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**SUMMARY REPORT OF A FOOD AND VETERINARY OFFICE MISSION
TO BELGIUM
FROM 24 TO 28 APRIL 2006
IN ORDER TO ASSESS
ANIMAL WELFARE IN HOLDINGS OF LAYING HENS,
PIGS AND CALVES**

NB. This is a summary translation of part of the original mission report (ref. no. DG(SANCO)/8043/2006). It has been provided to assist visitors to this site, but has no official status. Reference should always be made to the full text of the original mission report.

Conclusions

1. The authorities responsible for monitoring animal welfare have a good organisation structure with a clear allocation of responsibilities, standardised inspection procedures, effective communication between the various inspection departments at central and local levels, and a formal framework for working with the departments responsible for monitoring the allocation of agricultural assistance and the labelling of eggs.
2. However, the technical training provided for inspectors is inadequate and therefore does not comply with the requirements of Article 6 of Regulation (EC) No 882/2004.

Legislation

1. The competent authorities have largely transposed Community legislation on welfare but in places it is incomplete or was transposed with a considerable delay.
2. With regard to pigs, the recommendations issued during a previous mission concerning mutilations of pigs were only partially followed and as a result the Community requirements on castration, tail docking and tooth clipping set out in Chapter I, paragraph 8, of the Annex to Directive 91/630/EC are not being met.
3. With regard to laying hens, as paragraph 8 of the Annex to Directive 1999/74/EC, which provides that beak trimming should be carried out on chickens that are less than 10 days old, has not been transposed, beak trimming may be carried out by farmers throughout the life of a hen. Finally, Directive 1999/74/EC on the protection of laying hens was not transposed until 17 October 2005 instead of 1 January 2002, more than three years late. As a result, until the end of 2005, holdings with laying hens were inspected on the basis of regulatory criteria which do not meet the requirements of paragraphs 1.1) and 1.6) of Article 5 of Directive 1999/74/EC on cage area per hen (450 cm² instead of 550 cm²) and cage fittings (no requirement to fit cages with claw-shortening devices); as for laying hen holdings with alternative systems, these were not checked for compliance with the criteria set out in Article 4 of Directive 1999/74/EC because there was no regulatory basis.

Information provided to production sectors

1. The competent authorities provide information for producers via their website, information evenings on different issues and newspaper articles. However, as these are not updated and are not organised regularly or structured sufficiently in the form of courses for pig producers, they are inadequate (Article 5a(2) of Directive 91/630/EC).

Farm inspection programme

1. The competent national authorities are introducing a national annual inspection programme which guarantees that a representative sample of pig holdings is inspected, as provided for in Article 7(1) of Directive 91/630/EC, and that laying hen holdings are visited regularly in accordance with Article 8 of Directive 1999/74/EC.
2. However, despite a recommendation to this effect in a previous mission, the programme does not guarantee that a representative sample of cattle holdings is inspected, as provided for in Article 7(1) of Directive 91/629/EC. As a result, calves less than six months old are inspected only in fattening centres, and no inspections are organised in dairy holdings.
3. In addition, although objectives are set in accordance with a risk analysis carried out centrally, the programme does not guarantee that the farms with the highest risk are visited, as stipulated in Article 3(1) of Regulation (EC) No 882/2004, because at local level the selection of farms visited is based not on

the risk they present to animal welfare but on the compulsory checks which inspectors must carry out for reasons of animal health or food safety.

Laying hens

1. The registration of establishments keeping laying hens complies with Directive 2002/4/EC.
2. Given the delay in transposing Directive 99/74/EC, the lack of technical training for inspectors, who do not detect certain problems, and the failure to follow up the problems detected, the laying hen sector does not yet comply with Community requirements.
3. With regard to laying hens kept in cages, the cages are overcrowded, are not fitted with claw-shortening devices, and in some cases are not high enough and therefore do not comply with paragraphs 1.1), 1.4) and 1.6) of Article 5 of Directive 99/74/EC.
4. As for laying hen holdings with alternative systems, systems built after 01.01.2002 do not comply with certain criteria stipulated in Article 4 of Directive 99/74/EC, for example relating to nest space (paragraph 1.1c)) and perches (paragraph 1.1d)).
5. The competent authorities have taken measures since the beginning of 2006 to improve the system for checks on holdings by making provision for the inspection of 100% of holdings and providing complete checklists.

