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FINAL REPORT OF A MISSION
CARRIED OUT IN DENMARK
FROM 9/09/2002 TO 13/09/2002
IN ORDER TO EVALUATE
THE SYSTEM FOR CHECKS OF ANIMAL WELFARE
DURING TRANSPORT
AND AT TIME OF SLAUGHTER

Please note that factual errors in the draft report have been corrected in bold, italic, type. Clarifications provided by the Danish 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
DVFA	Danish Veterinary and Food Administration
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
FMD	Foot and Mouth Disease
MFAF	Ministry of Food, Agriculture and Fisheries
MJ	Ministry of Justice
RVFCA	Regional Veterinary and Food Control Administration

1. INTRODUCTION

The mission took place in Denmark from 09 to 13 of September 2002. The mission team comprised 3 inspectors from the Food and Veterinary Office (FVO).

The mission was undertaken as part of the FVO's planned mission programme.

The inspection team was accompanied during the whole mission by two representatives from the central competent authorities (CCA): one from the Danish Veterinary and Food Administration (DVFA) of the Ministry of Food, Agriculture and Fisheries, and one from the Ministry of Justice (MJ).

At an opening meeting held on 09 September 2002, the objectives of, and itinerary for, the mission were confirmed by the inspection team. Presentations were made by representatives of both the DVFA and the Ministry of Justice, outlining the structure, administrative and operational procedures of all levels of the competent authority (CA). At this meeting, additional information required for the satisfactory completion of the mission was requested.

2. OBJECTIVE 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 Denmark, in the framework of Council Directive 91/628/EEC¹ (as amended) and Council Directive 93/119/EC². 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	1	Closing meeting at the Ministry of Justice
	Regional	3	Opening meeting was held in one Regional Office
	Other	2	A Police Station; a <i>Statens Bilinspektion</i> station (State Car Inspection Service)
SITES VISITED			
Slaughterhouses		3	One for cattle, one for pigs and one for broilers
Livestock markets		1	Where cattle sold for slaughter
Assembly centres		2	One for pigs; one for pigs and calves
Farms		1	A broiler farm, as place of departure

¹ OJ L 340 of 11.12.1991, p. 17 (amended by Council Directive 95/29/EC, OJ L 148 of 30.06.1995, p. 52)

² OJ L 340 of 31.12.1993 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 States³.

4. BACKGROUND

4.1. Previous missions

A previous FVO mission concerning animal welfare during transport was undertaken from 31 July to 4 August 1995 (reference number DG XXIV/7408/1995).

Other FVO missions have dealt with aspects of animal welfare during transport and at slaughter:

- report DG XXIV 1352/1998 concerning red meat species, available on the DG (Health and Consumer Protection) internet site at:

http://europa.eu.int/comm/food/fs/inspections/vi/reports/denmark/vi_rep_dnm_1352-1998_en.pdf

- report DG(SANCO)1063/1999 concerning Poultry, available on the DG (Health and Consumer Protection) internet site at:

http://europa.eu.int/comm/food/fs/inspections/vi/reports/denmark/vi_rep_dnm_1063-1999_en.pdf

³ OJ L 38 of 12.02.1998, p. 10

4.2. Trade background

Livestock in Denmark in June 2000 consisted of 1,868,000 cattle, 11,922,000 pigs and 16,047,000 broilers.

The most significant exports of live animals were as follows:

	2000	2001
Cattle for breeding and fattening, no. of exported heads	75534	37188
of which exported to The Netherlands (mainly calves)	90%	67%
	2000	2001
Breeding pigs, no. of exported heads	1061110	1057803
of which exported to Germany	97%	96%
Slaughter pigs, no. of exported heads	231481	228347
of which exported to Germany	76%	88%

2001 was not a representative year because of the foot-and-mouth disease (FMD) crisis.

5. MAIN FINDINGS

5.1. Competent authorities

Central Competent Authorities

The MJ is responsible for the transposition of EU directives and for drafting of national legislation concerning animal welfare. The DVFA under the Ministry of Food, Agriculture and Fisheries (MFAF) is responsible for its implementation; they prepare instructions, guidelines, etc. and arrange training sessions for the staff employed by the Regional Veterinary and Food Control Authorities (RVFCA).

