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**FINAL REPORT OF A MISSION
CARRIED OUT IN HUNGARY FROM 23 TO 27 APRIL 2007
IN ORDER TO ASSESS THE SYSTEM OF CONTROLS
ON ANIMAL WELFARE DURING TRANSPORT
AND AT SLAUGHTER**



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EXECUTIVE SUMMARY

This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Hungary, from 23 to 27 April 2007.

The objectives of the mission were to evaluate the measures taken to ensure the implementation of the requirements for animal welfare at the time of slaughter and killing and certain aspects of animal welfare during transport and how checks of these requirements had been integrated with the requirements for control laid down in Regulation (EC) No 882/2004 of the European Parliament and Council. In addition, a follow-up of the recommendations made in report 7237/2004 regarding slaughter was carried out.

The report concludes that a more comprehensive system of inspection for animal welfare during transport and at slaughter has been developed since report 7237/2004. Although the CA is at an advanced stage in implementing the significant requirement for training all transport personnel, which was introduced by Regulation (EC) No 1/2005, the requirements for vehicles to be suitably approved is somewhat behind. The training of CA staff which has taken place has increased awareness on many issues; however, this has not been sufficiently practical to improve the quality of inspections. The performance of joint inspections by the county CA together with the Official Veterinarians has been an effective measure to improve the quality of inspections in slaughterhouses. The procedures already developed are promoting more consistent and competent checks; however these are not yet comprehensive and on one specific issue, the transport of unfit animals, are at odds with the EU provisions.

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

1. INTRODUCTION

The mission took place in Hungary from 23 to 27 April 2007. The mission team comprised three inspectors from the Food and Veterinary Office (FVO). The inspection team was accompanied during the whole mission by representatives from the Central Competent Authority (hereafter: CCA).

The mission was undertaken as part of the FVO's planned mission programme. An opening meeting was held on 23 April 2007 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 objectives of the mission were to evaluate the measures taken to implement the requirements for animal welfare at the time of slaughter and killing from Council Directive 93/119/EC^{1,2}, certain aspects of animal welfare during transport from Council Regulation (EC) No 1/2005³ and how checks of these requirements had been integrated with the requirements for control laid down in Regulation (EC) No 882/2004 of the European Parliament and Council⁴. In addition, a follow-up of the recommendations made in report DG/(SANCO)/7237/2004 was carried out. In pursuit of these objectives, the following sites were visited:

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and final meetings with the CCA were also attended by officials from the county CA.
	Regional (County)	2	The county offices of Csongrád and Bács-Kiskun.
Slaughterhouses		3	Two for ducks and one for pigs.
Assembly centre		1	Where horses were grouped together to form a consignment prior to transport for slaughter in Italy.

¹ All legal references in this report refer, where applicable, to the latest amended version.

² Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing, OJ L 340, 31.12.1993, p 21 (hereafter: Directive 93/119/EC).

³ 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.

⁴ 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, 30.04.2004 corrected and republished in OJ L 191, 28.05.2004, p.1, (hereafter: Regulation (EC) No 882/2004)

3. LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular: Article 14 of Directive 93/119/EC, Article 28 of Regulation (EC) No 1/2005 and Article 45 of Regulation (EC) No 882/2004.

4. BACKGROUND

A previous FVO mission covering animal welfare during transport and at slaughter was carried out in 2004 (DG/(SANCO)/7237/2004). Other FVO missions, which covered a broader scope but included some aspects of animal welfare during transport and at slaughter were carried out in 2005 (ref: 7619/2005) and in 2006 (ref: 8150/2006 and 8209/2006). The reports of these missions are available under their reference number on the DG Health and Consumer Protection website http://ec.europa.eu/food/fvo/ir_search_en.cfm

Report 7237/2004 concluded that animal welfare checks both at departure and at arrival were insufficient. In relation to welfare at slaughter, although checks were largely satisfactory, inappropriate handling of animals had been tolerated by OV's.

Report 8150/2006 indicated that route plans had been approved without prior verification of the journey times and that there was no procedure in place to ensure the return of the route plans after the completion of the journey.