Pigs

1. A representative sample of all pig-rearing systems is being inspected in a standardised manner thanks to the national inspection programme and the checklists and instructions which the central authorities provide for inspectors.
2. However, because of a lack of training or precise instructions, the inspectors do not detect certain problems or do not ensure strict monitoring of certain technical points such as calculation of the surface area available for each category of pig (paragraphs 1) a) and b) of Article 3 and Chapter II A of the Annex to Directive 91/630/EC), the provision of bedding (paragraph 4 of the Annex to Directive 98/58/EC) or individual pens for sick animals in which they have room to turn around (Article 3(8) of Directive 91/630/EC), constant access to fresh water (Chapter I paragraph 7 of the Annex to Directive 91/630/EC), the provision of manipulable material for certain categories of animals (Chapter I paragraph 4 of the Annex to Directive 91/630/EC), or the provision of high-fibre and high-energy food for pregnant sows and gilts (Article 3(7) of Directive 91/630/EC).
3. In addition, certain problems such as a lack of light (Chapter I paragraph 2 of the Annex to Directive 91/630/EC), the presence of tethered sows (Article 3(3) of Directive 91/630/EC), failure to keep daily mortality records or to keep a full record of medicinal treatments (paragraphs 2 and 5 of the Annex to Directive 98/58/EC) are noted by inspectors but tolerated because the competent authorities have not issued instructions concerning the action to be taken.

Calves

1. Inspections of calf-fattening centres are conducted in a standardised manner thanks to the checklists and instructions which the central authorities provide for inspectors.
2. Although the inspections are a means of ascertaining the main points with regard to calves' welfare, certain problems are not detected, such as the lack of bedding for sick animals and calves of less than two weeks kept on concrete slatted floors (paragraphs 6 and 10 of the Annex to Directive 91/629/EC), despite the fact that a recommendation concerning the latter point had been issued to the competent authorities during a previous mission.

Reports, databases and supervision

1. The inspections are documented and recorded in a database to allow the competent authorities to supervise the checks carried out.
2. As recommended to them during a previous mission, the competent authorities have set up a system for collecting the results of inspections of holdings in the form of tables for the purpose of drawing up the report submitted to the Commission every two years in accordance with Decision 2000/50/EC. However, as the inspectors have received no training or instructions on how to fill in these tables, the tables are not completed in a standardised manner and are therefore sometimes incorrect. As a result, the data in the report are not reliable when used in risk analysis at national level and forwarded to the Commission.

Penalties for holdings

1. In accordance with a recommendation made during a previous mission, the competent authorities have widened their penalty system, which previously involved only legal sanctions, to include new administrative penalties which allows them to carry out procedures within a limited time-frame and in a standardised manner, to centralise infringement cases, collect fines and keep inspectors informed of the outcome of procedures.

2. However, infringements of animal welfare are rarely penalised as the competent authorities have not set out a clear course of action, except for laying hens, for which they have stipulated that all eggs produced in holdings which do not comply with the standard cage area of 550 cm², as provided for in Article 5 of Directive 99/74/EC and paragraph 1 c) of Annex III to Regulation (EC) No 2295/2003, are to be regraded, from grade A to grade B.

Overall conclusion

A system for the inspection of animal welfare in holdings of laying hens, pigs and calves is in place and has improved since the last mission. The checks are planned, coordinated, standardised and supervised by the competent authorities. However, the system is weakened by the delay in transposing Directive 1999/74/EC on the protection of laying hens, by the lack of training for inspectors on certain technical points and by the fact that the problems detected are not properly followed up by the competent authorities. Moreover, certain Community requirements with regard to mutilations of pigs and laying hens have not been fully transposed.

Recommendations

To the competent authorities in Belgium

The Belgian authorities are requested to submit, within 25 working days of receipt of the final report, a plan of action (including deadlines for completion) in response to the following list of recommendations.

