



EUROPEAN COMMISSION  
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL  
Directorate F - Food and Veterinary Office

DG(SANCO)/9212/2003 – MR Final

FINAL REPORT OF A MISSION  
CARRIED OUT IN FINLAND  
FROM 1/09/03 TO 5/09/03  
IN ORDER TO EVALUATE CONTROLS OF ANIMAL WELFARE  
DURING TRANSPORT AND AT THE TIME OF SLAUGHTER

*Please note that factual errors in the draft report have been corrected in bold, italic, type. Clarifications provided by the Finnish Authorities are given as footnotes, in bold, italic, type, to the relevant part of the report*



09/01/04 - 24714

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## 1. INTRODUCTION

The mission took place in Finland from 1/09/03 to 5/09/03. The inspection team comprised three inspectors from the Food and Veterinary Office (FVO).

The mission was undertaken as part of the FVO's planned mission programme. It forms part of a wider series of missions to all Member States evaluating control systems and operational standards in this sector.

The inspection team was accompanied during *the whole* mission by a representative from the central competent authority (CCA), The Ministry of Agriculture and Forestry (MAF).

An opening meeting was held on 1 September 2003 with the CCA. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission requested.

## 2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate the implementation of EU legislation concerning animal welfare during transport and animal welfare at the time of slaughter. In pursuit of this objective, the following sites were visited:

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings.
	Regional	3	State Provincial Offices (SPOs), where the organisation of checks was clarified and reports assessed.
LIVE ANIMAL CONTROL SITES			
Farm		1	Where controls on the collection of broilers prior to transportation was evaluated.
Slaughterhouses		4	Three were selected by the inspection team at the opening meeting. The fourth was a poultry slaughterhouse which had been scheduled to coincide with the collection of birds on farm.

## 3. LEGAL BASIS FOR THE MISSION

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

- Council Directive 91/628/EEC of 11 November 1991 (as amended) on the protection of animals during transport<sup>1</sup>, in particular Article 10 which enables Commission experts to carry out on-the-spot checks.

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<sup>1</sup> 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)

- Council Directive 93/119/EEC of 31 December 1993 on the protection of animals at the time of slaughter or killing<sup>2</sup>, in particular Article 14 which enables Commission experts to carry out on-the-spot checks.
- 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<sup>3</sup>.

#### **4. BACKGROUND**

A previous mission on animal welfare during transport in Finland was undertaken from 26 to 29 February 1996. In its conclusions the report indicated that animal transport was overall carried out under acceptable conditions.

#### **5. MAIN FINDINGS**

##### **5.1. Legislation**

The EU legislation relevant for this mission has been transposed in different legal texts, mainly:

Act on the Protection of Animals, 247/96

Statute on Animal Protection, 396/1996

Statute on transport of animals, 491/1996

Decision of the Ministry of Agriculture and Forestry on the Transport of Animals, 27/EEO/96, F6

Decision of the Ministry of Agriculture and Forestry 18/EEO/96,F11 concerning animal protection at slaughter

Although a comprehensive review of legislation was not carried out, it was noted that at present Finnish legislation requires a space density for road transport of pigs of:

- 0.32-0.37 square metres for pigs of 80-100 kg and
- 0.38-0.41square metres for pigs of 100-120 kg.

Whereas EU legislation requires a maximum of 235 Kg. per square metre, equivalent to 0.425 square metres for pigs of 100 kg.

Regarding authorisation of transporters, authorisation is not required for transporters located in a country outside the European Union. However they must submit a written commitment to the CCA stating that provisions on

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<sup>2</sup> OJ L 340 of 31.12.1993 p.21

<sup>3</sup> OJ L 38 of 12.2.1998, p.10

animal protection shall be followed, equivalent to the written undertaking specified in Article 5.A.1(ii) of Council Directive 91/628/EEC, as amended. For Finnish transporters no commitment equivalent to the written undertaking specified in Article 5.A.1(ii) of Council Directive 91/628/EEC, as amended, is required.

## **5.2. Competent Authority**

The Food and Health Department of MAF is the CCA responsible for animal welfare legislation and its enforcement. The CCA directs, guides and supervises compliance with the animal welfare legislation and in this context issues guidelines and instructions to the regional services.

The regional level consists of 13 regional (provincial) offices with 23 provincial veterinary officers (*PVO*). They direct and supervise compliance with the animal welfare legislation within their area.

Official veterinarians employed by the National Food Agency are responsible for animal welfare checks at slaughterhouses, i.e. transport to the slaughterhouse as well as animal welfare at the time of slaughter. There are about 40 such official veterinarians. Border veterinarians are responsible for animal welfare checks at exit points and veterinary border inspection posts.

