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FINAL REPORT OF A MISSION  
CARRIED OUT IN FRANCE  
FROM 29 MAY TO 2 JUNE 2006  
TO REVIEW THE SYSTEM OF CONTROLS  
CONCERNING ANIMAL WELFARE ON FARMS

*Please note that factual errors have been corrected following the comments made by the French Competent Authorities on the draft version of the report.*



## EXECUTIVE SUMMARY

*This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in France, from 29 May to 2 June 2006.*

*The main objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig, calf and laying hen farms. In particular, the measures put in place to give effect to Council Directives 91/629/EEC, 91/630/EEC, 98/58/EC, 99/74/EC, and Commission Decision 2000/50/EC and to follow up the recommendations from the report 7231/2004 regarding laying hens. The mission also looked at how measures taken in relation to the above have been integrated into the approach required by Regulation (EC) 882/2004.*

*The report concludes that the CCA have further enhanced their system of control from that in place at the time of the previous FVO mission. Regarding laying hens, the CCA have addressed the recommendations in report 7231/2004, with better inspections as a result. Regarding instructions and training, those relevant to checks of laying hens were more precise and thorough than those for checks of holdings with pigs or calves.*

*Although the documentation of infringements is improving, procedures were not always sufficient to ensure that corrective actions were taken. Major enhancements have been made to the reporting system, and the provision of feedback on the results to the local level is an initiative which goes beyond EU requirements and encourages more consistent inspections and enforcement actions. However, the current format for summarising the results for the report to the Commission would not provide all the information required concerning the species specific requirements of EU legislation.*

*The report makes a number of recommendations addressed to the competent authorities of France, aimed at rectifying the identified shortcomings and further enhancing the control measures in place.*

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## 1. INTRODUCTION

The mission took place in France from 29 May to 2 June 2006, as part of the planned mission programme of the Food and Veterinary office (FVO). The inspection team comprised two inspectors from the FVO and one Member State expert.

An opening meeting was held on 29 May 2006 with representatives of the central competent authority, the Ministry of Agriculture, Food, Fisheries and Rural Affairs (*Ministère de l'Agriculture, de l'Alimentation, de la Pêche et des Affaires Rurales*, hereafter: CCA). At this meeting, the objectives of, and itinerary for the mission were confirmed and additional information requested for the satisfactory completion of the mission.

Throughout the mission, the mission team was accompanied by representatives of the local Competent Authorities (hereafter: local CAs) and during part of the mission also by a representative of the CCA.

## 2. OBJECTIVES OF THE MISSION

The primary objectives of the mission was to verify the application of EU requirements in the field of animal welfare in relation to the keeping of animals on farms. The scope included the legal and administrative measures in place regarding requirements for pigs, calves and laying hens. A secondary objective was to follow-up the actions taken to address the recommendations made in a previous report concerning animal welfare of laying hens (ref. DG(SANCO)/7231/2004, hereafter: report 7231/2004).

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

VISITS			Comments
Competent authority	Central	2	Opening and final meeting at the CCA headquarters.
	Local ( <i>département</i> )	2	Local Directorate for the Veterinary Services ( <i>Direction Départementale des Services Vétérinaires</i> , hereafter: local CA) of Arras in Pas-de-Calais (62) and of Amiens in Somme (80).
Holdings with pigs		2	One holding in each <i>département</i> visited. Both farms were selected by the inspection team from a list of farms provided by the CCA.
Holdings with calves		2	One holding in each <i>département</i> visited, selected by the inspection team from a list provided by the CCA.
Holdings with laying hens		2	One holding in each <i>département</i> visited. One with hens kept in enriched cages and one free range, which were selected by the inspection team from lists provided by the CCA.

## 3. BACKGROUND

Previous FVO missions to France concerning animal welfare on farm were carried out in 2000 (ref. DG(SANCO)/1263/2000, holdings with pigs and with calves) and in 2004 (ref. DG(SANCO)/7231/2004, holdings with laying hens).