The competent authorities in Belgium must ensure that:

- 1) inspectors are given training in conducting checks in holdings of laying hens, calves and pigs, in accordance with Article 6 of Regulation (EC) No 882/2004;
- 2) paragraph 8 of Chapter I of the Annex to Directive 91/630/EC on the mutilation of pigs is fully transposed into national law;
- 3) paragraph 8 of the Annex to Directive 1999/74/EC on the mutilation of laying hens is fully transposed into national law;
- 4) appropriate training courses, including welfare aspects, are organised for pig producers in accordance with Article 5a(2) of Directive 91/630/EC;
- 5) in accordance with Article 3(1) of Regulation (EC) No 882/2004, inspections of holdings are organised at local level based on a risk analysis for welfare;
- 6) a statistically representative sample of calf farms is inspected, including calves younger than six months in dairy holdings, in accordance with Article 7(1) of Directive 91/629/EC;
- 7) holdings where laying hens are kept in cages comply with the minimum cage area requirement of 550 cm², cages are fitted with claw-shortening

devices and are of adequate height in accordance with Article 5 of Directive 1999/74/EC;

- 8) laying hen holdings with alternative systems meet the requirements for nest space and perches set out in Article 4 of Directive 1999/74/EC;
- 9) as stipulated in Directive 91/630/EC, pig farmers comply with the unobstructed floor area requirements in Article 3(1a and b) and Annex Chapter II A), provide pigs for fattening with a light intensity of 40 lux (Chapter I paragraph 2 of the Annex), give manipulable material to all categories of pigs (Chapter I paragraph 4 of the Annex), isolate sick animals in suitable accommodation where they can turn around (Article 3(8)) and provide them with bedding if necessary (paragraph 4 of the Annex to Directive 98/58/EC), provide constant access to fresh water (Chapter I paragraph 7 of the Annex), and stop tethering their sows (Article 3(3));
- 10) records of mortalities and medicinal treatment are kept in all holdings in accordance with paragraphs 2 and 5 of the Annex to Directive 98/58/EC;
- 11) in accordance with Article 8(3) of Regulation (EC) No 882/2004, follow-up action is taken in holdings where cases of non-compliance are found in order to ensure that the necessary corrective action has been taken and penalties are applied where appropriate;
- 12) stock-keepers provide bedding for sick calves and calves less than two weeks old kept on concrete slatted floors, as stipulated respectively in paragraphs 6 and 10 of the Annex to Directive 91/629/EC;
- 13) completion of the report on the results of animal protection inspections in holdings, drawn up in accordance with Decision 2000/50/EC, is harmonised and correct.

Addendum

In their comments on the report, the competent authorities in Belgium propose to take or have taken the following action in response to the recommendations issued to them:

With regard to recommendation 1), a training programme will be discussed in 2006 in a meeting with the AFSCA.

With regard to recommendations 2) and 3), a draft amendment to the legislation has been submitted to the relevant Minister.

With regard to recommendation 4), the competent authorities have asked the services in the Flemish and Walloon Regions to comply with the requirement to organise training courses for pig producers. They have also sent written information on this subject to pig producers.

With regard to recommendations 5) and 6), instructions are currently being drawn up on organising checks based on risk analysis.

With regard to recommendation 7), an instruction has been circulated concerning animal protection checks in holdings where laying hens are kept in battery cages.

With regard to recommendation 8), at a meeting held between the Regions' inspection services and the AFSCA services it was decided that a cooperation protocol would be drawn up for inspections in laying hen holdings with alternative systems.

With regard to recommendation 9), the AFSCA inspection services have been informed of the inspection team's comments and a written reminder of these regulatory obligations has been sent to pig producers.

With regard to recommendation 10), the checklists used for inspections have been amended accordingly.

With regard to recommendation 11), an instruction is currently being drawn up to ensure a more rigorous follow-up where problems are found.

With regard to recommendation 12), the AFSCA inspection services have been informed of the inspection team's comments and a written reminder of these regulatory obligations has been sent to calf producers.

With regard to recommendation 13), the competent authorities are following the discussions at Community level concerning the expected changes to this type of report and are waiting for a decision specifying the information to be given in the report before amending their instruction.