Regional Veterinary and Food Control Authorities

A major restructuring of the different services responsible for controls on animals and food has resulted in 11 RVFCA, which have been operational since 1 January 2000. In each region, a Regional Director co-ordinates the activities of the Food Department, the Veterinary Department, the Laboratory and the secretariat. With regard to animal welfare controls, Veterinary Officers from the Veterinary Department are responsible for the enforcement at markets, assembly centres and other places of departure of the animals while staff from the Food Department carry out inspections at

slaughterhouses. Roadside checks are carried out by the Police as only they have the authority to stop vehicles on the road. Where necessary, Veterinary Officers from the Veterinary Department assist the Police.

Other bodies relevant to animal welfare controls

The Animal Welfare Council, under the MJ, may be consulted when drafting legislation and on questions relating to animal welfare. This council is currently made up of a regional veterinarian, a representative of farmers and a representative of an animal welfare association.

The Police, under the MJ, are responsible for taking legal actions in cases of abuse of animals. When carrying out an investigation, the Police may request the opinion of the Danish Veterinary Council, which has been set up by MFAF. One of the tasks of this Council is to give opinions relating to potential prosecution cases. Their opinions are published each year and are widely available to veterinarians in Denmark.

5.2. Applicable legislation

Animal welfare during transport

Since the previous mission in 1995 the Danish legislation transposing EU legislation on animal welfare during transport, has been amended with the transposition of Council Directive 95/29/EEC. The current applicable legislation is as follows:

EU legislation	Transposing legislation
Council Directive 91/628/EEC as amended by Council Directive 95/29/EC	Ministry of Justice Order n. 201 of 16 April 1993, as amended by: - Order n. 810 of 29 October 1997 - Order n. 703 of 19 July 2001
	Additional national legislation
	<ul style="list-style-type: none"> • Ministry of Justice Order n. 208 of 17 June 1964, as amended at latest by - Order n. 810 of 29 October 1997 (national legislation for transport of less than 50 km) <ul style="list-style-type: none"> • Animal Welfare Act n. 386 of 6 June 1991 (provides also sanctions)

Although a comprehensive check of the above legislation was not carried out, the following points were noted:

- the length of the rest period for the animals at markets and assembly centres (as referred in Article 2(2)(e), second indent, of Council Directive

91/628/EEC) was defined by Danish legislation; animals must be rested for at least 12 hours, watered and fed before being reloaded, when the first place of loading is more than 50 km far from the market or the assembly centre and these are regarded as places of departure;

- there is no obligation to have a consignment of animals accompanied during transport with documentation enabling the competent authority to check, in particular, the date and time of departure, as required by Article 4 of Council Directive 91/628/EEC. Such documentation is in place only as part of commercial arrangements with pig abattoirs and is not legally required. This article was transposed with the word “information” instead of “documentation” (Ministry of Justice Order n. 201 of 16 April 1993, as amended, Article 14);
- there was no provision, at the moment of the mission, obliging the veterinarian who signs the health certificate at the place of departure to give notice of the existence of the route plan through the ANIMO system, as foreseen in Article 5(A)(2)(c) of Council Directive 91/628/EEC⁴;
- Danish legislation gives different space allowances for pigs transported during journeys of less and more than four hours, respectively. The space given for a pig of 100 kg is 0.35 sqm in the first case and 0.42 sqm in the second case. The minimum requirement in EU legislation (Chapter VI of the Annex of Council Directive 91/628/EEC), is 0.42 sqm for pigs of around 100 kg, for all journeys of more than 50 km⁵.

The Ministry of Justice Order n. 201 of April 1993 sets out the procedure for authorising transporters. This procedure requests an application form to be obtained from the DVFA together with the relevant legislation and an undertaking to be completed and signed by the person responsible for the transport. Transporters are registered at central level and receive an authorisation that must be carried during each journey and shown on request. It is valid for 5 years.

⁴ In their response to the draft report the Danish authorities indicated that they had instructed all regional offices to give notice of route plans in connection with the transport of animals through the ANIMO system.

⁵ In their response to the draft report the Danish authorities indicated that they do not interpret the space allowance in Chapter VI of the Annex to Council Directive 91/628/EEC as a minimum requirement.

Protection of animals at the time of slaughter

The current applicable legislation in Denmark on the protection of animals at the time of slaughter is as follows:

EU legislation	Danish legislation
Council Directive 93/119/EC	Ministry of Justice Order n. 1037 of 14 December 1994, as amended by: - Order n. 550 of 24 June 1997 - Order n. 849 of 19 November 1997

Although a full comparison with EU legislation was not carried out, it was noted that cattle slaughtered according to religious rites:

- cannot be rotated after mechanical restraint;
- have to be shot with a captive bolt pistol immediately after the incision.

