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FINAL REPORT OF A MISSION
CARRIED OUT IN SLOVENIA
FROM 10 TO 14 SEPTEMBER 2007
CONCERNING ANIMAL WELFARE STANDARDS
ON PIG AND LAYING HEN FARMS
AND DURING TRANSPORT



EXECUTIVE SUMMARY

This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Slovenia, from 10 to 14 September 2007.

The main objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms. The mission verified the implementation of animal welfare checks on road transport transiting Slovenia and looked at how the requirements of Regulation (EC) No 882/2004 of the European Parliament and of the Council have been integrated into the controls of the various sectors.

The report concludes that regarding farms, the system of inspections is generally well organised; and where more comprehensive documented procedures have been provided, these have been effective in achieving a satisfactory level of compliance. However, as controls of the pig sector are less developed and until recently the larger farms were not included, this sector is lagging behind the laying hen sector in terms of compliance. In addition there are certain legal gaps in relation to both livestock sectors which weaken the ability of the CA to deliver a higher level of compliance with EU legislation.

There is a good system of controls for checking consignments of live animals transiting Slovenia. Procedures, equipment and facilities were satisfactory to enable comprehensive checks to be carried out and corrective measures to be taken.

The requirements of Regulation (EC) No 882/2004 such as documented procedures, verification procedures and internal audits have been integrated into the controls of the various sectors but need to be further developed.

The report makes a number of recommendations addressed to the Slovenian competent authorities, 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 Slovenia from 10 to 14 September 2007, as part of the planned mission programme of the Food and Veterinary Office (FVO).

An opening meeting was held with the competent authorities of Slovenia on 10 September 2007. 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.

The inspection team comprised two inspectors from the FVO and one national expert, and was accompanied throughout the mission by a representative from the Veterinary Administration of the Republic of Slovenia (VARŠ) (*Veterinarska Uprava Republike Slovenije – VURS*) (hereafter: CCA).

2. OBJECTIVES OF THE MISSION

The main objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms, in particular the measures put in place to give effect to Council Directives, 91/630/EEC^{1,2}, 98/58/EC³, 99/74/EC⁴, Commission Directive 2002/4/EC⁵ and Commission Decision 2000/50/EC⁶. The mission verified the implementation of animal welfare checks on road transport transiting Slovenia in relation to the requirements of Council Regulation (EC) No 1/2005⁷ and also looked at how the

¹ Legal acts quoted in this report refer, where applicable, to the last amended version.

² Council Directive 1991/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs, OJ L 340, 11.12.1991, p. 33, (hereafter: Directive 91/630/EEC).

³ Council Directive 1998/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.1998, p. 23, (hereafter: Directive 98/58/EC).

⁴ Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens, OJ L 203, 3.8.1999, p. 53, (hereafter: Directive 99/74/EC).

⁵ Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC, OJ L 30, 31.1.2002, p. 44, (hereafter: Directive 2002/4/EC).

⁶ 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).

⁷ 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.

requirements of Regulation (EC) No 882/2004 of the European Parliament and of the Council⁸ have been integrated into the controls of the various sectors.

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

COMPETENT AUTHORITY VISITS			Comments
Competent authority	Central	2	Opening and closing meetings.
	Regional	2	Regional offices of Ptuj and Murska Sobota were selected by the inspection team and visited where meetings were held with the responsible officials.
	Mobile Unit office	1	In Dolga Vas in the region of Murska Sobota, where a check on a road vehicle approved for long journey was performed.
SITES VISITED			Comments
Pig holdings		2	A laying hen farm and a pig farm in each Region were selected by the inspection team from a list of farms provided by the CAs.
Laying hen holdings		2	

3. BACKGROUND

A previous mission on animal welfare in Slovenia concerned the welfare of animals at slaughter (ref: DG(SANCO)/8038/2006) (hereafter: report 8038/2006). The report is available on the DG Health and Consumer Protection website http://ec.europa.eu/food/fvo/index_en.htm. Although this report dealt with different aspects of animal welfare, an issue which is also relevant to the current mission was in relation to the effect of internal audits on the performance of official controls. Report 8038/2006 concluded that these had improved the supervision of Official Veterinarians by the regional CA and have helped to ensure that procedures are followed.

4. LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation, in particular Article 9 of Directives 99/74/EC and 91/630/EEC, Article 7 of Directive 98/58/EC, Article 28 of Regulation (EC) No 1/2005 and Article 45 of Regulation (EC) No 882/2004.

⁸ 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, 30.4.2004 corrected and republished in OJ L 191, 28.5.2004, p. 1, (hereafter: Regulation (EC) No 882/2004).

5. MAIN FINDINGS

5.1. Legislation

Although a comprehensive check of the national legislation was not carried out, during the course of the evaluation of controls the mission team noted that national legislation, goes beyond the EU requirements such as in relation to sows kept in groups. Starting from a period 4 weeks after service to 1 week before farrowing all sows must already be kept in group pens, although not all of the relevant requirements from Directive 91/630/EEC are applicable to farms which were built before 1.1.2004. Article 3 (4) of Directive 91/630/EEC only requires group housing of sows on holdings built or rebuilt after 1.1.2003 and requires these provisions to apply to all holdings from 1 January 2013. This is also the date in Slovenian legislation when the provisions of points 1(b), 2, 5 and 8 of Article 3 of Directive 91/630/EEC will apply to holdings which were in operation before 2004.

Some discrepancies regarding transposition of EU legislation were also noted:

- In Slovenian legislation "usable area" only refers to caged systems, whereas in Directive 99/74/EC the term "usable area" is used in relation to stocking densities in alternative systems (Article 4.1.4) as well as in relation to enriched cages (Article 6.1 (a)). Consequently during a visit to a alternative system the CA inspector did not detect that there were 8 % more birds in the building than permitted by Directive 99/74/EC, as the distance from the perches to the roof of the nest area was less than 45 cm but this area had not been excluded from the useable area, as defined by Article 2.2 (d) of Directive 99/74/EC.
- The requirements of Point 4 of the Annex to Directive 99/74/EC regarding cleaning and disinfection of the facilities between consecutive batches of laying hens has not been transposed, as national legislation only requires the materials used in buildings to be capable of cleaning and disinfection. On one of the farms visited, different batches were removed from the house at different times and cleaning and disinfection were not performed as required.
- The requirements for dry comfortable bedding for sick or injured animals, which is required by Point 4 of the Annex to Directive 98/58/EC has not been transposed. As a consequence the CA inspectors did not make any remarks on either farm visited regarding arthritic and lame animals, which were not provided with bedding.
- Provisions for total unobstructed floor area, for continuous solid floor, for concrete slatted floors, for access to manipulable material for sows and gilts and for individual pens for pigs (points 1(b), 2, 5 and 8 of Article 3 of Directive 91/630/EEC) apply to holdings with more than 100 pigs, which have been newly built or rebuilt or brought into use for the first time from 1 January 2004. However, Directive 91/630/EEC does not exclude holdings with less than 100 pigs from these requirements.

Regarding transport, a National Decree defined the penalties that can be applied in case of animal welfare infringements occurring during transport, as required by Article 25 of Regulation (EC) No 1/2005, the range of these penalties is from 100 to 62,000 euros. Furthermore, in January 2007, the CCA gave the Official Veterinarians working for the Animal Welfare Mobile Unit the legal powers to stop vehicles; allowing greater flexibility to carry out controls on the roads.

5.2. Competent Authority

The organisation of the Competent Authorities (hereafter: CA) at local and central level regarding controls on protection of animals on farms and during transport is described in the Country Profile DG(SANCO)/8028/2006 which is available under this reference on the DG Health and Consumer Protection website http://ec.europa.eu/food/fvo/country_profiles_en.cfm and in report 8038/2006.