5. MAIN FINDINGS

5.1. Competent authority

The organisation of the Competent Authorities (hereafter: CA) and how this generally applies to animal welfare controls is described in a country profile on Hungary (DG(SANCO)/8284/2006). This report is available on the DG SANCO website: http://ec.europa.eu/food/fvo/country_profiles_en.cfm.

The following changes have taken place after the publication of the country profile 8284/2006:

- From January 2007 the CCA is the Central Animal Health and Food Control Service. Within this service, tasks and responsibilities have been split between the Department of Food Chain Safety, Animal and Plant Health and the Central Agricultural Office. The first is responsible for developing strategies, finalising draft legislation and coordinating international relations; the second is in charge of drafting legislation, executive tasks such as supervising the activities of the counties, collating and reporting on the results of inspections.
- Audit units have been established in both sections of the CCA. The audit unit within the Agricultural Office reports directly to the deputy chairman of the Central Agricultural Office.

5.1.1. Coordination and cooperation between Competent Authorities

Monthly meetings are organised between the CCA and the county CAs at a national level and between county level and local CAs. In relation to coordination and cooperation on controls of the transport of animals it was noted that:

- The CCA and the Ministry of Economy and Transport were jointly responsible for the national legislation transposing Council Directive 91/628/EEC⁵. As this Directive has been repealed from 5.1.2007, when Regulation (EC) No 1/2005 entered into force, the national legislation should also have been repealed. However, there has been a delay in achieving this as although the CCA have proposed legal changes there has been a halt in this process at the other Ministry, and the national legislation transposing Directive 91/628/EEC remains in force. Co-operation between the two Ministries is also necessary to formally designate the CAs responsible for implementing Regulation (EC) No 1/2005.
- Co-operation with the Road Transport Inspectorate of the Ministry of Economy and Transport is being considered by the CCA, in particular regarding the technical approval of vehicles whereby this Inspectorate might be involved in assessing certain requirements such as a vehicle's navigation system (Article 6(9) of Regulation (EC) No 1/2005).
- The role of contact point, as required by Article 24(2) of Regulation (EC) No 1/2005, has been designated to two CCA staff who are responsible for the exchange of information with other Member States; however, several incidents were reported to the mission team during the mission which occurred since this Regulation came into force and which were not communicated to this contact point. Only one letter informing another Member State of deficiencies detected was produced, and this was the more conventional format where the issue was addressed to the Chief Veterinary Officer of the other Member State.
- Mobile inspections teams which carry out multipurpose roadside checks have been organised in co-operation with the Police and the Customs and Excise Service in several counties. Each team which includes an Official Veterinarian (hereafter: OV) are now organised so that the OV is on call for any request where roadside checks require veterinary expertise. In 2006 following the outbreaks of Avian Influenza in Hungary and in nearby Countries nearly 100 roadside checks were performed.

5.1.2. Training of CA staff

Article 6 of Regulation (EC) No 882/2004 and Article 16 of Regulation (EC) No 1/2005 require that CA staff receive appropriate training to carry out

⁵ Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC, OJ L 340 of 11.12.1991, p. 17.

controls. In the first and last quarter of 2006 and again in March 2007 the CCA organised training for the county officials on the transport of animals. Legislative requirements introduced from 5.1.2007 by Regulation (EC) No 1/2005 were explained and in March 2007, in anticipation of this mission, attention was also given to the legal requirements of Directive 93/119/EC. The last training organised for staff in relation to animal welfare at slaughter had been provided during the second half of 2005. The training material seen indicated that training had not extended to the more practical implementation of many of the legal issues.

Both county CAs had also organised training for their officials:

- In Bacs Kiskun requirements for journeys of more or less than eight hours were explained, which was the subject of a recommendation in report 7237/2004. However the OV at the assembly centre was not aware of many of the requirements introduced by Regulation (EC) No 1/2005.
- In Csongrád although training had taken place, there was a lack of understanding of certain requirements introduced by Regulation (EC) No 1/2005, such as for temperature monitoring equipment and the limitations of TRACES⁶ in relation to the control of journey logs.