5.3. Implementation and control

Checks were not organised nor targeted centrally by the CCA. At slaughterhouses, assembly centres and markets, checks were mainly focused on the animals. Roadside checks carried out by the Police were concentrated on documentation and vehicles.

On the basis of the annual report foreseen by Article 8 of Council Directive 91/628/EEC and submitted by the Danish CCA to the Commission, the number of performed inspections, infringements detected and action taken for years 2000 and 2001 can be summarised as follows:

	2000		2001	
	vehicles	animals	vehicles	animals
Total number of checks	136	160.239.747	1159	164.157.241
% of checks at slaughterhouses	-	99.77	0.51	99.68
% of checks at assembly centres	38.97	0.23	12.25	0.32
% of checks during transport	61.03	-	87.23	-
Number of infringements	34	45	70	49
Number of checks where follow-up action was taken	Not available	Not available	Not available	Not available

Figures are not directly comparable as they were collected by the RVFCAs using one system and by the Police using a different system. In addition, the CCA in Denmark adopted a methodology in 2001 following a paper from a Commission working group on the collection of inspection results. The increased number of vehicles checked in year 2001 was due to a large amount of inspections carried out at the frontier between Denmark and Germany during the FMD crisis, many of which were on empty vehicles. Figures were not available in relation to follow-up actions for each year, as when the report was made decisions had frequently not been taken and would only be available the following year. The MJ had recently carried out a survey of cases relating to infringements of animal welfare requirements. A document issued by the *public prosecutor* contained information from the 54 Police districts of Denmark regarding cases of cruelty to animals in the period September 2000 – April 2002, summarised as follows:

Infringements related to transport of animals		
Infringement	Number	%
Transport of unfit animals	143	71.14
Overstocking	28	13.93
Problems related to the ventilation system	8	3.98
Missing authorisation	4	1.99
Miscellaneous	18	8.96
Total	201	100

Except for one warning, all were fined with variable amounts from 500 to 7000 DKK (around 72 to 1000 €).

A folder containing EU and Danish legislation and all related guidelines, instructions, communications and the opinions of the Danish Veterinary Council on specific questions was provided by the CCA to the staff from the Veterinary Department of the RVFCA. Clear and detailed instructions were given to the Veterinary Officers by the CCA on the evaluation of animals fit for the intended journeys, e.g.: calves younger than 14 days, animals which cannot stand on four legs due to fractures, arthritis, or other lesions. Sows with uterine prolapsus or pigs with large hernias are considered unfit for transport. In the latter case if special conditions have been made to transport separately on a bedded compartment, transport may be permitted. Specific cases dealt by the Danish Veterinary Council are described in their guidance of 20 December 1991 and in further opinions. Police officers had a specific folder containing the legislation on animal welfare during transport, the templates of the documents related to the transporter authorisation, check lists and other relevant documentation.

An average of two specific training sessions per year on animal welfare were organised by the CCA for the Veterinary officers of the RVFCA, on a rotation-based system, in order to provide it to everybody. Police officers received a specific

training on animal welfare during transport, organised also in co-operation with the DVFA.

The following sections describe the controls seen during the mission. The evaluation is based on both the checks conducted by the CA on the spot and checks on documentation of previous controls. Animals were present at all the sites for live animals visited.

5.3.1. Fitness for transport at markets and assembly centres

The overall fitness for transport of the animals seen was satisfactory. Veterinary officers were constantly present at the market and at the assembly centres visited, on a rotation-based system. Animals from each consignment were checked at unloading and during their stay for health, identification and welfare. Action was taken where cases of unfit animals were identified:

- in the market three bovines, out of around 250 present, with some minor health problems were separated in a sick pen and judged as needing to be slaughtered within the same day at the nearest abattoir;
- in one assembly centre a moribund sow lying on the unloading ramp of a vehicle was directly unloaded at the waste area and euthanised by an official veterinarian.

In all the sites visited a record was kept by the officials, containing all oral warnings given to *suppliers, exporters* and transporters. Copies of the reports of infringements to animal welfare, sent to the Police for further prosecution, were kept in the RVFCA offices, as well as written warnings sent to transporters. In one office 6 out of 13 infringements detected were related to fitness for transport, all of them had been reported to the Police.