Report 1263/2000 concluded that although a system of checks had been developed, implementation was not yet satisfactory. The selection of farms was not randomised and targets for inspections were not met. A CCA action plan addressed the recommendations in report 1263/2000 and undertook to develop a more uniform inspection and reporting system. In relation to further training of inspectors specifically on inspections of animal welfare on farm, the CCA stated that the basic education of the staff was adequate and that continuous training was available. In relation to the routine mutilations of pigs, they indicated that this issue was being discussed at EU level in the context of the proposed amendments to Council Directive 91/630/EEC<sup>1</sup>.

Report 7231/2004, which dealt with laying hens, concluded that although the detection of deficiencies was generally good, follow-up was not always sufficient. The installation of unenriched cages after the deadline of 1.1.2003 and the failure of half of the *départements* to report on the inspections which had taken place were the major non-compliances. The CCA's action plan satisfactorily set out how they would address the recommendations in this report.

#### **4. LEGAL BASIS FOR THE MISSION**

The mission was carried out under the general provisions of Community legislation<sup>2</sup> and in particular Article 9 of Council Directives 99/74/EC<sup>3</sup>, 91/629/EEC<sup>4</sup> and 91/630/EEC; Article 7 of Council Directive 98/58/EC<sup>5</sup>; Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council<sup>6</sup>.

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

##### **5.1. Competent authority**

###### Structure and responsibilities

The CA is described in reports 1263/2000 and 7231/2004, available under their reference number at the DG Health and Consumer Protection (DG SANCO) website:

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<sup>1</sup> Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs, OJ L 340 of 11.12.1991, p.33 (hereafter: Directive 91/630/EEC).

<sup>2</sup> Legal acts quoted in this report refer, where applicable, to the last amended version.

<sup>3</sup> Council Directive 1999/74/EC of 19 July 1999, laying down minimum standards for the protection of laying hens, OJ L 203 of 3.8.1999, p. 53 (hereafter: Directive 99/74/EC).

<sup>4</sup> Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves, OJ L 340 of 11.12.1991, p. 28 (hereafter: Directive 91/629/EEC).

<sup>5</sup> Council Directive 98/58/EC/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.98, p. 23 (hereafter: Directive 98/58/EC).

<sup>6</sup> Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, OJ L 165 of 30.04.2004, p. 1. Corrected and republished in OJ L 191, 28.5.2004, p.1 (hereafter: Regulation (EC) No. 882/2004)

### Collaboration with other services

Within the Veterinary Services at local level, there is an office for the protection of the environment (*le service des Installations Classées pour la Protection de l'Environnement – ICPE*), which deals with the environmental aspects of applications concerning the construction and refurbishment of livestock buildings. Farmers are obliged to notify any refurbishment to the environmental office. Depending on the environmental impact of the refurbishment, a new authorisation procedure may be required, leading to the drafting of a new prefectural order (*arrêté préfectoral*).

In the *départements* visited during mission 7231/2004 a close collaboration was found between the animal health and welfare office of the veterinary service and the environmental protection office, which helped to ensure that all the infrastructure requirements were met at the time of construction and information was shared, which was useful for selecting holdings for inspection.

- Although there was a certain level of communication between both offices in the two *départements* visited there were not the close procedural links between the two offices as seen in the *départements* visited during the last mission. Changes to the interior of buildings, such as the removal of tethering systems, would not necessarily merit action by the environmental protection office and there was no procedure to provide such information to the animal health and welfare office.

In relation to cross-compliance for support payments to farmers, as required by Articles 3 and 4 of Council Regulation (EC) No 1782/2003<sup>7</sup>, collaboration exists at local level between the Directorate of Agriculture and Forestry (*Direction de l'Agriculture et de la Forêt*), which is in charge of the files concerning the applications, and the Veterinary Services who will carry out the on the spot inspections of the relevant aspects of animal welfare.