5.2. Legislation

A comprehensive check of national legislation was not carried out; however, during the evaluation of the control systems for animal welfare, it was noted that:

- Article 7 of Directive 93/119/EC requires persons engaged in the movement, lairaging, restraint, stunning, slaughter or killing of animals to have the knowledge and skill necessary to perform these tasks humanely and efficiently. Decree 9/1999.(I.27.)FVM, which transposes Directive 93/119/EC, further defines this requirement as it requires slaughterhouse staff to be trained for handling live animals and to have documentary evidence of this. In both counties visited the OVs had checked that this requirement had been met.
- The CCA indicated that OVs do not have legal powers to request and check a driver's tachograph. Article 16 of Regulation (EC) No 1/2005 requires the CA staff are duly trained and equipped to check data recorded by the recording equipment for road transport. Article 21(2) of Regulation (EC) No 1/2005 requires that such documentation is checked and kept at BIPs and exit points. In addition Articles 4(2)(e) and 8(2) of Regulation (EC) No 882/2004 require that staff performing official controls have the legal powers permitting them to access premises and documentation kept by the operator.

⁶ TRACES Trade Control and Expert system

5.3. Animal welfare during transport

5.3.1. Authorisation of transporters

Regulation (EC) No 1/2005 introduced new requirements for the authorisation of transporters, such as the compulsory training of personnel (Articles 6(5) and 9(2)(a)) and the approval of the means of transport (Article 18). In relation to the training of personnel it was noted that:

- Both requirements were already compulsory in the previous Hungarian national legislation.
- Training courses for transporters have been available since 2001, and in both counties visited the majority of transporters, drivers and assembly centre staff have attended such courses. The training courses are organised by the county CAs with lecturers from the CA and from agriculture schools. Video material was included in the practical demonstrations. Certificates of competence had already been issued to those who took part, which means that the CA is well on its way to meeting the deadline for achieving this by 5.1.2008, as required by Article 6(5) of Regulation (EC) No 1/2005 together with Article 37.

In relation to the approval of the means of transport:

- The local CA continue to use checklists based on the previous legislation when approving vehicles, although these did not include the requirements introduced by Chapter VI of Annex I to Regulation (EC) No 1/2005. The truck and trailer seen at the assembly centre, which had been approved by another county CA, did not have a light coloured roof or a temperature monitoring system and no assessment had been made of the capacity of the ventilation system.
- Although the checklist used for approval did highlight the need to check the possibility for watering, there were only four movable pouches for 21 horses in the vehicle at the assembly centre. Regulation (EC) No 1/2005, Annex I Chapter VI, 2.1 requires the possibility to provide water instantly so that each animal has access to water and point 2.3 requires the water tanks to be connected to drinking devices within the compartments. Similarly the partitions, which were chains fitted with rubber sheets, had been considered satisfactory although these were too low to adequately separate the bodies of the horses and were not of a suitable design to avoid injury to the animals, contrary to Article 3 (c) of Regulation (EC) No 1/2005. The ramp was also 50% steeper than the 20° required by Regulation (EC) No 1/2005 Annex I Chapter III(1.4)(a). Despite these shortcomings, the vehicle had been approved by the CA.
- There was a database at county level of transporters, but there was no database for the approval of vehicles. One transporter appeared with different addresses in Italy, Hungary and Croatia in a number of journey logs and certificates. Although the CA did not have a system to verify whether the owner of a means of transport had received an authorisation elsewhere, they are in the process of normalising the data from the counties in order to establish a database at national level, as required by

Article 13(4) of Regulation (EC) No 1/2005, which will be published on the internet.

5.3.2. Information and instructions for transport checks

Article 8 of Regulation (EC) No 882/2004 requires that official controls are carried out in accordance with documented procedures, which must contain information and instructions for staff performing official controls.

On 13.04.2007 (two weeks before the mission) the CCA issued guidance on Regulation (EC) No 1/2005, formalising the instructions given during a national meeting held in March 2007. This guidance provides clarification on certain issues of the Regulation and provides further information on the organisation of checks, the fitness of animals for transport, assessment of loading density, verification of journey times, the system of sanctions and the reporting of the outcome of checks. The CCA indicated that this guidance was to be complemented with checklists for inspection, which were under revision.