The following are some further details in relation to the organisation of the CA and the tasks related to animal welfare on farms:

- At central level there are two specialised animal welfare officers in the Animal Health and Welfare Sector and at regional level one or two Official Veterinarians (OVs) in each Regional Animal Health and Welfare Department who carry out animal welfare checks on farm.
- In addition, as part of the annual visit to all holdings, which are mostly for identification and animal health purposes, contracted veterinarians are authorised to carry out animal welfare checks. The results of these checks are entered directly into a database (VOLOS).
- The competent authority responsible for registration of laying hen holdings as required by Directive 2002/4/EC is VARS.
- Internal audits have been carried out as required by Article 4(6) of Regulation (EC) No 882/2004. The scope of these audits on animal welfare included checks of pig and laying hen holdings in addition to animal shelters, assembly centres and slaughterhouses and on the spot visits were included. A CCA expert on animal welfare was one of two members of the audit team in Novo Mesto and Maribor; the second auditor was full time with the unit responsible for internal audits, the Quality Assurance and Internal Control Service. In Ptuj the audit was carried out by the auditor from the Quality Assurance and Internal Control Service. In relation to the requirement for auditors to be independent of the activity being audited (point 5(3) of the Annex to Commission Decision 2006/677/EC⁹), the CCA indicated that the CCA experts on animal welfare have no hierarchical role in the implementation of instructions and that due to the size of Slovenia there are few experts in this field.

⁹ Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules OJ L 278, 10.10.2006, p. 15.

The Agency for Agricultural Markets and Rural Development is responsible for the implementation of Council Regulation (EC) No 1782/2003¹⁰ on cross compliance and their own inspection staff carries out animal welfare checks on farms following their own guidance and check lists. This Agency and VARS have signed a cooperation agreement which establishes a basis for exchange of information; however, the CCA indicate that although they communicate cases of infringements to the Agency, the Agency does not do likewise and the mission team noted that exchange of information on animal welfare infringements is not foreseen in the agreement.

The authority responsible for controlling the labelling of eggs, as required by Council Regulation (EC) No 1028/2006¹¹ and the Commission Regulation (EC) No 557/2007¹² is the Inspectorate of the Republic of Slovenia for Agriculture, Forestry and Food (IRSAFF).

The Animal Welfare Mobile Unit (hereafter Mobile Unit) was set up in 2004 in order to perform checks on road vehicles transporting live animals. This unit consists of three full time specialised OV's and one secretary, has an office in Dolga Vas and is supervised directly by the Animal Health and Welfare Sector of VARS. Its main responsibilities are:

- To perform checks on road transport of live animals crossing Slovenia;
- To register foreign transporters who are legally represented in Slovenia;
- To approve means of road transport used for long journeys;
- To disseminate knowledge to Official Veterinarians of the Regional Offices, and to drivers and transporters.

The Contact point for transport issues required by Article 24(2) of Regulation (EC) No 1/2005 is one of the OV's responsible for Animal Welfare at the Animal Health and Welfare Sector. This person was changed in July 2007.

¹⁰ Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agriculture 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) No 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) N°1673/2000, (EEC) N°2358/71 and (EC) No 2529/2001, OJ L 270, 21.10.2003, p.1.

¹¹ Council Regulation (EC) No 1028/2006 of 19 June 2006 on marketing standards for eggs, OJL 186, 7.7.2006, p.1.

¹² Commission Regulation (EC) No 557/2007 of 23 May 2007 laying down detailed rules for implementing Council Regulation (EC) 1028/2006 on marketing standards of eggs, OJL 132, 24.5.2007, p.5.

5.3. Animal welfare on pig and laying hen farms

5.3.1. Programme of checks and selection of farms

The contracted veterinarians annually inspect 100% of the pig holdings mostly for identification and registration purposes but they are also asked to conclude whether animal welfare is satisfactory or not. These results are recorded in a check list and reported via a database.

Regarding OV's inspections, the inspection programme for animal welfare is the responsibility of the Internal Inspection Sector with the coordination of the Animal Health and Welfare Sector, the CCA draws up an annual inspection programme for animal welfare which sets the basic tasks and the number of farms, all laying hen holdings and 2% of the registered pig farms with more than 10 pigs, are to be checked by each regional CA, which then draw up a work programme to reflect their activities. The checks are recorded in the OV's checklist then summarised and reported to the CCA by the monthly and annual reports; the CCA indicated that these reports are not yet electronically recorded. Regarding the selection of farms it was noted that:

- Eight large farms, which represent 75% of the pig population in Slovenia were not included in the OV's programme of inspections until a team of OVs carried out checks on these in June and July 2007. Farms with less than 10 pigs were also not included. Article 7(1) of Directive 91/630/EEC requires checks of a representative sample of the different rearing systems to be carried out. Prior to the checks in June and July 2007, the OVs had only checked the largest farms for the purposes of animal health and identification. The smaller farms could also now be included if selected according to a risk analysis procedure.
- Until June 2007 each region set their own programme of checks producing a list of farms selected by their own animal welfare risk criteria, such as size (over 100 pigs) and more than one category of pig. In addition in Murska Sobota the presence of subcontractors, any recent reconstruction and complaints were also included and in Ptuj breeding farms were targeted.
- From June 2007, the CCA developed a risk analysis programme based on the reports of the checks of the contracted veterinarians, defining risk criteria such as problems with movement control, large fluctuations in the number of animals and weighted the criteria which need to be considered when the list of farms is selected by the regional CA. The mission team noted that these risk criteria were relevant to movement and identification but limited in relation to animal welfare.

5.3.2. Training

The CCA and other institutions organised training for inspectors, as required by Article 6 of Regulation (EC) No 882/2004, with training sessions dealing with animal welfare on farm and during transport, it was noted that:

- In addition to the regular monthly coordination meetings, the CCA organised several seminars in cooperation with the TAIEX¹³ office of the European Commission, with one in 2007. The CCA indicated that at least two OV's from each region attended this workshop and that 23 of the 61 participants were contracted veterinarians who voluntarily attended. In both Regions visited two OV's attended this workshop, coordination meetings were held at regional level and regional CA officials attended meetings held at Central level.
- The contracted veterinarians were also trained by the Veterinary Chamber, such as the two days of training in 2006 and in 2007 where some lectures on animal welfare were presented. In both regions previous inspections by the contracted veterinarians of both pig farms visited indicated a satisfactory outcome, whereas the following visits of the OV's indicated that several deficiencies were found and corrective actions were demanded.

Although the CCA indicated that inspectors of the Agency for Agriculture Markets and Rural Development have their own two week training, it was noted that animal welfare aspects were not covered; however, the guidance, check list and manual provided for checks by this agency cover several general and some specific aspects relevant to pig welfare.

5.3.3. Documented procedures and guidance

Most of the instructions are in the Inspection Act, the Public Administration Act and in the Minor Offences Act. The results of the checklist are summarised in an inspection protocol to be signed by the farmer, if there are no deficiencies the inspection procedure ends here, otherwise the Regional CA could issue written recommendations, an administrative fine or a criminal sanction. In the written recommendations the amount of time to be allowed before a fine or criminal sanction should be indicated.

Documented procedures prepared by the CCA include a check list for contracted veterinarians, the 2006 version of which asks them to check the general compliance on pig farms with the Slovenian animal welfare legislation and the 2007 version additionally asks them to check the provision of manipulable material to pigs.

5.3.4. Measures supplementary to checks

An evaluation by the CA for the approval of farm buildings in relation to aspects relevant to animal welfare is not compulsory, but can be carried out if requested by the owner/keeper.

Regarding pigs, training courses for stockpersons had been made available by the CCA, as required by Article 5a of Directive 91/630/EEC. Several institutions provide training programmes such as the "Veterinary Assistant in Bovine and Porcine Rearing" and the

¹³ Technical Assistance Information Exchange Instrument of the Institution Building unit of the Directorate General Enlargement of the European Commission.

"Animal Breeder Certificate" and seminars where the participants receive general information on the welfare of livestock animals.

5.3.5. Registration of laying hen holdings

The checks for registration purposes are done by the OV's of the Regional Offices. As stated by the CA the measurements to establish the maximum capacity of the holding are performed during the visits to the farms after receiving a declaration from the farmer. A CCA representative indicated that the data in the register is modified once a year. The mission team noted that:

- The register available on the internet does not comply with the requirements of Directive 2002/4/EC as there is no distinction made between keeper and owner, who are often different persons sometimes located in different regions. However, a register on the intranet does make the distinction between keeper and owner and complies with this Directive. The CCA indicated that the publicly available register will be completed and updated.
- The VARS register did not include the establishments with more than 350 hens kept for organic production, even though these are within the scope of Directive 99/74/EC and should be included as required by Directive 2002/4/EC.
- On the alternative farm visited the maximum capacity was twice that in the publicly available register, as only one house had been taken into account when registered.
- The registration procedures were generally well followed and follow up visits were carried out so that deficiencies were corrected within the given deadline. However, in Murska Sobota after detecting deficiencies in a registration procedure, the CA decided to register the farm without carrying out a follow up check after receiving a written notification from the farmer indicating that modifications had been made.