- Inspections were performed in 2005 and 2006 regarding animal identification, public and animal health and from 1.1.2007 such controls will, as required, include animal welfare.
- A representative of the local CA indicated that past arrangements where one technician dealt with pigs and was also responsible for the poultry sector, would not provide sufficient resources to deal with the increased demands of administering and carrying out cross-compliance checks.

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<sup>7</sup> Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (OJ L 270, 21.10.2003, p. 1; hereafter: Regulation (EC) No 1782/2003).

## Training

Article 6 of Regulation (EC) No. 882/2004 obliges the CA to ensure that staff receive appropriate training to enable them to undertake their duties competently and keep up to date in their area of competence, with regular additional training as necessary. It was noted that:

- It is necessary for veterinarians to obtain a post-graduate diploma before taking up an official post. This training includes a three day module on animal welfare.
- Technicians, who perform many of the inspections, have undergone two years of training at the National Training Institute of the Ministry of Agriculture, including a general module on animal welfare.
- Refresher courses, validated by the CCA, are available every year for both veterinarians and technicians. These include general courses on animal welfare on farm.
- In response to a recommendation in report 7231/2004, a number of training courses were organised in 2005 by both the CCA and the regional CAs, which focused on the practical aspects of inspections of the minimum standards for laying hens.

## Audits

The CCA indicated that a system of internal audits as required by Article 4 (6) of Regulation (EC) No. 882/2004 has been put in place, but that audits of animal welfare controls have not yet been planned.

### **5.2. Legislation**

The CCA informed the inspection team that the relevant EU legislation has been transposed into national legislation. A review of the national legislation was not performed by the inspection team.

### **5.3. Measures supplementary to inspections**

The CCA has held consultations with producers' organisations on the new legislative requirements through Animal Welfare Advisory Committees (*Comités Consultatifs Santé et Protection Animale*). The sectoral organisations in turn inform their farmers of the requirements.

In both the pig and veal calf sectors, many farmers rear and fatten animals that belong to a production group. One such group had informed pig farmers of the importance of the deadline of 1.1.2007 in relation to support payments becoming conditional on compliance with welfare requirements (Regulation (EC) No 1782/2003, Annex III), and emphasised, among other aspects, the prohibition on sow tethering. However this had led to some confusion in the sector, as certain farmers had understood that they could wait until 1.1.2007 to change such systems, whereas the phasing out of tethers should have already been completed by 1.1.2006 as laid down in legislation (Directive 91/630/EEC, Article 3 (3)).

Article 5a of Directive 91/630/EEC requires training courses, which include welfare standards for pigs, to be available to stock persons. The CCA indicated that:

- Such courses are available through a body (*Institut National du Porc*), which is related to the national federation of pig farmers, and although the CCA are not involved in the organisation of such training, this institute is co-financed by the Ministry of Agriculture, Food, Fisheries and Rural Affairs.
- Articles in specialist magazines provided a source of guidance for the sector.

One such article emphasised the age limits for carrying out mutilations on pigs, and although it was acknowledged that these should not be carried out routinely, the link with the requirement of providing materials to enable proper investigation and manipulation activities, which are required by Directive 91/630/EEC, Annex, Chapter I point 4. Furthermore the article indicated that it is quite possible to imagine new types of equipment, such as metal chains which could meet this requirement, whereas, although it is not necessarily an exhaustive list, only natural materials are suggested in the Directive for this purpose.

#### **5.4. Pigs**

An instruction from the CCA in 2001 requires checks of at least 5% of pig holdings every year, with a minimum of five or, where the number of holdings is high, 30 inspections. The inspection team noted:

- Overall in France the target of 5% was not achieved in 2004 (4.1%) or in 2005 (3.9%).
- In Pas-de-Calais, 6.2% of pig farms were inspected in 2005, but in Somme no inspections were performed during this time. In Somme one technician was responsible for both the pig and poultry sectors and had had other priorities, including checks of laying hens.
- The selection of holdings was performed by the inspectors in charge of each sector. In Pas de Calais the selection included holdings never checked before for animal welfare, geographical location, and, so as to combine with other objectives, holdings with both bovine animals and pigs.