The mission team noted that although in relation to the fitness of animals for transport the guidance indicated that, as laid down in Regulation (EC) No 1/2005 Annex I Chapter I, it is prohibited to transport seriously injured animals, it goes on to indicate that a veterinarian can authorise the transport of such animals for emergency slaughter; an exemption not provided by Article 3 of Regulation (EC) No 1/2005. Although the CCA indicated that cases which could not be transported were emphasised during training courses, no documentation to support this was presented to the mission team.

5.3.3. Checks of animal welfare during transport

The guidance from April 2007 indicates that:

- 0.5% of checks must be carried out with a specific checklist, and must be risk-based.
- The checks should be carried out at certain locations (such as assembly centres and certain roads) and on certain consignments (such as horse, cattle and sheep to Italy), in particular at certain times of the year (seasonal peaks in trade).
- 10% of those inspections made with a checklist must be on these higher risk consignments.

Checks at departure

In response to a recommendation in report 7237/2004 on journey times, the CCA indicated that a procedure for the control of route plans had been put in place. A recommendation was again made on this issue in report 8150/2006 and the CCA reminded the county CAs of the requirements. In relation to the system for documents accompanying long distance transport from 5.1.2007, where route plans have been replaced with journey logs, it was noted that:

- A system to verify journey times had been proposed with the guidance of 13.04.2007.

- Journey logs were not returned to the CA of Csongrád county, contrary to point 8 of Annex II of Regulation (EC) No 1/2005. In Bacs Kiskun county most journey logs were returned by the transporters; however no checks had been made on these documents and two out of three examined by the mission team did not indicate any rest periods for the transport of cattle and horses on long distance journeys. Journey logs had been approved by the CA before the journey although section I of the log lacked certain required information, contrary to Article 14(1) of Regulation (EC) No 1/2005.
- The CA considered the assembly centre as a place of departure for long distance journeys; however, there was no evidence that horses which came from holdings more than 100 km away had been accommodated and watered for at least six hours prior to departure, as required by Article 2 (r) (ii) of Regulation (EC) No 1/2005. In any case, many of the horses were only offered water individually by an attendant carrying a bucket, which would not meet the requirement for them to be watered during the period of accommodation, or the requirement of point 1.10 of chapter III of Annex I of Regulation (EC) No 1/2005 for animals at an assembly centre to have access to water.
- Hot-branding had been used to identify the horses prior to their departure from the holding of origin. This is a mutilation which according to point 19 of Directive 98/58/EC is left to national measures. The practice of hot-branding horses is permitted in Hungary.
- There was evidence of slight injuries to the skin on the nose of several horses which had been fitted with halters made of inappropriate string or nylon material. These injuries were likely to worsen during transport as the horses were tied up for the entire journey. This would not comply with point 1.11(c) of chapter III of Annex I of Regulation (EC) No 1/2005 which requires arrangements for tying to be designed in such a way that they do not give rise to any injury.
- Previous consignments regularly included 22 horses; there were 21 on the day of the visit. 22 was one horse more than allowed by the space allowances laid down in Chapter VII of Annex I to Regulation (EC) No 1/2005.
- The type of partitions used did not create individual stalls, in particular they did not adequately separate stallions from neighbouring horses, to which they were hostile, contrary to paragraph 1.12 of Chapter III of Annex I to Regulation (EC) No 1/2005.

Checks during transport

- The CCA indicated that no deficiencies in relation to animal welfare had been detected during the checks performed by the mobile teams.
- Deficiencies had been detected recently at Röske Hatar border inspection post concerning a consignment of pigs from Greece. This consignment, transiting through Macedonia and Serbia, lacked a journey log, the mortality rate was 12.6% and the CA estimated that the journey

would have taken 43 hours. Further checks were made at the slaughterhouse of destination and procedures to impose a fine were initiated against the Hungarian transporter. Although a contact person for mutual assistance and exchange of information between MSs had been established in the CCA, as required by Article 24 of Regulation (EC) No 1/2005 they had not been informed of this incident.