5.3.6. Inspections

Laying hens

A CCA checklist issued in April 2007 listed most of the EU requirements and provided references to the national legislation. However, the requirements of Article 6 of Directive 99/74/EC for enriched cages were not indicated on the checklist. In addition to the checklist the CCA recently issued complementary instructions, which provided guidance on the assessment of certain requirements.

Regarding unenriched cages, in the farm visited in Ptuj the mission team noted that:

- The OV correctly found that the number of birds on the farm was within the maximum capacity allowed. No comments were made that some cages had too



many birds, which had arisen as birds could move between certain cages due to holes in the walls of the cages. The insufficient maintenance of the cages had been detected in a previous check and was already the subject of follow-up action.

- The requirement for claw shortening devices (Article 5.1 (6) of Directive 99/74/EC), had been omitted from the previous checklist. However, when a revised checklist came into use in April 2007, this equipment was found to be lacking on most holdings, and the CA requested these to be fitted at the end of the production cycle.
- The requirement for a hen to be removed without undergoing unnecessary suffering or sustaining injury (Point 7 of the Annex to Directive 99/74/EC) was not included in the check list and on the farm visited, the OV did not detect that the removal of birds was made difficult due to the design of the cage door.

Pigs

A CCA checklist which was issued in April 2007 listed most of the EU requirements and provided references to the national legislation. No guidance, equivalent to that provided for checks of laying hen holdings, had been provided for checks of pig holdings. Article 8.1 of Regulation (EC) No 882/2004 requires such documented procedures to contain information and instructions for staff carrying out inspections. The checklist provided by the CCA also indicated materials such as footballs and plastic objects which are not similar to the manipulable materials listed in point 4 Chapter I of the Annex to Directive 91/630/EEC. In addition, the date of applicability for certain requirements was not indicated.

It was noted that:

- On one of the two farms visited pregnant sows and gilts were already kept in groups; however, the OVs were confused regarding the date of application of certain requirements and performed some measurements which were not yet applicable to those farms. The CCA indicated that the OVs checked all the requirements regardless of whether they applied or not as these would need to be met in the future.
- Manipulable material was not present in all pens and in some pens the plastic objects provided could be potentially harmful for the pigs, but were accepted by the OVS on both farms as meeting the requirements. In Ptuj, the OV did not discuss with the farmer if other measures to avoid tail biting had been put in place before tail docking and teeth clipping were carried out. Point 8 of the Annex to Directive 91/630/EEC requires that before carrying out these procedures, other measures shall be taken to prevent tail biting and other vices.
- Regarding stocking density, in Ptuj the OV did not detect that some pens were slightly overstocked, as the area occupied by the feeder had been included in the calculation. In Murska Sobota, the OVs correctly concluded that the pens for most

categories of pigs provided insufficient space allowance and corrective actions were demanded.

- On the farm visited in Murska Sobota, several houses did not have an alarm in case of failure of the ventilation system, contrary to point 13 of Annex to Directive 98/58/EC, as the OV accepted that the permanent presence of a member of staff on the farm was equivalent.
- Both farms visited during the mission were larger farms, which prior to July 2007 had been checked by contracted veterinarians who had indicated that animal welfare was satisfactory; however, the team of OVs in July 2007 detected deficiencies such as poor maintenance of buildings and had established deadlines for corrective action. Notices were served by the CA on both farms in September 2007 indicating that corrective actions needed to be taken immediately. In Murska Sobota some of the deficiencies, such as poor maintenance and overstocking, were not yet corrected. In Ptuj, the deficiencies, excluding manipulable material, seen in the previous check had already been corrected. Sanctions of 450 euros are foreseen if deficiencies are not corrected within three weeks.