The CCA instruction of 29.8.2005 and checklist for carrying out inspections included, among other aspects, the following issues:

- Buildings where sows were tethered can be converted to individual stalls provided that they are only used for that period of the reproductive cycle when such individual confinement is permitted.
- To exclude the space under the feeding troughs in the calculation of the total unobstructed floor area.

- Where wet feeding systems do not include permanent access to water, it may be regarded as acceptable for water to be distributed several times a day, such that there is always a quantity of water remaining in the animals' drinking trough.
- To verify the implementation of the requirement regarding manipulable material, but without indicating what should be considered as suitable material.
- To check the possibility of isolating sick or injured animals and that care is provided.
- To check the quantity of fibrous food provided to pregnant females.

It was noted that:

- In Pas de Calais the inspector did not use the checklist provided by the CCA and indicated that only if deficiencies were found would any record be made of the inspection. The inspector identified incorrect record keeping for both medicines and mortalities and the inappropriateness of the sick pens used; however, no objective measurements of space allowances were made and did not take obstructions within the pen into account. Information provided by the farmer was used to make this assessment and therefore the finding that weaners and rearing pigs were ca 10% overstocked was missed. Equally, there were no remarks on the lack of manipulable material for all categories of pigs.
- In Somme, all the major deficiencies were identified, including the lack of manipulable material and, although the inspector pointed out that light was insufficient, he had no instruments to measure the light intensity, or noise level (Directive 91/630/EEC, Annex Chapter I, points 1 and 2). He discussed the isolation of sick or injured pigs, but did not specifically mention that, where appropriate, dry comfortable bedding should be provided (Directive 98/58/EC, Annex, point 4). The lack of fresh water available to pigs on wet feeding was not addressed.
- In Somme, limitations on tail docking (Annex to Directive 91/630/EEC, Chapter I, point 8) were discussed, but this practice was justified on the basis that injuries to other pigs have occurred. There was a lack of insistence by the CA that further measures, such as changes to environmental conditions or management systems, should be tried rather than doing this routinely.
- Neither inspector adequately addressed the issue of high-fibre food for pregnant females. One inspector indicated that he had no guidance on what would be an adequate level of fibre in a ration (Directive 91/630/EEC, Article 3 (7)).
- In Pas de Calais in 2005, seven letters had been sent in relation to the use of tethers for sows. One farmer had sent a reply, enclosing information from his integration company, indicating that he believed that it was permissible to wait until 1.1.2007 to change this system. The CA had sent a further letter indicating that this should have been completed by

1.1.2006 and giving a deadline of July 2006 for the necessary work to be carried out (Directive 91/630/EEC, Article 3 (3)).

- In Pas de Calais there were no reports of the other 26 inspections, where deficiencies had been identified. In Somme no inspections had been performed in 2005 in holdings with pigs, and five out of six reports in 2003 and one out of six for 2004 concerning infringements detected, could not be found.

## 5.5. Calves

The inspection programme is based on the CCA instruction from 2001 and, as for pigs, requires at least 5% of holdings to be inspected every year (five holdings minimum, where the number is high, 30). The selection of farms is again made at local level and generally combined with other tasks.

- Overall 7.2% of holdings with veal calves were inspected in 2004 and 9.3% in France in 2005.
- In both *départements* visited, inspections were only programmed for systems producing veal (white meat) and not for other types of holdings with calves. In Somme, the CA indicated that there were 44 dairy farms where calves were retained on the farm, but had concluded that the calves were not at risk and had not therefore scheduled any inspections.
- In Somme no inspections were performed on calf farms in 2005. The CA explained that they had visited their eight veal calf holdings already between 2003 and 2004, as all were carrying out major refurbishments at this time to meet the requirement for group housing. In Pas-de-Calais 5.3% of holdings with veal calves were inspected in 2005, here the CA also counted inspections for which no written report had been made.