5.3.2. Fitness for transport to slaughterhouses

Veterinary officers in all slaughterhouses visited checked fitness for transport. In the cattle and pig slaughterhouse this was carried out at unloading and in the poultry slaughterhouse this was mainly done by monitoring post mortem findings. The overall fitness of the animals seen was satisfactory. Records of previous infringements showed one to two cases per month of sick or injured animals arrived in the cattle abattoir. One case had been reported to the Police. In the pig slaughterhouse the ante-mortem and post-mortem records related to cases of animals unfit for transport were documented with photographs. These infringements had been reported to the Police and letters had been sent both to farmers and transporters. Two cases had been detected in the current year, six in 2001; one had resulted in fines for both farmer and transporter of 1000 DKK (around 143 €). Transporters breaching animal welfare rules were no longer contracted by the slaughterhouse⁶.

⁶ In their response to the draft report, the Danish authorities indicated that the pig slaughterhouse rescinded the contract after receiving information from the official veterinarian that the animal welfare rules were not respected.

5.3.3. Police competence for checks on animal welfare

Controls on vehicles on the road are performed by officers from the Police Traffic Division and by officers from the local Police, where necessary with the collaboration of Veterinary officers. Training courses had been organised specifically on animal welfare. Checks are carried out either by picking up vehicles randomly during road patrolling or by targeted controls such as: during market days, at the proximity of slaughterhouses or at the German border. In 2001, 352 checks were performed of which 17% resulted in reports for infringements; the most common infringement detected was for overstocking (6.25% of total checks). During the first half of 2002, 30 controls out of 84 resulted in reports for infringements (35.7%).

A roadside check was organised during the mission by the Police. Twelve lorries transporting pigs to a nearby slaughterhouse were stopped. Documents (transporter authorisation, vehicle approval, commercial document accompanying pigs to a slaughterhouse), loading densities, technical requirements (i.e.: ventilation) were checked, also using a checklist. Out of three checks seen by the mission team, one resulted in a written report to the driver for overloading (it carried 139 pigs, 8 more than the maximum allowed), a second resulted in a written report for the failure of the mechanical ventilation. A representative of the Police stated that overloading commonly results in a fine of 2000 to 3000 DKK (about 286 to 429 €) to the driver and a fine of 3000 to 4000 DKK (about 429 to 571 €) to the transport company.

Police receive reports on infringements both from the RVFCA officers and from its own officers. They have legal power to carry out further investigation if necessary and consult the Veterinary Council for more difficult cases. It is the Public Prosecutor who subsequently decides then on whether a fine is issued, or the case is sent to Court. It may take about one to two years to reach a final decision, in particular where appeals against an initial decision are made. Conclusions of reports are then sent to the *DVFA*, where are taken into account for the transporter authorisation. In none of the Regions visited had an authorisation been suspended or withdrawn *by the DVFA*.

5.3.4. Means of transport

In Denmark, vehicles transporting horses, cattle, sheep, goats and pigs of more than 40 kg must be approved and registered by the *Statens Bilinspektion* (State Car Inspection Service). Before being approved, vehicles undergo an examination in one of the 257 local stations, which must be repeated every year. This inspection is a general one of the vehicle, but also includes technical requirements in relation to the safety of the operators and of the animals. Guidelines on animal welfare during transport are provided by the CCA to the *Statens Bilinspektion* stations.

The mission team visited one *Statens Bilinspektion* station where a brand new vehicle for transport of pigs was inspected. Basic requirements related to animal welfare were checked, such as: minimum height of the decks (110cm for pigs and 140 for cattle), presence and strength of partitions, non-slippery floors both of the lorry and of the ramp, ventilation, lateral

protection of the ramp. The approval certificate issued showed the total area of the floors, the number of decks and the species allowed. A representative from the *Statens Bilinspektion* explained that usually the control on functioning of mechanical ventilation is not systematic; in case of failure of one or two fans, the vehicle would be “conditionally” approved, but no further check on the correction would be made. The CCA have already proposed to the responsible Ministry to decrease the number of inspection stations in order to facilitate a more harmonised approval. Although the majority of vehicles inspected by *Statens Bilinspektion* operate without further technical problems, the mission team was informed of a report made by a Veterinary Officer at a slaughterhouse, regarding a truck approved by a *Statens Bilinspektion* station; he considered the lorry non compliant with animal welfare requirements. At the Police station a similar situation was explained, regarding an approved vehicle which did not meet the requirements of EU and national legislation.