5.3.7. Reporting

All Regional Offices submitted annual reports to the CCA with the results of the inspections carried out by the OVs in 2004, 2005 and 2006 and the CCA submitted a national report to the Commission in accordance with Decision 2000/50/EC. The CCA indicated that the results of OV checks were currently not in a form that could be analysed and that a new system for recording and reporting inspections will be in place by January 2008 which will, amongst other things, implement Commission Decision 2006/778/EC¹⁴ which will repeal Decision 2000/50/EC. The inspection team noted that:

- Reports from 2006 indicated that 10 (83%) laying hen farms were checked in Ptuj and 16 (100%) in Murska Sobota, therefore the 100% inspection target of registered farms every year was not achieved in the first region.
- Concerning pigs these reports indicated that the number of farms checked was 90 (2%) in Ptuj and 12 (0.16%) in Murska Sobota; therefore the target of 2% was not achieved in the second region.

5.3.8. Supervision

Supervision is the responsibility of the Internal Veterinary Inspection Division of the CCA and its regional offices. It was noted that:

¹⁴ Commission Decision 2006/778/EC of 14 November 2006 concerning minimum requirements for collection of information during the inspections of production sites on which certain animals are kept for farming purposes, OJ L 314, 15.11.2006, p. 39.

- The CCA supervise the regional CA by the monthly coordination meetings and checks of their monthly reports.
- The regional CA directors verified the work of the OVs by reviewing the documentation produced. The regional monthly reports recorded the number of checks performed by the OVs and the number and outcome of these checks, such as the number of written recommendations, administrative fines or criminal sanctions; however, this report did not give details of the animal welfare aspects that were checked. In Ptuj this was supplemented by on the spot checks.
- The OVs verified the output of the contracted veterinarians by checking their reports.

5.3.9. Audits

Regarding animal welfare on farms, three out of the four audits planned in the 2007 programme of the Quality Assurance and Internal Control Service of the CCA had already been performed in three regions; one pig holding and several laying hen holdings were included in the visits in each region. The inspection team noted that:

- All audit reports indicated the findings from the on the spot visits and indicated whether findings had been previously detected by the OVs.
- Remarks about the effectiveness of the procedures provided were very limited, with only one audit report, the one which was carried out by the auditor from the Quality Assurance and Internal Control Service without the assistance of a CCA expert on animal welfare, indicating that the checklists which had been provided by the CCA for laying hens was insufficient; it did not list the requirement for claw shortening devices.
- In the regional audit which included checks of the pig sector, there were only findings from the farm visits and no remarks had been made about the quality of the procedures used and no recommendations had been made.

5.4. Animal welfare during transport

5.4.1. Information and instructions for road-side checks

Coordination

The head of the Mobile Unit participates in the monthly coordination meetings organised by the CCA. It also cooperates on a regular basis with the other Slovenian Authorities involved in checking road vehicles, such as the Police, the Customs, and the Transport Inspectorate. In the case of the Police, joint road controls are organised and recorded in monthly reports. Additionally, shared training and meetings are organised when needed. For example, in 2007, the Police trained the OVs to stop vehicles so they could use their newly acquired legal powers.

Training

The OV's of the Mobile Unit received comprehensive training on transport issues, as required by Article 6 of Regulation (EC) No 882/2004 and Article 16 of Regulation (EC) No 1/2005. In 2007 they attended the workshop on transport organised by TAIEX where the requirements of Regulation (EC) No 1/2005 applicable from 05.01.2007 were presented, followed a course organised by the Police to learn how to stop vehicles and also participated in a course organised by a private company on reading driver's records (tachographs). The inspection team noted that:

- During the check performed on a vehicle transporting sheep from Romania to Italy the OV's had a thorough and practical knowledge of the requirements of Regulation (EC) No 1/2005.
- Additionally, the OV's had started to disseminate this knowledge by providing training courses to OV's of Regional Offices and to Drivers and Transporters, as required by Article 17 of Regulation (EC) No 1/2005.