In relation to inspections, the CCA has provided a checklist but have not provided much in the way of clarification of the issues concerned. Although the requirement to ensure haemoglobin levels in calves is not included in the checklist provided by the CCA, a note in 2001 requested the local CAs to perform controls at the slaughterhouse on at least one consignment of calves per week on average blood haemoglobin (Directive 91/629/EEC, Annex, point 11).

- Although there was a low response from the local CAs, 44 consignments were checked in two local CAs in 2002 and 214 in 2003, the results showed that 16% and 17% of the respective consignments did not meet the minimum requirement for haemoglobin level. In addition results of farm checks have indicated that there was no or insufficient fibre in 15% of farms visited.
- During the visits, the inspectors were not familiar with the technical parameters for haemoglobin levels and did not get involved in verifying the effectiveness of "own checks" carried out by the sector itself.
- In Somme, the inspector highlighted inadequate hygiene in the milk preparation area and in Pas-de-Calais the inspector identified the main deficiencies concerning the use of individual boxes for calves older than

eight weeks, the late provision of fibre and the lack of bedding for calves younger than two weeks.

- Certain calves were as young as three days of age when transported from the farm of origin and while the current legislation forbids the transport of young animals where the navel is not completely healed (Directive 91/628/EEC<sup>8</sup>, Annex, Chapter I (A)(1)), such restrictions will be reinforced when, for the commercial transport of calves on journeys over 100 km, an actual age limit of 10 days will enter into force on 5.1.2007 (Regulation 1/2005<sup>9</sup> Annex I, Chapter I 2 (e)).
- In Pas-de-Calais oral warnings had been given for deficiencies such as the lack of an alarm for ventilation systems and inadequate medicine registers, while written warnings had been issued for cases where muzzled calves and insufficient light had been found.

## 5.6. Laying hens

The inspection programme is again based on the CCA instruction from 2001 (at least 5% of holdings, five minimum, 30 where number high). The selection of farms is again made at local level and generally combined within an animal health programme (*charte sanitaire*) when a general assessment of welfare conditions was made and which allowed some targeting of more detailed checks.

- Overall in France the target of 5% has been surpassed in 2004 (17%) and in 2005 (25.4%).
- In Pas-de-Calais 40% of laying hen farms were inspected in 2005. In Somme 9.8% of holdings with laying hens were inspected.

In reply to recommendations in report 7231/2004 training was organised by both central and regional levels of the CA in 2005, which focused on the practical aspects of inspections. In relation to the risk that cage systems would be brought into use after the deadline of 1.1.2003, the CCA issued an instruction to the local CAs to be vigilant on this aspect and consequently indicated that one such case had been detected in 2005 in an overseas *département*. In relation to the recommendation concerning the use of blinkers piercing the nasal septum, the CCA issued a note on 25.4.2005 reminding the local CAs that this procedure is forbidden by national and community legislation. A further instruction issued on 20.2.2006 provided clarifications of legal requirements, which amongst others, highlighted:

- The features of a perch, such that it must be raised above the floor and cannot be placed above the littered area, and that the rim of feeding troughs cannot be considered as a perch.

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<sup>8</sup> Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Council Directives 90/425/EEC and 91/496/EEC, OJ L 340 11.12.1991, p. 17

<sup>9</sup> Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, OJ L 3 of 5.1.2005, p. 1 (hereafter: Regulation (EC) No 1/2005).

- In alternative systems, usable area can include the roof of the nests, the space below the nests and drinking and feeding equipment provided that the requirements for slope, minimum height and width are respected.

This guidance also contained many pictures and technical drawings of the different rearing systems.

During the visits, inspections were performed competently and all requirements were checked.