Checks at destination (slaughterhouses)

According to the information provided by the CCA OV's supervise unloading of animals at slaughterhouses as part of the *ante mortem* inspections, except when animals arrive outside working hours. It was noted that:

- The inspection checklists for poultry slaughterhouses included a limited number of questions on transport issues but did not specifically highlight the need to check the removal of the birds from the cages. Although the handling was done in an overall acceptable manner, the design of the transport crates at one slaughterhouse, where the door had to be opened inwards, a large metal ring projected from the roof of the cage, and the birds from the bottom row of cages were pulled across the upwardly projecting metal lip of the cage, did not comply with point 1.1 of Chapter II of Annex I to Regulation (EC) No 1/2005, which requires such equipment to be designed so that it does not give rise to any injury or suffering. The OV indicated that these cages had to be phased out, but this issue had not been recorded in the inspection reports or any notification given to the slaughterhouse operator. In this slaughterhouse there were no written records that checks of transport conditions had been performed.
- No deficiencies had been recorded regarding transport at the other slaughterhouse. However crates on the vehicle were insufficiently spaced to provide adequate ventilation, contrary to point 2.6 of Chapter III of Annex I to Regulation (EC) No 1/2005, and these *foie gras* ducks were already in some respiratory distress. In neither slaughterhouse was the height of the crates used for the transport of ducks sufficient to allow the birds to stand in their natural position, contrary to the requirements of point 1.2 of Chapter II of Annex I to Regulation (EC) No 1/2005.
- In the pig slaughterhouse, the OV had notified the slaughterhouse operator in 2006 of inadequate handling of injured animals, which were being suspended in order to remove them from the truck and were only stunned and killed after they had been hoisted from the truck. The slaughterhouse operator had then put a system in place to transport animals from the unloading area to the emergency slaughter hall by forklift truck. Subsequently the OV had not reported any problem with this arrangement, until a recent inspection made jointly with the county CA highlighted that injured pigs were being dragged out of the truck by the tail or by the ears to be loaded onto the forklift truck, contrary to point 1.8 (d) of Chapter III of Annex I of Regulation (EC) No 1/2005. The OV explained that the slaughtermen were not able to stun and kill the animals on the truck for health and safety reasons, which meant that the animals had to be first removed from the vehicle.

- When consignments from other Member States arrived at the pig slaughterhouse with dead and injured animals, the information was recorded in an internal register, but the specific section of the journey log was not filled in as required by Annex II(4) of Regulation (EC) No 1/2005. Follow-up action had not yet been initiated regarding a consignment from Poland which had arrived three weeks earlier with 13% dead on arrival or requiring emergency slaughter. Following an earlier case where there had been problems due to a delay during the journey, the OV had involved the slaughterhouse operator who had got in contact with the supplier; however, the other levels of the CA were not notified so no written notification was sent to the CA of the country of origin, contrary to Article 26 of Regulation (EC) No 1/2005. The OV indicated that he only notifies the other parts of the CA if a cause can be identified.
- The local CAs and the county CAs send the figures concerning the checks on transport performed to the CCA each year. The CCA indicated that if there are deficiencies, these are reported informally case by case and also discussed at annual meetings. In both counties visited no infringements had been reported in 2005 and 2006.

5.4. Welfare at slaughter

National legislation transposing Directive 93/119/EC requires that inspections in slaughterhouses are performed at least once a year by the county CA, using the checklists issued by the CCA. Specific checklists for inspections in poultry and red meat slaughterhouses had been completed at least annually. From a number of completed checklists seen, including those for slaughterhouses not visited during the mission, and from the visits made it was noted that:

- On several occasions comments had been made at the end of the checklist but the deficiencies detected had not been recorded as such in the relevant box in the checklist. The CCA indicated that if there are deficiencies, these are reported informally case by case and also at annual meetings. The results of inspections are not reported in writing as requested by Article 9 of Regulation (EC) No 882/2004.
- In the pig slaughterhouse visited most pigs were lairaged for a number of hours before slaughter and those who were accommodated for more than 12 hours were not fed, contrary to the requirement of Directive 93/119/EC Annex A Part II (9). The OV and the county official had not indicated this as an irregularity in the checklists of the inspections performed in 2006 and in 2007.
- Handling of animals within the slaughterhouses was generally good; although it was the mission team who highlighted that large ducks, which had been shackled, were colliding with those in the crates below. Immediate corrective action was taken in this case. In the pig slaughterhouse the CA had not been detected that electric goads connected to the mains supply were inappropriately used, contrary to paragraph 3 of Part II of Annex A to Directive 93/119/EC.

- A more comprehensive guidance on the requirements of Directive 93/119/EC is currently being prepared by the CCA; however, the official responsible for animal welfare in the CCA was not aware that guidance issued in 2006 by the Unit of the CCA responsible for food safety on the implementation of Regulation (EC) No 853/2004⁷ included the electrical parameters for water bath stunning of poultry. Directive 93/119/EC Annex C, II (3) B (1) indicates that, the strength and duration of the current used for stunning poultry will be determined by the competent authority.
- The OVs in the slaughterhouses visited stated that the minimum amperage indicated in the guidance was too high and that account needed to be taken not only of the species but of the category and weight of bird as well as seasonal conditions. In both poultry slaughterhouses the records concerning the electrical parameters recorded by the slaughterhouse operators differed from those recorded by the OVs. In Csongrád the OV had not previously noted these major discrepancies and had simply recorded that the slaughterhouse staff had documented the stunning parameters. It is a general obligation with regard to official controls that the CA take into account the reliability of any own checks that have been carried out (Regulation (EC) No 882/2004 Article 3 1(c)). In the poultry slaughterhouse in Bacs Kiskun the OV stated that the electrical parameters noted on the checklist were those which should have been achieved and not those actually delivered. There were other discrepancies, as the date indicated on one checklist was during a period when the slaughterhouse was not operational. In this slaughterhouse the stunning of ducks was not effective as 10% of the birds needed a backup stun. This backup had been initiated after a recent inspection made by the county CA. The mission team noted that, although this had not been detected by the CA, many birds received pre-stun shocks.
- Copies of completed checklists were routinely given to the Slaughterhouse operators in Bacs Kiskun, whereas in Csongrád the CA indicated that they would only inform the Slaughterhouse operator when corrective actions were needed; no deficiencies had been recorded for slaughterhouses in this county. Article 9 of Regulation (EC) No 882/2004 requires the CA to draw up reports of its inspection activities and provide a copy to the Slaughterhouse operator.

5.5. Killing of animals for disease control purposes

National contingency plans for epizootic diseases include the description of the methods of killing. The plan for avian influenza contains a specific section where for each of the methods listed there is practical guidance. In 2006 certain counties of Hungary experienced several outbreaks of Avian Influenza and in Bacs Kiskun one million birds were killed in five weeks (200 backyard flocks and 420 commercial flocks and 98% of these were ducks and geese). The killing was carried out mostly with carbon dioxide

⁷ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin OJ L 139, 30.04.2004, p. 55. Corrected and republished in OJ L 226, 25.06.2004, p. 22.

(CO₂) introduced into sealable containers provided by rendering plants. Purpose built vehicles with conveyor systems and a gas chamber were also tried out and in 2007 four more are going to be put in place. Regarding these it was noted that:

- These units use a mixture of argon or nitrogen (N₂) and CO₂, which is less aversive to the animals than using CO₂ on its own. Although this method of killing is not prescribed in Annex C to Directive 93/119/EC, Annex E allows to authorise other methods of killing.
- The maximum load of animals which can be killed at the same time is laid down and decreases from 300 piglets of 10 kg to 30 pigs heavier than 110 kg. However there is no guidance on how animals should be handled; particularly in relation to which conveyor is used to access the chamber. Smaller animals could escape from the conveyor at the side of the vehicle.
- The CA indicated the mixture of gases which could be used 18% CO₂ and 82% argon or N₂; alternatively 12% CO₂ and 88% argon or N₂. However the different county CAs indicated different times of exposure varying from 5 to 20 minutes and exposure times were not documented.