Equipment

The inspection team noted that overall, adequate equipment was at the disposal of the Mobile Unit to perform checks on vehicles transporting live animals, in particular:

- In the Office of the Mobile Unit in Dolga Vas, all the documentation, such as translated versions of Regulation (EC) No 1/2005, and databases, such as TRACES¹⁵, necessary to perform transport checks were available. Additionally, a parking place covered by a roof where lorries can be stopped was used for carrying out checks, an hydraulic platform and a ladder facilitated inspections of the upper deck of vehicles, lighting was available, a thermometer mounted on a broom handle was used to measure temperature inside the vehicle. Although no unloading facilities were available on the spot, the head of the Mobile Unit explained that arrangements have been made with an approved control post in Hungary where animals can be unloaded when necessary and which is less than 500 meters away from Dolga Vas.
- In the specialised vehicle to perform checks at the road side there was similar equipment, documentation and databases as those available in the office. In addition, this vehicle was equipped with material necessary for stopping vehicles on the road.

Documented procedures

Several documented procedures, as required by Article 8(1) of Regulation (EC) No 882/2004, were written by the staff of the Mobile Unit: A protocol for checking road

¹⁵ TRACES Trade Control and Expert system

vehicles is available, a check list is used for the approval of road vehicles transporting live animals for more than eight hours and templates for payment orders and receipts for attesting payments of fines are available to inspectors. The inspection team noted that:

- During the check performed on a vehicle, the protocol for checking road vehicles and the documentation used to deliver a fine were comprehensive and easy to use. The vehicle was checked, the driver was fined and the fine was paid in less than two hours.

Programme of checks

The objectives of the programme of checks of the Mobile Unit are written by the Animal Health and Welfare Sector. The programme foresees 350 to 400 checks per year on vehicles transporting live animals. This figure represented 4% of vehicles of live animals which transited Slovenia in 2003 and has not been changed since 2004 although in the meantime the transit of vehicles has increased. In 2005, as 256 checks were performed, the target was not reached. The CCA explained that they wished to recruit a fourth OV in order to have two teams of two OVs working two shifts therefore extending the number of checks and the number of hours of presence of the Mobile Unit on the road. On the basis of this targeted number of inspections, the Head of the Animal Welfare Mobile Unit writes weekly programmes which takes into account the information recorded in TRACES to select live animals consignments and to adapt working days and hours.

5.4.2. Checks of animal welfare on road transport

Performance of checks on road vehicles

During the check performed on a vehicle transporting sheep from Romania to Italy the OVs performed a methodical check and detected the main deficiencies:

- On the animals and vehicle such as the inadequate separation between horned and unhorned sheep, the lack of access to water for some of the sheep placed on the upper levels of the truck and the lack of head space for the sheep as their backs were touching the ceiling.
- Regarding the means of transport such as the lack of feed on the truck, the lack of a system to check the water level of the cistern of the trailer and the lack of lighting of the upper levels and finally the lack of records for temperature monitoring.

Regarding documentation, the OVs checked that the documentation required by Regulation (EC) No 1/2005 such as: the journey log, the transporter's authorisation, the certificate of approval of the vehicle for long journeys and the tachograph of the driver were present. The mission team noted that:

- Some documentary deficiencies were not detected such as the inadequate figure indicated on section 1 of the journey log for space allowance or the fact that no

resting period of one hour was entered on section 4 of the journey log after 14 hours of travel.

The OV's explained that these documents had been approved by the OV's at the place of departure, that when recalculating the overall space allowance for the sheep there was no overcrowding, and finally that when they stopped the vehicle for their road check the drinkers had been opened and made available to the sheep.

Follow-up of checks

The OV's explained that following a road check, four different conclusions and follow-up actions were possible: without measures, warnings, payment order (fines) or decisions. In 2006, out of the 385 checks on vehicles performed, 66% of the checks were without measures, 15% were with warnings, 19 % were with a fine and 9% were with decisions requesting additional veterinary measures such as unloading of the animals. The OV's also explained that in case foreign drivers do not want to abide by their conclusions they contact the organiser of the journey.