The mission team observed that checks of vehicles by Veterinary Officers were not carried out on a routine basis. In markets and assembly centres, as transporters and their vehicles are well known by the CA, thorough controls were made in case of suspected overloading or of a new lorry. In one assembly centre a register was kept, where Companies and drivers data, measures and number of decks and calculated loading densities of the trucks were recorded. This was not the case in the second assembly centre. Such a register was kept also in the pig slaughterhouse, where loading densities were routinely assessed and action taken when infringements had been detected.

The vehicles seen in the sites visited were overall in good general condition and generally fulfilled the minimum requirements. It was noted that vehicles transporting adult sows must provide 1.1 m between decks, which in practice prohibited the use of three tiers in all but one vehicle seen⁷. It was noticed, however, that two out of three vehicles seen at the cattle slaughterhouse presented some problems:

- a truck that had transported bovine animals which had been tethered for 11 hours was not equipped for connection to water supply, as foreseen by Paragraph 6.1 of the Annex of Council Regulation 411/98⁸;
- a second truck had a steep ramp and loose adult bovines were reluctant to get off⁹. In the market a similar truck was seen but in this case bovine animals were led individually down the ramp without a problem.

⁷ In their response to the draft report, the Danish authorities indicated that a dispensation to use 3 tiers would only be the case for the transport of fattening pigs and not for adult sows.

⁸ OJ L 52 of 21.02.1998, p. 8

⁹ In their response to the draft report, the Danish authorities explained that a movable raised platform is being arranged for this slaughterhouse. This can be used for vehicles with a steep ramp, to reduce the gradient during unloading.

Regarding the first truck, a representative of the CCA later stated that equipment was on board the ferry, which was used during this journey to water the animals in case of a delay¹⁰.

5.3.5. *Handling and loading of broilers*

The mission team visited a broiler farm, where loading of the birds was in progress. An official veterinarian from the Food Department of the RVFCA, the same official responsible for the slaughterhouse, was at the farm. The automatic catching and loading went on smoothly and animals remained very calm during the procedure, carried out by a team of four, one of whom had responsibility for the team using of the catching machinery. The Veterinary Officer stated that the records of the data relevant to each catching (e.g.: number of birds, speed of the rubber-fingered rotors, speed of the conveyor belts) must be kept for at least one month. He also stated that, at the abattoir, the number of fractures and of other lesions related to handling and transport and recorded at post-mortem examination are monitored. Action is taken when the percentage of such lesions exceeds 1-2%. The CA have detected problems in the past where the use of these machines has led to increased level of injuries, up to ten times the level compared to catching by hand have occurred. Therefore the CCA identified the need for constant surveillance at slaughterhouses and checks were carried out to ensure that injury levels were not excessive. The Animal Welfare Council issued in 1999 a detailed document on the use of automatic catching of broilers.

5.3.6. *Facilities and animal handling at market and assembly centres*

EU legislation on animal welfare provides requirements for animal handling at the time of loading and unloading at markets and assembly centres, but does not cover the movement of animals within such premises. Unloading and re-loading of animals were carried out generally in a calm way and without any particular problem. In the market animals were tied up to rails, although the initiative from the CA to create loose pens had been carried out but did not meet with the favour of dealers. All bovines wore long halters, used for tying them both during transport and at the market. However, when they were loose, particularly during unloading and movement within the market, halters were not shortened and created problems¹¹.

Water *ad libitum* was provided to all the animals in the sites visited, except for young calves in the assembly centre: a representative of the CA stated that the dealer preferred them to be given water one by one just before re-loading.

¹⁰ In their response to the draft report, the Danish authorities explained that this consignment came by ferry from Bornholm and there is a water supply on the ferry. The driver in question will henceforth be obliged to bring buckets on journeys of this sort, to ensure that the animals have water during the ferry trip.

¹¹ In their response to the draft report, the Danish authorities pointed out that, since the inspection, the relevant regional offices have complained about these conditions to the market in question.

Equipment for emergency slaughter was in place at the sites visited.

