authorities for facilities. However, CCA argued that there is no legal obligation to have facilities in the port and if a thorough check must be carried out, staging points in the vicinity of Bari are available.*

the requirements. At the end of corridor to the stunning box there was a bright light to attract the animals for easier driving. Both captive bolt pistols at the stunning were functioning and the internal technical unit of the establishment was responsible for their maintenance. There were facilities for sick animals and emergency slaughter in place.

However, the following deficiencies, some of which were severe, were noted in the other slaughterhouses visited:

- in the horse abattoir in Puglia unsuitable string halters were used to tether some of the horses. The facilities were generally adequate with water ad libitum and feed. The stunning procedure and killing was appropriately carried out and a back-up captive bolt pistol was present;
- in the pig slaughterhouse in Emilia-Romagna no back-up stunning equipment was present. After the intervention of the mission team a second electrical stunner was installed. Both devices had an ammeter and voltmeter and the time of stunning was given by an acoustic signal. The corridor to the stunning box was too wide for smaller pigs, one of the pigs turned was and only brought back to the right direction after additional handling. A device for driving pigs without striking them, was available;
- in the slaughterhouse in Lombardia, the stunning box was completely inadequate for the type of animal. The box was meant for ritual slaughter of young cattle (*vitelloni*) and was now used for old dairy cows. The cows were therefore driven into the box by force and in two cases, needed to be stunned twice because it was difficult to remove the stunned animal from the box. The same box was also used for horses. The responsible veterinarian commented on the unsatisfactory situation by explaining that there was no other facility but had not proposed any action to rectify this.

5.7.4. In the market

Only a third of the facilities in the market were in use due to the substantial decrease in trade. The structures were modern and very spacious. The pens had movable railings, which could form corridors for safe driving of animals. The floor in the pens was bedded with straw in sufficient amount. Although the market is only operating in the morning and the animals mainly come from and go to places in the nearby regions, there were facilities to provide water and feeding-stuff. The unloading was done in a smooth way but there were no lateral protections on the truck and the movable rails were not used.

6. CONCLUSIONS

6.1. Legislation

The European Legislation was transposed into national Italian legislation as already stated in the mission report DG (SANCO)/1105/2000. There were no further transpositions necessary.

6.2. Implementation

With circular letters dated 11-06-2001 and 06-08-2001 the CCA has given instructions reflecting the conclusions and recommendations of the previous mission report. Most of the recommendations there have been addressed with a special attention to:

- fitness for travel,
- loading density,
- technical outfit of vehicles,
- travel time / route plans,
- daily presence of VS in the ports and
- initiating sanctions

Though these circulars were based on EU and national legislation technical details and instructions were lacking e.g. for carrying out thorough inspections in the field.

Annual reports related to animal welfare inspections during transport for the years 2000 and 2001 have not been submitted to the Commission Services as required by Council Directive 91/628/EEC (as amended).

6.3. Surveillance

The surveillance of the VS in the field by the regional CA is still insufficient.

Several deficiencies, some of which were severe, had not been the subject of corrective action by the CA:

- insufficient time after cleansing and disinfecting in a staging point (point 4 of Annex IA of Council Regulation (EC) No 1255/97),
- detection of unfit animals in a staging point (Article 3(c) of Council Directive 91/628/EEC and point 6 of Annex IC of Council Regulation (EC) No 1255/97),
- lack of a back-up stunning equipment in an abattoir (paragraph 2 of Article 6 of Council Directive 93/119/EEC) and
- inadequate equipment for restraint in another slaughterhouse (paragraph 1 of Article 6 of Council Directive 93/119/EEC).

The lack of any facilities in both ports visited demonstrated that a proper application of the rules for animal welfare inspections was not possible. The report system was still incomplete and needs to be improved when used as means for surveillance.

The existence of minor and severe deficiencies as described above indicates that the VS in the field need more detailed practical instructions as well as training in order to achieve adequate surveillance.

The lack of communication between Member States regarding offences by foreign transporters impeded the application of sanctions.

6.4. Overall assessment of competent authority

The results of this mission when compared with deficiencies identified in previous FVO missions indicate that progress has been made. Particularly the communication of circular letters/instructions from the CCA through all levels regarding inspections and sanctions contributed to the improvement. These communications were issued in 2001 and had not yet been implemented everywhere. There were still a number of severe deficiencies, which demonstrated that an effective level of supervision of the provisions of Council Directive 91/628/EEC (as amended by 95/29/EC) has not yet been achieved.

Although a number of sanctions against transporters of other Member States have been filed, the system for imposing sanction seems insufficient given the size of the trade in live animals. The lack of communication between Member States discourages the Italian CAs application of sanctions.

7. CLOSING MEETING

A closing meeting was held on 1 March 2002 with a representative of the CCA. At this meeting, the mission team presented the main findings and conclusions. The representative of the CCA generally accepted the findings and promised detailed comments to the draft report.

8. RECOMMENDATIONS

8.1. To the central competent authorities of Italy

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 within 1 month of receipt of the final mission report. The competent authorities should take measures to ensure that:

- Annual reports are submitted to the Commission as requested in Article 8 of Council Directive 95/29/EC.
- Checks at the ports are carried out to respect the requirements of Article 8 of Council Directive 91/628/EEC (as amended by 95/29/EC).
- Staging points are approved according to the requirements of Article 3 of Council Regulation (EC) No. 1255/97.
- Facilities at staging points meet all the requirements of Council Regulation (EC) No. 1255/97 particularly with respect to fitness/care of animals and times of use and clearance after cleansing and disinfecting as laid down in this Regulation.
- Restraint of animals complies with Article 6 of Council Directive 93/119/EEC.
- A back-up method of stunning is available in slaughterhouses at the point of slaughter as laid down in paragraph 2 of Article 6 of Council Directive 93/119/EC.

- Appropriate stunning equipment is used according to Article 4 of Council Directive 93/119/EC.
- That string halters, which are giving rise to injuries in contravention of paragraph 1 (b) article 5A of Council Directive 91/628/EEC (as amended by Directive 95/29/EC), are not re-circulated and that transporters who continue to use them are penalised.

8.2. To the Commission Services

The commission services should consider any assurances given by the competent authorities in response to the above recommendations in deciding whether to take legal action in respect of those non-compliances with EU legislation cited in this report.

9. ADDENDUM TO MISSION REPORT DG (SANCO)/8556/2002

Competent Authority response to the recommendations in the report

In relation to the recommendations, the Central Competent Authority indicated:

- (1) They are preparing the report for year 2000 and collecting information for year 2001.
- (2) They have requested facilities in the ports, but consider that the current system of checks complies with the requirements of Article 8 of Council Directive 91/628/EEC.
- (3) The CCA has issued letters / informations to CAs and to relevant VSs asking them to comply with the issues outlined in recommendations with regard to string halters, backup equipment for stunning and staging points.
- (4) In relation to the problem of restraint, they stated that corrective action has already been taken.