- In Pas-de-Calais, overstocking in a holding with enriched cages had been identified; however the inspector had not taken into account that nesting area shall not be regarded as usable area (Directive 99/74/EC, Article 2 (2)(d)) and therefore the level of overstocking had been underestimated and further reduction in numbers or altering of the cage design was required. It was also noted that the floor of the nest area was the same as the rest of the cage a plastic coated mesh, which meets the minimum requirements (Directive 99/74/EC, Article 2 (2)(b))
- An oral warning had been given for multiple deficiencies on a holding in Somme where insufficient feeders, insufficient perches and the use of penetrating blinkers had been detected in 2005. This holding had initially been randomly selected by the inspection team for a visit, but was replaced by another as the local CA informed the team that there were no birds present during the week of the mission. Oral warnings had generally been given for common deficiencies such as lack of claw shortening devices or an alarm for ventilation systems. From 2006 written warnings are starting to be given for such deficiencies.
- The local CA in Somme and a flock-keeper in Pas-de-Calais explained that forced moulting, mainly brought about by feed restriction, is performed particularly by smaller producers.

## 5.7. Reporting

Commission Decision 2000/50/EC<sup>10</sup> requires Member States to report to the Commission every two years on the results of inspections of holdings with pigs, calves and laying hens. A recommendation in report 7231/2004 asked the CCA to address the low rate of reply from the local CAs in providing this information. The CCA subsequently sent reminders to local CAs and the number of *departments* replying has increased steadily reaching 75% in 2005 and 100% in 2006. It was noted that:

- The CCA have automated the system for collecting data, introducing an electronic format for reporting. The information from the inspection checklists is entered by each local CA into a list of the specific requirements of Directives 98/58/EC, 91/629/EEC, 91/630/EEC and 99/74/EC. Infringements, which correspond to the text of Decision

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<sup>10</sup> Commission Decision 2000/50/EC of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes OJ L 19, 25.01.2000, p. 51 (hereafter: Decision 2000/50/EC).

2000/50/EC, are automatically filled into another table, which has the same format as the Annex to this Decision; however, infringements of the other species specific requirements related to calves and pigs are not entered in this table. Artt. 7.3 of Directives 91/629/EEC and 91/630/EEC requires such results to be communicated to the Commission every two years.

- In addition to providing the report to the Commission, the CCA carry out a comprehensive analysis of the data and provide the local CAs with feedback on the overall results and suggest areas for future action.

The CCA indicated that a national database for the collection of all data concerning livestock holdings (*Système d'Information Généralisé de la Direction Générale Alimentation - SIGAL*) is in ongoing development. The CCA pointed out that when the system will be fully operative, it will also record the results of animal welfare inspections and will provide inspectors with complete information, including historical data, of each holding, helping with the targeting of inspections.

## 6. CONCLUSIONS

### 6.1. Competent Authority

- (1) As there is limited exchange of information between the environmental office and the animal health and welfare office, changes to housing systems, such as the replacement of tethering systems for pigs, are not evaluated in relation to animal welfare requirements, and an opportunity is missed to ensure that an adequate infrastructure is in place at the time new accommodation is constructed.
- (2) The development of protocols to deal with cross-compliance issues (Regulation (EC) No. 1782/2003, Articles 3, 4) should enhance the priority within the administration given to animal welfare issues. The local level is reviewing their system of inspections in relation to this extra work, as currently resources have not always been adequate.
- (3) The system of training of inspectors is well established (Article 6 of Regulation (EC) No. 882/2004). Following mission 7231/2004, additional training on inspection of holdings with laying hens resulted in better inspections in this sector in comparison to those of pig or calf holdings where no specific training has been provided.
- (4) Risk analysis has not yet been integrated into the system of inspection as required by Article 3 of Regulation (EC) No. 882/2004.
- (5) The procedures laid down by the CCA are not always followed, as checklists were not always used, reports were not written or filed and follow-up actions were missing. Internal audits of animal welfare controls have not yet been planned (Regulation (EC) No. 882/2004 Article 4 (6)), although these would assist in achieving better compliance with these aspects.

## **6.2. Measures supplementary to farm inspections**

The CCA is aware that training courses are available and that guidance has been given to pig stockpersons, and the local CA have reacted to clarify certain misunderstandings within the sector relating to legal requirements. However, the CCA has not always ensured that the focus of training and guidance (Article 5a of Directive 91/630/EEC) includes all the provisions of the Annex to this Directive, in particular to insist on greater efforts to avoid routine mutilations (Directive 91/630/EEC, Annex, Chapter I, point 8) and to provide materials for proper investigation and manipulation (Directive 91/630/EEC, Annex, Chapter I, point 4).