5.3.7. *Facilities and animal handling at slaughterhouses*

At the two slaughterhouses visited for cattle and pigs, the movement of the animals within the lairages and to the place of stunning was generally satisfactory. Particular attention was given in the pig slaughterhouse to space given in the pens and to the quantity of feed. Premises were in general compliant with the requirements of EU legislation on animal welfare, although some deficiencies were noted:

- bovine animals wore halters used to tie them during transport; the long ropes created difficulties during unloading as they were left loose and occasionally got tangled around legs and under the hooves¹²;
- the backup equipment for the pigs, put at the opening of the CO₂ chamber where an average of six pigs were stunned at a time, consisted of one single captive bolt pistol¹³;
- in the pig slaughterhouse the alarm system for the CO₂ stunning equipment did not work when a demonstration of its functioning was requested by the mission team¹⁴;
- bleeding was not completed in two bovines out of five seen, before the operator started removing the head¹⁵.

After stunning with the captive bolt pistol, an electrode was applied to bovines before lifting them to the bleeding area.

Although outside the scope of this mission, there was a failure to sterilise or change the knife used for cutting the skin before the blood vessels and the equipment for sterilising knives was not operational¹⁶

¹² In their response to the draft report, the Danish authorities pointed out that the relevant regional office has arranged for the slaughterhouse staff, in cooperation with the transporters, to ensure that the long ropes are tied up until the animals are tied in the stall. Work is also being done on fitting out the stall for loose-housing, so that the long rope is not needed at all.

¹³ In their response to the draft report, the Danish authorities explained that there are three bolt pistols in the stall area – two where the slaughter animals are received and one in the stunning chamber for use in an emergency. The bolt pistol is only used routinely in connection with stunning/ethanising animals which have been damaged during transport to the slaughterhouse. The regional office also explained there has not yet been any break-down in the stunning system which has necessitated the use of a bolt pistol.

¹⁴ In their response to the draft report, the Danish authorities explained that the alarm was not induced by a real drop in the CO₂ concentration because that would have involved stopping operations. The alarm system had been checked and found to be satisfactory, the same morning, by the Veterinary Officer.

¹⁵ In their response to the draft report, the Danish authorities explained that it has been impressed on the slaughterhouse and staff that bleeding must be completed before further handling.

¹⁶ In their response to the draft report, the Danish authorities indicated that this has been drawn to the attention of the slaughterhouse.

At the broiler slaughterhouse, inside the unloading area, cleansing with high-pressure water started while the lorry was still half-loaded; the unloaded cages with birds inside were also very close to it. Other cages had been unloaded and put besides working fans. These birds were nervous and excited¹⁷. Handling and further operations up to stunning and bleeding were in compliance with EU animal welfare regulations.

5.3.8. Documentation and route plans

Transporters carried documentation to comply with the requirements of Article 4 of Council Directive 91/628/EEC (as amended) only when pigs were transported for slaughter.

Route plans must be submitted to the CA for validation four days in advance (two days for piglets in case of repeated journeys), although some transporters had already submitted route plans for the next four months. Controls on the feasibility of the intended journey were made with the help of a computer programme. Route plans must be returned within two weeks after completion of the journey. In one of the two assembly centres visited, copies of route plans kept by the CA were checked every two weeks. The percentage of non-returned route plans after the last control was 8% (4 out of about 55). In the second assembly centre the control on returned route plans was less systematic. A few route plans randomly examined by the mission team showed some deficiencies.

5.3.9. Reporting, follow-up and collaboration with other Member States

Animal welfare checks in slaughterhouses were documented by the ante-mortem and post-mortem records and infringements were systematically reported to the Police in cases where sanctions should be applied. All inspections carried out by the Police were officially documented on standard checklists, whereas the majority of inspections carried out by the RVFCA were not. Oral warnings were recorded in a book so that other colleagues working at these locations were aware of incidents, but such information was not communicated to regional or central level. Serious incidents were nevertheless reported to the Police in cases for sanctions to be applied.

Veterinary Officers from the RVFCA who carry out inspections do not have the legal power to impose sanctions for animal welfare legislation breaches. Such cases must be reported to the Police and then are decided by the Public Prosecutor. It may be necessary to wait for one to two years before they are finalised. Information on the final action taken is not always sent to the relevant office of the RVFCA. The CCA had difficulty in compiling the results of legal actions in the same year that the inspection took place due to the slowness of the legal process.

A representative from CCA stated that there is generally a good collaboration with CCA of other Member States. Cases of infringements of

¹⁷ In their response to the draft report, the Danish authorities explained that these observations have been impressed on the slaughterhouse and the official veterinarian will check on this when s/he attends the unloading procedure.

animal welfare legislation by a German and an Italian transporter were stated to have been recently dealt with positive results.

