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Directorate F - Food and Veterinary Office

DG(SANCO)/9039/2003 – MR Final

FINAL REPORT OF A MISSION  
CARRIED OUT IN PORTUGAL  
FROM 2 TO 6 JUNE 2003  
CONCERNING ANIMAL WELFARE DURING TRANSPORT  
AND AT THE TIME OF SLAUGHTER



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## 1. INTRODUCTION

The mission took place in Portugal from 2/06/03 to 6/06/03. The mission team comprised 2 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 part of the mission by a representative from the central competent authority (CCA) Portuguese Ministry of Agriculture – *Direcção Geral de Veterinária* (DGV).

An opening meeting was held on 2 June 2003 with the central competent authority as well as representatives of the regions to be visited during the mission. At this meeting, the objectives of the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission requested. In advance of the mission, the CCA were asked to supply a list of the slaughterhouses convenient to the locations to be visited during the mission. During the opening meeting in Lisbon the inspection team selected the slaughterhouses that would be visited.

## 2. OBJECTIVES OF THE MISSION

The objective of the mission was to evaluate the system for checks of animal welfare during transport and at the time of slaughter, in the framework of Council Directive 91/628/EEC<sup>1</sup> (as amended) and Council Directive 93/119/EC<sup>2</sup>. It formed part of a wider series of missions to all Member States evaluating control systems and operational standards in this sector.

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

COMPETENT VISITS	AUTHORITY		Comments
Competent authority	Central	2	Opening and closing meetings
	Regional	2	
Ports		1	
Assembly centres		1	Where cattle from the Azores arrived following sea journey
Livestock markets		1	Selected by CCA in advance of mission
Slaughterhouses		3	Selected by inspection team at opening meeting

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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 30.06.1995, p.52)

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

### 3. LEGAL BASIS

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 of 19 November 1991 on the protection of animals during transport and as amended by Directives 95/29/EC.

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

### 4. BACKGROUND

The previous mission with the same objective to Portugal was undertaken from 14 to 21 May 2001. The report of this mission is available under reference number: DG SANCO/3311/2001 – MR – Final on the DG (Health and Consumer Protection) website:

[http://europa.eu.int/comm/food/fs/inspections/vi/reports/portugal/index\\_en.html](http://europa.eu.int/comm/food/fs/inspections/vi/reports/portugal/index_en.html)

In its overall conclusion, this report stated that a good level of enforcement of the provisions of Council Directive 91/628/EEC (as amended) and Council Directive 93/119/EC had not yet been achieved. The main deficiencies indicated were that no adequate actions were taken where deficiencies had been detected and a satisfactory surveillance was not performed. Ineffective stunning, inappropriate handling of animals, inadequate stunning equipment for electronarcosis, transport of unfit animals and unsuitable facilities for loading and unloading were among the main findings. No action plan was received from the CCA on how the different recommendations were going to be addressed.

#### **Production and trade information**

According to information provided by DGV, and based on ANIMO messages, during the first semester of 2002:

92,300 pigs were transported to Portugal from other Member States, whereas only 4,402 were sent from Portugal to other Member States.

1,571 bovines were transported to Portugal from other Member States. Only 92 bovines were sent from Portugal to other Member States (Spain or France), in accordance with Commission Decision 1999/713/CE

12,183 small ruminants were transported to Portugal from other Member States, whereas 21,048 were sent from Portugal to the rest of the European Union.

## 5. LEGISLATION

*Decreto-Lei* 294/98 transposes EU requirements on transport, whereas *Decreto-Lei* 28/96 transposes EU requirements on the protection of animals at slaughter. Portuguese legislation is in line with the relevant EU Directives.

## 6. FOLLOW UP OF RECOMMENDATIONS OF MISSION REPORT DG(SANCO)3311/2001

In the previous mission report the FVO team made recommendations to the CA in different areas and subjects. Now the different areas in which recommendations were made will be addressed in order to evaluate the progress carried out since the previous mission.

### 6.1. Training.

#### 6.1.1. Training of CA personnel

Report 3311/2001 recommended that “*inspecting veterinarians and technicians receive adequate information, training and other forms of support to assist them in enforcing national legislation related to animal welfare during transport and at slaughterhouses as well as in establishing of an effective control system in order to monitor the conditions under which animals are transported and slaughtered*”

Guidelines and training on different issues have been provided by the CCA, including:

A Manual was sent to veterinary inspectors (VIs) working in slaughterhouses. It contains detailed information on animal welfare during transport to the slaughterhouse, lairaging, stunning and bleeding. However, further guidance on assessing fitness for transport was not included.

A course on animal welfare during transport for VIs, including those working for the Municipalities.

Other courses for VIs took place, such as Introduction to Animal welfare, and animal welfare at farm level.