## **6.3. Holdings with pigs**

- (1) The CA inspection target of 5% of holdings each year does not necessarily ensure a representative sample of the farming systems (Directive 91/630/EEC, Article 7), as the sample is sometimes biased due to the procedure for selection at local level. In addition, the number of checks carried out is 25% below the national target, as, although some local CAs are achieving their target, others have not given this adequate priority or resource.
- (2) The checklist provided was quite comprehensive and clarifications had been provided on several issues. Although the CCA's clarification that distribution of water several times a day, such that a quantity of water was always available, in theory complies with Directive 91/630/EEC, Annex, Chapter I, point 7, there were problems achieving this in practice, especially in wet feeding systems. Also since inspections are based on the guidelines provided, the suitability of material for manipulation, the action to take when mutilations, such as tail docking, were carried out routinely and the adequacy of fibre in rations for dry sows (Directive 91/630/EEC, Annex, Chapter I, point 4, point 8 and Article 3 (7) respectively) were not adequately addressed. Finally, although the checklist draws attention to the care of sick or injured animals, the provision of dry comfortable bedding was not emphasised, as this is not specifically mentioned in the guidance (Directive 98/58/EC, Annex, point 4).
- (3) Where the checklist provided was not followed there was a failure to detect some basic deficiencies such as insufficient space allowances.
- (4) As, in several cases where deficiencies had been found, written reports were not made, or could not be produced, this does not comply with Article 54 (3) of Regulation (EC) No. 882/2004 regarding written notification of infringements, and also reduces the validity of the reported results (Decision 2000/50/EC).

## **6.4. Holdings with calves**

- (1) Only holdings producing veal (white meat) calves have been included in the selection of holdings for inspection, which does not meet the requirements for a statistically representative sample of the different rearing/farming systems (Directive 91/629/EEC, Article 7).

- (2) Apart from the checklist, the CCA has not provided much clarification or guidance on the issues concerned and, as a result, the local CA are not sufficiently expert in assessing haemoglobin levels, or defining what constitutes fibrous food (Directive 91/629/EEC, Annex, point 11). Haemoglobin levels at slaughter and previous farm checks indicate that problems with the provision of fibrous food and low levels of haemoglobin are not insignificant.
- (3) The lack of bedding for calves of less than two weeks of age was readily identified by the local CA, but this is a recurring deficiency as the housing systems have not been designed to incorporate bedding. The implementation of Regulation 1/2005, which sets a limit of 10 days for the transport of calves on journeys up to 100 km should go some way to resolving this problem from the beginning of next year.
- (4) Although not all deficiencies are accompanied by a written report, this is done for more serious problems such as muzzling of calves and insufficient light.

#### **6.5. Holdings with laying hens**

- (1) The target for checks has been surpassed, as recently a high priority has been given to controls of this sector and the recommendations in report 7231/2004 have been well followed-up, with more training and guidance resulting in better inspections.
- (2) The clarification of a perch, as an installation raised above the floor, is in line with Article 4 (1) (1) (d) of Directive 99/74/EC and also takes into consideration the recommendation of the Council of Europe on this issue.
- (3) In relation to enriched cages, as guidance from the CCA had not specifically indicated that nesting area should not be included as usable area (Directive 99/74/EC, Article 2(2)(d)), the maximum capacity of such cages had not been correctly established and overstocking had been permitted.
- (4) The means of bringing about forced moulting, although performed on some small scale farms, does not meet the requirements for a diet which maintains the birds in good health (Directive 98/58/EC, Annex, point 14).
- (5) Written warnings are starting to be given when deficiencies are detected, which complies with Article 54 (3) of Regulation (EC) No. 882/2004.