6. CONCLUSIONS

6.1. Legislation

The definition of a 12 hours rest of animals in markets and assembly centres, when these are regarded as places of departure with reference to Article 2 (2)(e) of Council Directive 91/628/EEC (as amended), in Danish legislation concerning animal welfare during transport, is a positive clarification for practical implementation.

The incorrect transposition of Article 4 of Council Directive 91/628/EEC makes it impossible to perform effective checks of journey time. This requirement is partially fulfilled only for pigs sent to slaughterhouses and for certain categories of animals sent to assembly centres.

Prior to the mission, there was no obligation to notify the existence of a route plan in the ANIMO system.

Space allowances for pigs transported within the Danish territory on journeys of less than 4 hours do not respect the minimum requirement of Chapter VI (D) of the Annex to Council Directive 91/628/EEC (as amended).

Additional requirements to EU legislation, concerning ritual slaughter of cattle, are a positive initiative and implement the requirements of Article 3 of Council Directive 93/119/EC, to avoid any unnecessary excitement and suffering.

6.2. Implementation and control

Clear and detailed guidelines, instructions and opinions from both the Veterinary Council and the Animal Welfare Council, are widely distributed and available to all relevant CA. These also represent a helpful guide for non-veterinarians (as the Police and the *Statens Bilinspektion* officers), supporting harmonisation of checks and directing decisions for difficult cases.

Training is frequently organised. All officers involved in controls on animal welfare receive training.

6.2.1. Fitness for transport

The level of surveillance on fitness for transport was satisfactory. At the market, the assembly centres and at slaughterhouses, most attention was given to the fitness of the animals and appropriate action had been taken whenever unfit animals were observed.

6.2.2. *Police checks*

Checks on animal welfare during transport carried out by the Police were focused mainly on documentation, means of transport and loading densities. Overstocking was one of the most frequently detected deficiencies. Their controls were effective and appropriate action was taken as necessary.

6.2.3. *Means of transport*

There is no provision in EU legislation on animal welfare for the approval of vehicles. However, specific requirements are requested for the transport of animals and more requirements are foreseen when animals are transported for more than 8 hours. The system for approval of vehicles by the *Statens Bilinspektion* is a positive control of some basic criteria for animal welfare, but there are no different criteria on the basis of the length of the intended transport. Moreover, there is no awareness of a minor or major deficiency, as vehicles “conditionally” approved, with e.g. inappropriate ventilation or inadequate ramp, do not have a follow-up check by this inspection service. It is acknowledged that official veterinarians and the Police have on occasion detected such problems when the vehicles are in use, which is in line with the operation of Council Directive 91/628/EEC (as amended).

Checks performed by CAs on vehicles were generally satisfactory, although non-systematic in the cattle slaughterhouse.

6.2.4. *Handling of broilers*

A professional and skilled team performed the automatic catching of broilers. A system of supervision by the CA was in place.

6.2.5. *Facilities and animal handling at markets and assembly centres*

The facilities and animal handling at the market and at the assembly centres were generally satisfactory, with the exception of one assembly centre in relation to calves. The system of watering them one by one just before reloading does not ensure that there is a sufficient period for giving liquid, as laid down in Chapter VII (4) of the Annex of Council Directive 91/628/EEC.

Adequate equipment for emergency slaughter was available and, although not a specific EU requirement, shown to be practically necessary.

6.2.6. *Facilities and animal handling at slaughterhouses*

Facilities and animal handling at the slaughterhouses were generally compliant with animal welfare legislation. Particularly at the pig slaughterhouse, much care was given to animals, from unloading up to stunning. However, unsuitable backup equipment and the failure of the alarm system were not in compliance with the provisions of Council Directive 93/119/EC, Article 6(2) and Annex C (II)(4)(3), respectively.

At the cattle slaughterhouse, incomplete bleeding in some animals does not respect the provisions of Annex D (2) of Council Directive 93/119/EC.

Placing cages with broilers nearby working fans and cleansing of the truck during unloading caused nervousness and excitement, without respect to the provisions of Article 3 of Council Directive 93/119/EC.

6.2.7. Documentation and route plans

The system in place for validation of route plans and to check their return was effective, although some deficiencies were still demonstrated.