Animal welfare issues were also discussed in training courses in other veterinary topics.

Additional training in animal welfare during transport for police officials (*Guarda Nacional Republicana* or GNR) has been organised, in co-operation with representatives from NGO's.

#### 6.1.2. Training in the transport and slaughter sector

It was noted that no training had been organised for transporters. Only in one slaughterhouse was evidence found of training for employees concerning animal welfare.

## 6.2. Implementation and supervision of the operation of checks

Report 3311/2001 recommended “*To ensure the satisfactory implementation and supervision of the operation of checks concerning transport of live animals in all regions in Portugal...*”

Concerning this, modifications in operational procedures and competencies were introduced by Despachos No. 25678 and 25680, both of 3.12.2002:

- *Despacho No. 25 678/2002* creates a Health Inspection Integrated System (*Sistema Integrado de Inspeccao Sanitaria*). This regulation attributes to the DGV the competency for sanitary checks in slaughterhouses, including animal welfare checks.
- *Despacho No. 25 680/2002* creates the Animal Protection Integrated System (*Sistema Integrado de Proteccao Animal, SIPA*). This programme will cover animal welfare checks at farm level, during transport and at slaughter. A Standing Committee (*Comissao Permanente do Sistema Integrado de Proteccao Animal* or CPSIPA), made up both by DGV and representatives from the different regions takes decisions on this programme. Additionally, DGV in particular will select holdings and premises to be visited, inform owners or managers of the deficiencies detected and deadlines for correction, impose sanctions, set up protocols of co-operation with Police, and draw up and submit for approval of the CPSIPA checklist, guidelines, and reports on the implementation of the Programme. The *Despacho* also establishes that DGV will carry out quality controls on the job of the VIs and technicians. The outcome of this assessment would be submitted quarterly to the Standing Committee and to the regional services (*Direccao Geral de Agricultura* or DRA).

For transport, the targets and procedures for checks remains the same as described in mission report 3331/2001.

For slaughter, a target has been set by which a monthly report is to be sent by the VIs from every slaughterhouse to the DRA. However:

The target set for these animal welfare checks had been reached in one slaughterhouse, but not in the other two.

In one region only one of these monthly reports had been submitted from some of the slaughterhouses in the last two years.

## 6.3. Reporting system

Report 3311/2001, recommended to “*Establish a reliable reporting system through all levels of veterinary administration in order to assure the appropriate flow of information for the supervision of animal welfare*”

### 6.3.1. Reporting of transport checks

The CCA has issued detailed checklists that cover all main points of animal welfare during transport. However the level of checks differed greatly between the different premises visited. In one slaughterhouse transport checks at destination were carried out, while this was not done in others.

Both regions visited had submitted to the CCA the information needed in order to draw up the annual report required by Article 8 of Council Directive 91/628/EEC (as amended). However one of the regions provided incoherent data, as the number of actions taken was higher than the number of deficiencies detected.

#### 6.3.2. *Reporting concerning slaughter checks*

The CCA has issued checklists that cover adequately requirements of Council Directive 93/119/EC. But this checklist is not commonly used, and frequently the VIs complete a different and more general one. The same finding was mentioned in the previous mission report.

Additionally, representatives of the CCA have carried out checks providing a general assessment of some slaughterhouses (*autos de vistoria*). In these cases, animal welfare has also been covered and some deficiencies pointed out to the company and to the local VIs.

### 6.4. **Follow up action**

In the report 3311/2001, it was recommended to “*Ensure that corrective and follow up action is taken when a deficiency is detected and implement a system to ensure the effective application of sanctions*”

#### 6.4.1. *Transport*

Some cases were found in which a follow up check had been carried out, to verify that a deficiency had been corrected. Reports stating that a transporter had not the necessary authorisation, did not contain a deadline. However, the relevant DRA had written to the transporters requesting them to submit the necessary application.

With regard to sanctions on transport, the number of sanctions has increased with regard to the previous mission. In 2002, 38 enforcement actions were carried out, usually after a check by police officials. In most cases as a consequence a fine was imposed, 130 and 280 € being the most frequent amount.

#### 6.4.2. *Slaughter*

Concerning animal welfare at slaughter, 4 *autos de noticia* concerning detected infringements were issued in 2002 in order to launch enforcement actions. However, cases were commonly found in which after an infringement had been detected, no action was taken, and no deadline was given for amendment. This happened frequently with deficiencies such as the lack of ammeter. In one slaughterhouse the VI had reported in writing up to 9 times to the company, that lairaging of animals in corridors and passageways was not appropriate, but again no action had been taken

### 6.5. **Means and conditions of transport and fitness for transport**

In report 3311/2001, it was recommended that “*Means of transport, fitness of animals for the journey as well as the conditions during transport by road and water comply with Council Directive 91/628/EEC (as amended)*”

### 6.5.1. Means and conditions of transport

Conditions of vehicles falling under the scope of Council Directive 91/628/EEC (as amended) were generally adequate. Loading and handling of animals was made in a calm and adequate way.