*Animal transport inspections on the road are carried out by provincial veterinary officers and Police.* Police services inspect animal transports as part of their routine traffic control on the road. *Municipal veterinarians are also sometimes ordered by the provincial veterinarians to inspect vehicles prior to its approval*, and can be consulted by the police on particular transport cases.

## **5.3. Training**

Training is organised at different levels for official veterinarians, and meetings are held where animal welfare related issues are discussed. Municipal veterinarians also attend these training sessions.

The association of transporters and drivers has organised up to six training sessions during 2003, in different locations, with the co-operation of the CA.

A special training package has been drawn up in co-operation with the Police Academy for training of the Police, focusing on transport issues.

## **5.4. Organisation of checks of transport**

Article 8 of Council Directive 91/628/EEC (as amended), states that inspections must be carried out on an adequate sample of the animals transported each year. In Finland no specific calculations have been made to determine this. However, specific targets have been set:

- Veterinary Inspectors (VIs) at slaughterhouses have been instructed to perform 10 to 30 inspections randomly selected and spread throughout the year.

- The Provincial Veterinary Office target is to perform 5-20 inspections each to road transport during the calendar year.

According to the annual report of the Finnish CA to the Commission, in 2002 a total of 317 checks were carried out. It was noted that:

266 of these were carried out at slaughterhouses. As 40 VIs were asked to carry out at least 10 checks, this represents two thirds of the target. In three out of the four slaughterhouses visited during the mission, this target had been achieved.

48 checks were carried out on consignments during transport, therefore 73% of the CCA target was achieved.

*As part of the supervision of the compliance with animal welfare legislation, the official veterinarians in some of the slaughterhouses have performed checks once per year to vehicles that are not involved in a quality assurance scheme. Checks of vehicles included in a quality assurance scheme would be included within that scheme.*

Currently checklists designed at CCA level should be used to record deficiencies detected and for reporting through the provincial offices to the CCA. In the context of reporting, a database called ELITE is being set up, which would incorporate checks on animal welfare during transport. This database is not yet operational, as only a fraction of checks are included and PVOs are not fully familiar with its use. Additionally, representatives of the CA explained that this database cannot be fully interrogated yet, e.g. to select different criteria relevant for programming inspections.

## **5.5. Authorisation of transporters**

The procedure for authorisation of a transporter starts with the application to the State Provincial Office. The operator must provide the following information:

- the main area where transport will be practised.
- the category of the animals mainly concerned.
- information on the vehicle(s) and when the activity is planned to start.
- proof that the staff has undergone proper training for transport, or has equivalent long-term experience
- proof of appropriate means of transport.

To this effect, the means of transport has to undergo a check by a VI in a slaughterhouse or by a municipal veterinarian, who has to issue a certificate stating that the vehicle complies with the legislation. Although vehicle approval, is not an explicit requirement of Council Directive 91/628/EEC it was noted that there was no standard form for this certificate. If a deficiency on the vehicle was detected, the certificate would not be issued, but the check carried out and the deficiencies noted would not necessarily be

documented. This procedure would have to be repeated if the truck was altered or modified.

To a certain extent, the Provincial Offices are entitled to set up their own rules within this procedure. In one of the Provincial Office visited no renewal of the authorisation was required, while in the other, renewal was due after 5 years. In one of the regions information about the surface of the vehicle in square metres was included. This information was not included in the other region visited. In both regions, a copy of the authorisation has to be carried in the vehicle.

CA policy did not require farmers transporting their own animals for more than 50 km to other farms or slaughterhouses to be authorised. According to EU requirements, persons undertaking such transport should be authorised, as they would come under the definition of “transporter” in Article 2, 2(i) of Council Directive 91/628/EEC (as amended).

## **5.6. Checks at places of departure**

As there are no assembly centres or markets in Finland, and a health certificate does usually not accompany the animals, checks at places of departure are practically non-existent. In 2002, only one inspection was carried out at farm level. Additionally, only one route plan, for horses, had been issued in the offices visited. It had not been returned.

Consignments of animals seen during the mission were accompanied by a commercial document in which the time of loading of the first animal was indicated, as well as information on the animals picked up from subsequent farms. Cattle and sows were re-transported from one slaughterhouse to different slaughterhouses. The animals rest off the truck at the first slaughterhouse during the day and are reloaded in the evening. Animals were again accompanied by a commercial document, also signed by the VI, which indicated the place of departure as the slaughterhouse and contained information including identification, number of animals and time of loading.

## **5.7. Checks during transport**

The target set for checks during transport had not been achieved in one of the Provincial Offices visited. Some of the veterinarians involved were of the opinion that such checks were of limited effect.