The national contingency plan also provides the possibility for flocks with less than 50 birds of using 2-6% alphachlorolose in feed, provided the birds have not lost their appetite. This is followed by asphyxiation of the birds in plastic bags. However, this method would not meet the requirements of Article 3 of Directive 93/119/EC as it is difficult to get a uniform effect due to the variation in feed intake.

6. CONCLUSIONS

- (1) Although the main objective of roadside checks with the Police and Customs was not for animal welfare, this co-operation has been effective, as required by Articles 4(3) of Regulation (EC) No 882/2004, and this arrangement has facilitated the checking of requirements of Regulation (EC) No 1/2005 on consignments in transit. However, there has not been efficient co-operation with the Ministry of Economy and Transport in order to repeal existing national legislation on transport and designate competences and responsibilities for the implementation of Regulation (EC) No 1/2005.
- (2) Although it is useful that other units of the CCA have been involved in animal welfare issues, co-ordination between these units and the unit of the CCA responsible for animal welfare has not always been efficient, as required by 4(5) of Regulation (EC) No 882/2004, notably in relation to the use of the contact person for exchange of information with other Member States, as required by Article 24 of Regulation (EC) No 1/2005 and in establishing parameters for the electrical stunning of poultry, as required by Directive 93/119/EC Annex C, II (3) B (1). In any case these parameters were not always followed, and as result, stunning was not always effective.
- (3) Although training has been provided by the CCA and an understanding of the legal framework is an important element of control, the lack of emphasis

on more practical aspects of implementation means that training has not yet been sufficient to ensure that staff perform their inspections in a competent and consistent manner, as required by Article 6 of Regulation (EC) No 882/2004.

- (4) National legislation goes further than Article 7 of Directive 93/119/EC as slaughterhouse staff handling live animals must have documented training on this topic. However, the ability of the CA to verify whether transporters have carried out journeys as planned is limited by the lack of legal powers for CA staff, or other arrangements, so that checks can be made of drivers' tachographs. This does not comply with Article 8(2) of Regulation (EC) No 882/2004 which requires the CA to be able to obtain access to documentation kept by operators, such as transporters.
- (5) As training courses for transporters are already well established, the CA is in a good position to ensure that all such personnel are suitably trained and certified by 5.1.2008 as required by Article 6(5) of Regulation (EC) No 1/2005. Although the CA also benefited by having an administrative system for approval of vehicles already in place before Regulation (EC) No 1/2005 entered into force, procedures have not been updated and as a result certain vehicles have been approved for the next five years for long distance transport although they do not comply with all the new requirements of Regulation (EC) No 1/2005.
- (6) Following report 7237/2004 the CCA had indicated that a procedure for checking journey times for the long distance transport of animals had been put in place, but no such system had been implemented. Very recent guidance provided by the CCA seeks to address this issue. There had been insufficient verification that effective checks of transport conditions had been made at locations such as assembly centres, contrary to Article 8.3 of Regulation (EC) No 882/2004.
- (7) Inspections of the requirements introduced by Regulation (EC) No 1/2005 were not sufficiently thorough and although some useful CCA guidance on welfare during transport has been recently provided to OV's, procedures, as required by Article 8.1 of Regulation (EC) 882/2004, are not sufficient for dealing with all the different aspects of control of animal welfare during transport. The exemption for animals which cannot bear weight to be transported for emergency slaughter, as indicated in the guidance, is not in line with Article 3 or Annex I Chapter I of Regulation (EC) No 1/2005.
- (8) The checklists for welfare at slaughter (Directive 93/119/EC) provide a useful outline for carrying out checks in slaughterhouses; however, certain deficiencies remained undetected. In addition OV's had sometimes not clearly recorded the problems detected and the results of inspections were not drawn up in a report, contrary to Article 9 of Regulation (EC) No 882/2004. Compared with report 7237/2004, progress has been made with checks at slaughter and the recent joint inspections which involved the county CA, and which meet the requirements of Article 8.3 of Regulation (EC) No 882/2004, have verified that OV's could be more effective in detecting deficiencies and ensuring that corrective actions are taken.