In the reports of previous checks, practically all deficiencies detected were related to lack of documentation, or authorisation of the transporter.

#### 6.5.1.1. Sea Transport

During 2002, 50 inspections of consignments of cattle from the Azores were carried out at the port, inspecting 803 containers. Deficiencies detected included overstocking and lack of sufficient bedding.

The mission team inspected a ship with containers of cattle from Azores. Animals were transported in basically good conditions, regarding fitness for transport, space density, bedding, protection against sea and weather and sanitary conditions. However:

- No instrument was carried for slaughtering animals if necessary. It was explained that this would be in contravention of Portuguese maritime law, but that permission for carrying captive bolt pistols had been sought. This finding was already mentioned in report 3311/2001.
- On arrival at the port, animals had enough provision of straw for feeding. Only straw is provided as foodstuff during the sea journey, usually lasting 2 or 3 days. This is not adequate for those calves under 100 kg that are regularly transported. Additionally, at the arrival of the ship there was almost no feed left in reserve.
- Provision of water is not sufficient, as described by the responsible attendant and as confirmed in the available records reviewed by the mission team. In one case the VI at the port had issued an *auto de noticia* stating that animals had arrived suffering from dehydration. An *auto de noticia* would be the first step in an enforcement action.
- One double container was placed facing the sea, having so less adequate protection against sea. In this case animals were dirty, and bedding was insufficient. Access to the animals was more difficult. The local VI stated that a report concerning this kind of container had already been sent to the company involved.
- Animals were left waiting at the dock in the containers for nearly two hours before being loaded onto trucks. The containers, which have a metallic roof, were not protected from the sun. Reportedly, this was an unusually long waiting time.

#### 6.5.1.2. Road Transport

Conditions of transport as seen during the mission were adequate. In the reports of previous checks, practically all deficiencies detected were related to lack of documentation, or authorisation of the transporter.

The mission team inspected a livestock market for cattle and sheep. Animals stay there for a maximum of 5 hours, and were provided with water. Conditions were on the whole adequate, but for a young calf that was tethered, and lairaged in a pen with much bigger animals. The VI did not object to this. Practically no loading took place during the visit, and representatives of the CA commented that it was probably because the farmers were very reluctant to do it in the presence of the mission team. When some trucks were inspected, some farmers expressed concern about economic implications, and the representative of the CA had to address them explaining that legal requirements have to be respected. Even if most of the trucks did not transport animals for more than 50 Km, this indicates a reluctance to comply in the sector.

#### *6.5.2. Fitness for transport*

Records concerning emergency slaughter demonstrated that bovine animals were transported with severe pathologies. In a pig slaughterhouse, in one consignment four animals were dead on arrival. No action had been taken in any case. A representative of the CA indicated that mainly because of concern with BSE implications, legal provisions concerning fitness for transport are not being enforced.

#### *6.5.3. Route plans*

Although no specific recommendation was made in report 3311/2001, route plans were studied. The mission team noted that in one out of two of the regions visited some route plans had been issued, and then limited to horses. These route plans were not correctly filled out, thus lacking important information. A representative of the CA acknowledged that the declaration of the transporter concerning duration of the journey was usually accepted, and that the original of the route plan was not returned.

In two of the slaughterhouses visited consignments of animals from Spain were accompanied by route plans. In these cases the originals of the route plans were systematically stored in the slaughterhouse, so they were not returned to the CA of origin. When questioned by the mission team, the Portuguese official commented that no enquiry had been received from the Spanish CA regarding these unreturned route plans.

### **6.6. Stunning equipment**

In the report 3311/2001, it was recommended that “*stunning equipment in slaughterhouses is operated in such a way that it meets all the requirements of point 2 of Article 6 and point 3A of chapter II of Annex C of Council Directive 93/119/EC*”

Except for one case, animals inspected during the mission were properly stunned. This represents a clear improvement with regard to the previous mission. Stunning facilities and maintenance of equipment were generally adequate, and the stunning equipment was applied in a correct position. However, some deficiencies were noted:

- In one slaughterhouse, the stunning box did not provide adequate restraint, particularly for small cattle.
- In one slaughterhouse, electrical tongs for sheep had not been properly cleaned, which would increase the impedance, making proper stunning more difficult. Additionally, there was not back up equipment at the place of killing. Although sheep were not being killed at the time of the visit, neither the VI nor a representative of the company were fully aware of the amperage used for stunning sheep.
- Time from stunning with captive bolt pistol to sticking was too long for cattle, up to 100 and 120 seconds in some cases. Council Directive 93/119/EC indicates that bleeding must be started as soon as possible after stunning, while Portuguese legislation specifies a maximum of 60 seconds.
- Bleeding was adequately performed, but in one case dressing procedures started before bleeding had completely ended.