Police also carry out checks during transport as part of their routine traffic control. To facilitate their task, an updated list of authorised transporters is sent periodically from the Provincial Office. A representative from a Provincial Office explained that Police would focus more on transport of horses than on livestock.

## **5.8. Checks at destination**

### *5.8.1. Checks of means of transport at slaughterhouses*

The lorries seen during the mission were of a high standard, partitioned, and with adequate protection against adverse weather conditions. Some VIs explained that problems could occur mainly in hot summer conditions. For

economic reasons, the lorries usually pick up animals from different farms and carry them as one consignment to the slaughterhouse. These multiple pick-ups imply longer journey times, in some recorded cases lasting over 10 hours for journeys within Finland. Inside the truck animals are usually distributed in the different boxes according to their origin and category.

VIs at the slaughterhouses had information available on the maximum number of animals that could be loaded in every lorry, in order to respect space densities. However, assessing space densities in the different compartments (or carrying out a check during transport) could be hindered as trucks are normally divided into boxes, and have solid lateral protections. This could also hinder direct access to all animals on journeys of more than 8 hours.

Handling and unloading of the animals was conducted in a calm and efficient way.

Some cases were identified where, although a deficiency had been detected, e.g. transport without appropriate separation of animals of different sex and/or size, the final box of the checklist had been ticked “no deficiencies to report”.

#### *5.8.2. Check of fitness of animals at slaughterhouses*

Animals seen during the mission were fit for transport, apart from two slightly unfit animals detected by VIs at the slaughterhouses. These animals were segregated from other animals, and slaughtered. VIs also explained that animals in this category are transported separately from other animals.

Awareness of the requirements of fitness for transport is generally high, and this issue has been discussed at different meetings, including those with the transporter association. Transporters carry on the vehicle appropriate devices to stun and bleed an animal during transport, in case, due to an emergency, this is necessary.

There were cases where a deficiency, such as the transport of an unfit animal had been detected and the VI had contacted the farmer and/or slaughterhouse operators to deal with the situation and advised that this should not be repeated in future, but had not officially reported the case.

In the report sent to the European Commission in 2002, only one case was reported of non-conformity regarding transport of animals (swine) unfit for transport. The report therefore does not reflect cases where unfit animals are transported and the VI gives an oral order.

### **5.9. Follow up actions**

According to the system in place, if animal welfare legislation is violated, the animal welfare authority should forbid the owner or keeper of the animal to continue activities, or should issue an order requesting compliance within a certain time limit. After the time limit has expired a new inspection would be carried out to make sure that the decision has been complied with. The State Provincial Office (SPO) could reinforce the order or prohibition by

imposing a conditional fine, to be paid if the deficiency had not been corrected by a given deadline.

According to the annual report of the Finnish CA to the Commission, in 2002, 119 offences were detected in 83 vehicles (37 offences related to minor deficiencies or incomplete documentation) and 25 prohibitions or orders were given.

In the 3 Provincial Offices visited the VIs had recorded checks using the checklist provided by the CCA, but few deficiencies had been recorded. In these cases an order had been made, which included oral warnings. The inspection team noted that:

- In only one case was a deadline for amending a deficiency given. In this particular case no follow up inspection was carried out.
- There were no cases where, after a deficiency was detected, a follow up check had been carried out and recorded.
- In one case the VI had reported to Provincial Office the transport of an animal with cachexia and the Provincial Office had requested the municipal veterinarian to perform an inspection of the farm of origin. But there was no evidence that this had been performed.
- In one of the offices visited, one sanction had been imposed and this related to a commercial transporter who had been operating without authorisation.

## **5.10. Checks at slaughter or killing**

The day to day responsibility for this issue rests with the VIs, who would only draw up a report or an order if they detected a deficiency. The PVOs periodically visit to discuss any areas where improvements are required, which may include issues relating to animal welfare. No particular targets are set for inspections at the time of slaughter. A checklist focusing on slaughter procedures is currently being prepared at CCA level to assist VIs in their duties.

Regarding killing of fur animals, no official checks on the killing of the animals had been organised for the next season in the region where most of the fur production is concentrated. However, a representative of the CA indicated that tests have been carried out to verify the effectiveness of the methods used.

### *5.10.1. Facilities and handling*

These were mostly adequate. However, the inspection team noted several deficiencies:

- In none of the three red meat slaughterhouses visited, were animals fed after a stay of more than 12 hours. This had been identified by the PVOs as a deficiency, and communicated in writing to the management of the

slaughterhouse and to the VI. But no further action had been taken to enforce this issue.