6.2.8. Reporting, follow-up and collaboration with other Member States

Controls and action taken were well documented in all sites visited. The enforcement by the Police was effective but sometimes there was a lack of information on the final outcome to the Veterinary Services. The system for collecting data in relation to Article 8 of Council Directive 91/628/EEC has not yet been fully harmonised between the services involved.

The collaboration with the CCA of other Member States, as stated by the Danish CCA, was satisfactory.

6.3. Overall conclusion

The Competent Authorities have control systems in place for both animal welfare during transport and at the time of slaughter and take corrective action when major deficiencies are detected. The several advisory councils, which are well established in giving advice and opinions on animal welfare issues, provide the CCA with very good support in implementing legislation and carrying out enforcement actions. The MJ and DVFA communicate and co-ordinate well at central level. However, at regional level there is less contact between the corresponding services, in particular regarding the outcome of enforcement actions. Both bodies represents the CCA are working to improve the collection of this information. Despite an overall effective system, some issues remain to be addressed and recommendations to this effect are made in this report.

7. CLOSING MEETING

A closing meeting was held on 13 September 2002 with the central competent authorities, the *DVFA* and the Ministry of Justice. At this meeting the inspection team presented the main findings and conclusions of the mission. In response, the representatives of the CAs indicated their willingness to address the highlighted deficiencies. In particular they stated that an instruction would be issued in relation to the requirement for giving notice of the existence of a route plan through the ANIMO system. An instruction to this effect was subsequently sent by the Danish CCA (DVFA) to the RVFCAs on the 17 September 2002.

8. RECOMMENDATIONS

8.1. To the competent authorities of Denmark

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 measures are taken so that:
 - (a) documentation accompanying animals indicates the date and time of departure, as foreseen in Article 4 of Council Directive 91/628/EEC (as amended);
 - (b) loading densities for pigs of around 100 kg respect the requirement of Chapter VI (D) of the Annex of Council Directive 91/628/EEC (as amended);
 - (c) checks on means of transport ensure that:
 - for journeys of more than 8 hours vehicles for cattle are equipped for connection to a water supply during stops, so that they comply with the requirements of Council Regulation (EC) No. 411/98
 - vehicles transporting cattle have suitable equipment for loading and unloading of animals, in compliance with Chapter I (A) (4) of the Annex of Council Directive 91/628/EEC (as amended);
 - (d) where animals are given a mid-journey rest, they should have a sufficient period to be given liquid, and if necessary fed, as laid down in Chapter VII (4) of the Annex of Council Directive 91/628/EEC (as amended);
 - (e) the main and the spare equipment and instruments for stunning animals at slaughterhouses are suitable and fully operational, in compliance with Article 6 (2) and Annex C (II)(4)(3) of Council Directive 93/119/EC;
 - (f) the bleeding of animals is completely ended before proceeding to further dressing procedure, as foreseen in Annex D (2) of Council Directive 93/119/EC;
 - (g) poultry are spared any avoidable excitement during unloading and lairaging in slaughterhouses, in compliance with Article 3 of Council Directive 93/119/EC.

9. ADDENDUM TO MISSION REPORT DG(SANCO)/5411/2002

Competent Authority response to the recommendations in the report

In relation to recommendations, the Central Competent Authority indicated:

- (1) In relation to 1(a), that requirements for documentation are already fulfilled in practice for some of the journeys covered by the Directive. In particular, the transport of animals to Danish slaughterhouses, which represents the largest proportion of all transport. However, the Ministry of Justice will specify the requirement for documentation for all transport when it revises the Order on the protection of animals during transport.
- (2) In relation to 1(b), that the Ministry regards a space allowance of 0.35 m² for short journeys as acceptable from an animal protection point of view and suggests that the question of interpretation of the provisions of the Directive on space allowances for pigs in Annex, Chapter VI (D) be discussed as soon as possible at a meeting with the Commission.
- (3) In relation to 1(c), corrections either have been made or are planned regarding the specific situations seen during the mission and DVFA is proposes enhancing inspections of these requirements. Consideration is being given to further harmonising vehicle approval by concentrating these inspections in a smaller number of test centres. Consideration is also being given to amend Danish legislation to establish a maximum gradient for vehicle ramps.
- (4) In relation to 1(d), (e) and (f) DVFA will inform the regions regarding new procedures. Regarding 1(g) DVFA will inform the official veterinarian that poultry must be spared any avoidable excitement during unloading at slaughterhouses and subsequent lairaging.