## 7. CONCLUSIONS

### 7.1. Training

Efforts have been made to provide VIs with an adequate training on the different areas of animal welfare. Additionally, training in co-operation with NGOs has been organised for GNR agents. Therefore the recommendation in report 3311/2001 has been satisfactorily addressed.

Training of transporters and slaughtermen however is not adequate.

### 7.2. Implementation and supervision of the operation of checks

The new legal instruments (*Despachos*) potentially provide the CA with an efficient tool to implement and supervise checks. In the Committee responsible for its implementation (CPSIPA) the CCA and the regions will set up a co-ordinated control system, and it will be easier to achieve a better understanding of the situation. The quality controls established through this system should allow a better supervision of the checks.

### 7.3. Reporting system

Regarding transport, the system in place allows the CA to fulfil the requirements of Article 8 of Council Directive 91/628/EEC (as amended). To this effect, both regions had submitted their annual report, although one of them with unclear data.

Clear targets and appropriate checklists have been provided by the CCA. However these checklists are frequently not followed, and the target set by the CCA for animal welfare checks, particularly at slaughter, is frequently not respected. As a result, the expected level of reporting is not being achieved.

The Recommendation in report 3311/2001 has been partially addressed, as the application of targets and checklist is not yet adequate.

#### **7.4. Follow up action**

Follow up action is still not done in a systematic way. However, the level of sanctions has been increased, which indicates progress with enforcement.

The Recommendation in report 3311/2001 has been only partially addressed.

#### **7.5. Means of transport, fitness for transport and conditions of transport**

With regard to the situation described in report 3311/2001, the situation has improved partially, however:

- Some deficiencies persist in the trade of cattle from the Azores
- No action is taken to deter the transport of animals unfit for transport to the slaughterhouses, in contravention of Article 3.1.b of Council Directive 91/628/EEC (as amended) and Article 12 of Council Directive 93/119/EC.

Therefore, the relevant Recommendation has been partially addressed for sea transport, and not at all regarding transport of unfit animals.

#### **7.6. Stunning equipment**

The situation has clearly improved with regard to that described in the previous mission report. However, some deficiencies were detected, including the lack of appropriate equipment.

Therefore, the relevant Recommendation has been partially addressed.

#### **7.7. Overall conclusion**

The situation has improved since the last mission in 2001. One out of six recommendations in report 3311/2001 has been satisfactorily addressed, and there has been various degrees of improvement in the remainder. However, issues such as training for operators, transport of unfit animals, frequency and harmonisation of inspections (particularly at slaughter level), and lack of follow up actions need to be further addressed.

### **8. CLOSING MEETING**

A closing meeting was held on 6 June 2003 with the CCA and representatives of the regions visited during the mission. At this meeting, the main findings and conclusions of the mission were presented by the inspection team. The representatives of the CA accepted these and indicated their willingness to address the deficiencies identified. The CCA indicated that a new computerised database will be operational before the end of 2003, and that the outcome of checks will be recorded electronically, allowing a more accurate relay of information.

## 9. RECOMMENDATIONS

### 9.1. To the competent authorities of Portugal

The competent authorities are requested to inform the Commission Services of the actions planned and taken 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:

9.1.1. Transporters and slaughtermen receive the training required by Article 5 of Council Directive 91/628/EEC (as amended) and Article 7 of Council Directive 93/119/EEC.

9.1.2 More harmonised checks are carried out, which cover the specific criteria set in EU Directives, particularly in slaughterhouses.

9.1.3. The target set for checks is achieved, and that in every case when a deficiency is detected, corrective and follow up action is taken, and where necessary a sanction is applied.

9.1.4. Animals transported by sea receive the care foreseen in Chapter I.D of the Annex of Council Directive 91/628/EEC (as amended), particularly concerning enough and adequate provision of water and foodstuff, and protection against weather, and that all animals are transported in clean and adequately bedded containers.

9.1.5. VIs in the slaughterhouses are aware that it is the transporter's duty to return the route plan to the place of origin, as required by Article 5.A.d of Council Directive 91/628/EEC (as amended), in the context of future training.

9.1.6. Only animals fit for the intended journey are transported, as required by Article 3.1.b of Council Directive 91/628/EEC (as amended) and Article 12 of Council Directive 93/119/EC.

### **ADDENDUM TO MISSION REPORT DG (SANCO)/9039/2003**

The competent authority did not supply any comments on a draft version of this report.