- A boar was housed in a narrow corridor, without the possibility of turning around and without adequate access to water. This was promptly solved after the inspection team pointed it out.
- In a slaughterhouse for ruminants, the partially solid walls of the individual boxes for cattle reduce the ability of the veterinarian to detect ill or injured animals.
- In another slaughterhouse, several cull cows transported to the slaughterhouse had extremely full udders. This deficiency had not been detected, and therefore it had not been investigated whether the milking interval of 15 hours was always respected for those animals (Council Directive 91/628/EEC, Annex Chapter I A 7b)
- In a pig slaughterhouse a substantial proportion of pens had only one drinker in the pen, making access to water difficult for the large number of animals. Animals here were restless and noisy. The PVO explained that this had already been detected and indicated to the company operators.

#### *5.10.2. Stunning and bleeding*

Stunning and bleeding were correctly performed during the mission. Maintenance of captive bolt pistol was effective. However, it was also noted that:

- Two devices used as a back up system for electrical stunning did not indicate voltage and current. One of those was rusty. A CO<sub>2</sub> chamber for stunning lacked an alarm to indicate if the gas level fell below the required minimum.
- Electrical tongs in a emergency facility for pigs had not been properly cleaned and had hair in them, which could result in a higher impedance and a less effective stunning.
- According to records in a slaughterhouse, several pigs had gone stunned but unbled through the line, this being detected at the post-mortem inspection. A representative from the company explained that this had happened on another occasion. The VI had sent a note to the operators of the company, but no official report was drawn up.
- In a cattle slaughterhouse, electro-stimulation was used before the end of bleeding, whereas EU legislation only allows this after the bleeding has ended (point 2 of Annex D of Council Directive 93/119/EC).

## 6. CONCLUSIONS

### 6.1. Legislation

1. Finnish legislation on space densities for pigs of around 100 kg is not in compliance with Annex A. *Chapter* VI of Council Directive 91/628/EEC (as amended).

2. Finnish legislation is not in line with EU requirements regarding the authorisation of transporters. Finnish transporters are not required to submit a prior written undertaking and transporters established in a third country only have to give a written undertaking. The former should be the subject of a written undertaking and in the latter case should be followed by a subsequent authorisation by the CA (Article 5.A.1(a)(ii) of Council Directive 91/628/EEC - as amended).

### 6.2. Training

Extensive training has contributed to an overall awareness of animal welfare requirements. Training has particularly focused on ensuring that operators are aware of their responsibilities.

### 6.3. Checks of transport

#### 6.3.1. Organisation of checks

Clear targets have been set by the CCA, although these have not always been achieved.

#### 6.3.2. Authorisation of transporters

1. Although the legal basis for authorising Finnish transporters does not fully comply with Council Directive 91/628/EEC (as amended), the system currently in operation, was on the whole effectively implemented and checked apart from:

(a) A lack of harmonisation of procedures between the regions and criteria to improve controls are different from one region to another. This is particularly relevant as transporters operate across different regions and may or may not have to renew their authorisation.

(b) Farmers transporting animals for more than 50 km for commercial purposes, have not been authorised contrary to Article 2(i) of Council Directive 91/628/EEC, as amended.

2. Vehicle approval, while not an explicit requirement of Council Directive 91/628/EEC is incorporated as part of the authorisation procedure, adding additional guarantees for animal welfare.

#### 6.3.3. Checks at departure, during transport and at destination.

1. The standard of the vehicles seen in context of the mission was good, and the requirements regarding fitness for transport were usually met.

2. Practically no checks are carried out at departure. As official health certificates are usually not needed, and as farmers can transport their own animals without being authorised, transport of animals other than to slaughterhouses remains largely uncontrolled by the Veterinary Services.
3. There is a shortfall in meeting the CCA's targets for inspections during transport. Carrying out checks, and gaining access to animals during transport is made difficult by the kind of lorries used and some VIs remain to be convinced of the merit of checks during this stage of transportation.
4. Most checks are concentrated on vehicles arriving at slaughterhouses, and results here were closer to the CCA target. The reason that the target was not fully met may be due to the availability of staff at times of arrival.
5. Journey times are monitored as times of loading and reloading are indicated in accompanying documentation.

#### 6.3.4. *Follow-up action*

1. Although there is a clear procedure for dealing with infringements, even when these are detected, they are not always reported. The over use of oral advice makes it impossible for VIs in other regions to be aware of repeat offenders. This under-reporting also makes it more difficult for the CCA to evaluate the extent of compliance with legislation and to provide an accurate assessment in the annual report to the Commission.
2. Consequently, the system to follow up infringements detected is not effective.