#### **6.6. Reporting**

- (1) The CCA actions, following the recommendation in report 7231/2004, have been effective in ensuring that the local CAs have provided information on the results of inspections (Decision 2000/50/EC).

- (2) The current system of collecting data, whereby infringements and actions taken relevant to the text in Decision 2000/50/EC will be sent to the Commission, fulfils the requirements of this Decision; however this would not meet the requirements to provide the results of inspections of the species specific requirements (Directive 91/630/EEC Article 7 (3), Directive 91/629/EEC Article 7 (3)).
- (3) The comprehensive analysis of the data and the provision of feedback to the local CAs are additional to EU requirements and provide the CCA with a good picture of the issues involved and allows guidelines to be developed accordingly. It also ensures that the local CAs have a better picture of the overall level of compliance.

### **6.7. Overall conclusion**

The CCA have further enhanced their system of control from that in place at the time of the previous FVO mission. Regarding laying hens, the CCA have addressed the recommendations in report 7231/2004, with better inspections as a result. Regarding instructions and training, those relevant to laying hens were more precise and thorough than those for checks of holdings with pigs or calves.

Although the documentation of infringements is improving, procedures were not always sufficient to ensure that corrective actions were taken. Major enhancements have been made to the reporting system, and the provision of feedback on the results to the local level is an initiative which goes beyond EU requirements, which encourages more consistent inspections and enforcement actions. However, the current format for summarising the results for the report to the Commission would not provide all the information required concerning the species specific requirements of EU legislation.

## **7. CLOSING MEETING**

A closing meeting was held on 2006 with the CCA. At this meeting the FVO inspection team presented the main findings and conclusions. The CCA did not indicate any disagreement with the findings presented, and indicated that the reporting database was due to be further refined and would eventually be replaced with a more comprehensive system which would deal with the different inspection tasks of the Veterinary Services and be a source of detailed information on each sector to the inspectors. The CCA also indicated that a comprehensive *vade mecum* for inspections was in preparation and should be available in 2007 and that this would provide clarifications on many of the issues raised including follow-up actions.

## **8. RECOMMENDATIONS**

### **To the competent authorities of France**

Within 25 working days of receipt of the report, the Competent Authorities are requested to present a plan of actions, including a timetable for their completion, to address the following recommendations.

The CCA should ensure that measures are taken so that:

- (1) Training courses for pig stockpersons focus on welfare aspects (Directive 91/630/EEC, Article 5a (2)).
- (2) In relation to the organisation of inspections
  - (a) Sufficient training and guidance is provided to inspectors (Regulation (EC) No 882/2004, Article 6 and 8), particularly on those requirements where it was demonstrated that further clarification was needed to enable a practical assessment to be made.
  - (b) Inspections of pig and calf holdings are planned both on the basis of risk (Regulation (EC) No 882/2004, Article 3) and to provide a statistically representative sample of the different farming systems (Directive 91/630/EEC, Article 7).
  - (c) There is efficient and effective co-ordination of inspection bodies (Regulation (EC) No 882/2004, Article 4(3))
  - (d) Internal audits of animal welfare controls are planned (Regulation (EC) No 882/2004, Article 4(6))
- (3) During inspections:
  - (a) Adequate assessment is made of all the requirements of Directives 91/629/EEC, 91/630/EEC, 98/58/EC and 99/74/EC and
  - (b) Where deficiencies are detected, written notification for corrective action is made (Regulation (EC) No 882/2004 Article 54 (3)).
- (4) To provide every two years to the Commission services, the results of inspections of the requirements for calves and pigs which are additional to those specified in Decision 2000/50/EC (Directive 91/630/EEC Article 7 (3)).

## **9. COMPETENT AUTHORITY'S RESPONSE TO THE RECOMMENDATIONS**

The competent authority's response to the recommendations can be found at: [http://ec.europa.eu/food/fvo/ap/ap\\_france\\_8045\\_2006.pdf](http://ec.europa.eu/food/fvo/ap/ap_france_8045_2006.pdf)