- (9) The CCA has taken steps to ensure that methods of killing in disease control situations meet the requirements of Directive 93/119/EC and have gone further than the minimum standards by acquiring equipment which uses gas mixtures less aversive than CO₂ alone, which is the prescribed method in the Directive. However, further instructions are needed on the operation of this equipment, as required by Article 8.1 of Regulation (EC) 882/2004. One method proposed for smaller flocks where alphachlorolose is provided in feed and is followed by asphyxiation in bags, is contrary to Article 3 of Directive 93/119/EC, which requires animals to be spared avoidable excitement, pain or suffering at the time of killing.

6.1. Overall conclusion

A more comprehensive system of inspection for animal welfare during transport and at slaughter has been developed since report 7237/2004. Although the CA is at an advanced stage in implementing the significant requirement for training all transport personnel, which was introduced by Regulation (EC) No 1/2005, the requirements for vehicles to be suitably approved is somewhat behind. The training of CA staff which has taken place has increased awareness on many issues; however, this has not been sufficiently practical to improve the quality of inspections. The performance of joint inspections by the county CA together with the Official Veterinarians has been an effective measure to improve the quality of inspections in slaughterhouses. The procedures already developed are promoting more consistent and competent checks; however these are not yet comprehensive and on one specific issue, the transport of unfit animals, are at odds with the EU provisions.

7. CLOSING MEETING

A closing meeting was held on 27 April 2007 with representatives of the Central Competent Authority and of the two counties visited. At this meeting, the main findings and conclusions of the mission were presented by the inspection team. On the particular issue of the transport of injured animals for emergency slaughter, the CCA indicated that, although such transport was not frequent, they were still discussing this issue with other Member States to find ways to successfully resolve this problem.

8. RECOMMENDATIONS

8.1. To the competent authorities of Hungary

Within 25 working days of receipt of this 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 take measures to ensure that:

- 1) Co-operation with other authorities is efficient and effective, as required by Articles 4(3) of Regulation (EC) No 882/2004, notably with the Ministry of Economy and Transport.
- 2) Co-ordination between the units of the CA is efficient and effective, as required by Article 4(5) of Regulation (EC) No 882/2004, notably in relation to the role of the contact person for exchange of information with other Member States (Article 24 of Regulation (EC) No 1/2005).

- 3) Poultry are adequately stunned, as required by Directive 93/119/EC Annex C, II (3) B.
- 4) Suitable arrangements are in place so that the CA can access documentation kept by operators, as required by Article 8(2) of Regulation (EC) No 882/2004, such as a driver's tachograph.
- 5) Training on animal welfare during transport and at the time of slaughter is sufficiently practical to facilitate staff in carrying out controls competently and consistently, as required by Article 6 of Regulation (EC) No 882/2004.
- 6) Sufficient procedures are in place as required by Article 8(1) of Regulation (EC) No 882/2004, for all controls implementing Directive 93/119/EC and Regulation (EC) No 1/2005.
- 7) Vehicles are approved only when they meet the requirements of Regulation (EC) No 1/2005.
- 8) Guidance does not suggest exemptions, such as the transport of unfit animals for emergency slaughter, which are not provided for in Regulation (EC) No 1/2005.
- 9) Inspections are reported as required by Article 9 of Regulation (EC) No 882/2004.
- 10) The effectiveness of official controls, particularly checks of Regulation (EC) No 1/2005, is verified, as required by Regulation (EC) No 882/2004 Article 8 (3)(a).
- 11) Methods for killing during disease outbreaks are compatible with the requirements of Article 3 of Directive 93/119/EC and adequate procedures, as required by Article 8(1) of Regulation (EC) No 882/2004, are in place for supervising the handling and killing of animals.

9. COMPETENT AUTHORITY RESPONSE TO THE RECOMMENDATIONS

Once the report has been published, the competent authority response to the recommendations can be found at the following link:

http://ec.europa.eu/food/fvo/ap/ap_hungary_7331_2007.pdf