#### **6.4. Checks at slaughter and killing**

1. The situation was generally satisfactory. The lack of a detailed checklist may have led to certain deficiencies seen by the inspection team, going unnoticed by the VIs.
2. The high degree of discretion for the VI, as to whether to report deficiencies in writing or not, results in enforcement action not always being sufficient to ensure compliance.<sup>4</sup> The level of supervision of VIs by the provincial offices is variable and may also contribute to this situation.

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<sup>4</sup> *In their response to the draft report, the Finnish Authorities noted that “since the owner or keeper of the animals has a legal right to appeal to court any obligation or injunction given by the authorities, the order or prohibition must be given in writing. Only in case where the shortcomings are minor, can VIs give oral advice”.*

3. Although the methods of killing fur animals have been assessed, the lack of checks on the actual killing of fur animals does not ensure compliance with Annex F of Council Directive 93/119/EC.

## **6.5. Overall conclusion**

Widespread training has increased the level of awareness on animal welfare issues. Transport conditions and checks were mostly adequate. Slaughter procedures were adequate, although some, mostly minor, deficiencies went undetected or not dealt with. At local level there is under-reporting of deficiencies and as a result inadequate transmission of information. Follow up actions both for transport and slaughter were not always sufficient.

## **7. CLOSING MEETING**

A closing meeting was held on 5 September 2003 with the central competent authority, The Ministry of Agriculture and Forestry. At this meeting, the main findings and conclusions of the mission were presented by the inspection team. The representatives of the CCA agreed with the findings and conclusions and gave an undertaking to address deficiencies.

## **8. RECOMMENDATIONS**

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

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.

The CA should ensure that:

- (1) Legislation is amended so that:
  - (a) 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.
  - (b) Finnish transporters are required to submit a written undertaking prior to authorisation (Article 5.A.1(ii) of Council Directive 91/628/EEC - as amended), and
  - (c) transporters established in a third country are authorised, subsequent to their written undertaking.
- (2) In addition to incorporating the above legal requirements for transporters, the system of authorisation:
  - (a) is better harmonised between the regions and

- (b) includes farmers transporting animals for more than 50 km for commercial purposes (Article 2(i) of Council Directive 91/628/EEC, as amended).
- (3) Targets for transport checks are met and provide an adequate sample of animals transported each year as required by Article 8 of Council Directive 91/628/EEC (as amended).
- (4) Recording and reporting of deficiencies found at transport checks is sufficient to ensure appropriate follow-up action (Articles 9 and 18 of Council Directive 91/628/EEC (as amended).
- (5) Measures are taken so that checks at slaughterhouses cover all parts of Council Directive 93/119/EC, in particular:
  - (a) Requirements for water and feed in slaughterhouses are met (Council Directive 93/119/EC, Annex A, II, 9).
  - (b) Stunning equipment has the necessary devices (Council Directive 93/119/EC, Annex C II, 3A.2 and 4.3) and that is appropriately maintained.
- (6) Appropriate checks are carried out on the actual killing of fur animals, to ensure compliance with requirements of Annex F of Council Directive 93/119/EEC.

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

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

- 9.1. Regarding 1(a), the CA indicated that legislation will be amended during 2004 and regarding 1(b) according to established Finnish legal practice, it is not necessary to submit a written declaration stating that existing legislation will be complied. Regarding Recommendation 1(c), the CA is waiting for discussions on the proposal for a new Council Regulation on the protection of animals during transport to settle this issue.
- 9.2. Regarding 2 (a), the CA indicated that within the framework of the development of a new database, the authorisation of transporters will become uniform in every province. Regarding 2(b), the CA considers that the definition of "transport for commercial purposes" is somewhat unclear in community legislation, and that this could be solved in the future Council Regulation for protection of the animals during transport.
- 9.3. Regarding 3, the CA indicated that an "adequate sample" will be determined. The number of inspections of departures from farms will be increased and inspectors at slaughterhouses will be instructed to meet their annual target. The performance of transport checks at slaughterhouses will be subsequently reviewed.
- 9.4. Regarding 4, the CA indicated that steps will be taken to ensure that VIs receive adequate support so that they take all necessary measures, in particular set deadlines and carry out and record follow-up inspections.

- 9.5. Regarding 5, the CA indicates that the VIs at slaughterhouses will be instructed to ensure that these requirements are met. The CA will subsequently review implementation.
- 9.6. Regarding 6, the CA indicates that municipal veterinarians have been instructed to perform inspections of fur farms evenly throughout the whole year. For the inspections during 2004 the municipal veterinarians will additionally be instructed to perform an adequate number of inspections at the time of killing and pelting of the animals.