During the check performed on a vehicle transporting sheep from Romania to Italy, the mission team noted that the OV's:

- Requested the driver to take immediate corrective action such as lifting the decks of the vehicles to allow more head space for the sheep, ensuring that all animals had access to water by modifying the position of the decks and finally allowing a resting period of one hour for the sheep while performing the control.
- Explained the infringements to the driver using a version of Regulation (EC) No 1/2005 in his own language.
- Ensured that the driver signed the written protocol of checks where the deficiencies were detected, the conclusion and the decision of the check, which was a fine in this particular case, were written.
- Ensured that the driver paid the fine of 200 euros for the different infringements regarding the animals and means of transport and took a receipt.
- Filled the specimen anomaly report in section 5 of the journey log as required by Regulation (EC) No 1/2005.
- Copied the whole file to be sent to the contact point at the Animal Health and Welfare Sector of the CCA for information.

Although the CCA contact point received the information, this had not always been communicated to the CA of other Member State, as required by Article 26(2) of Regulation (EC) No 1/2005. The mobile unit had filled in section 5 of the journey log, which indicates infringements detected and which should be returned by the



transporter to the CA at the place of departure after the journey is completed. In one case where section 5 of a journey log had been completed the CA at the place of departure had answered that they had taken actions.

Reporting and supervision

The Mobile Unit sends monthly reports of the checks performed and an annual report summarising all the activities of the Unit to the Animal Health and Welfare Sector. It also informs the contact point each time infringements are detected during checks on vehicles from other Member States transporting live animals. So far no audits have been planned or performed on the activities of the Animal Welfare Mobile Unit.

6. CONCLUSIONS

- (1) Slovenian national legislation goes beyond the minimum standards of Directive 91/630/EEC as sows and gilts must already be kept in groups on all farms; however, legal gaps in relation to the transposition of Directive 99/74/EC resulted in a certain degree of overstocking on farms with alternative systems, as the usable area had not been correctly defined and there was no requirement for facilities to be cleaned and disinfected between batches of laying hens. Similarly the failure to transpose Directive 98/58/EC regarding sick animals meant that these requirements were not adequately checked and due to the incorrect transposition of Directive 91/630/EEC certain requirements of Directive 91/630/EEC were not applied on farms with less than 100 pigs.
- (2) Internal audits have been carried out, as required by Article 4(6) of Regulation (EC) No 882/2004, and have examined whether arrangements for checks of animal welfare on farms are being implemented. However the assessment of whether planned arrangements are suitable to achieve objectives (Article 2(6) of Regulation (EC) No 882/2004) was very limited, as the insufficient procedures for checks of pig farms was not identified nor the very low quality of surveillance provided by the contracted veterinarians. The assessment of the content of procedures may also have been weakened where a CCA expert on animal welfare was part of a two man audit team and was not suitably independent to assess instructions for which they have direct responsibility.
- (3) Checks by contracted veterinarians provided a very basic level of surveillance of animal welfare requirements as the documented procedures provided to them, which are required by Article 8.1 of Regulation (EC) No 882/2004, only indicated that a global assessment was required.
- (4) In relation to the risk analysis for selecting farms, risks that might influence animal welfare have not been adequately identified as required by Article 3.1(a) of Regulation (EC) No 882/2004, firstly as the analysis was largely based on the results of checks carried out by the contracted veterinarians and secondly it did not take into account certain past records of compliance with animal welfare rules, contrary to Article 3.1(b) of Regulation (EC) No 882/2004, such as the results of

- OV checks, which were not in a form that could be analysed and checks by the Agency for Agricultural Markets and Rural Development, which were not available to the CCA.
- (5) Although a statistically representative sample of the different systems for keeping pigs, as required by Article 7(1) of Directive 91/630/EEC, was previously not met, since June 2007 the largest farms have been included and more representative sample has been achieved.
 - (6) Adequate training courses for stockpersons had been made available by the CCA, as required by Article 5a of Directive 91/630/EEC.
 - (7) The register of laying hens for the purposes of Directive 2002/4/EC is incomplete, as organic production systems were not included and data for other farms had not been updated as required by Article 1.4 of this Directive.
 - (8) The quality of the assessment of laying hen farms benefited from the documented procedures, as required by Article 8(1) of Regulation (EC) No 882/2004, which had been recently provided by the CCA. However, guidance for assessing enriched cages was missing as was the requirement for cages to facilitate easy removal of the birds.
 - (9) The quality of checks of pig farms was less satisfactory than those in the laying hen sector, as documented procedures, as required by Article 8.1 of Regulation (EC) No 882/2004, were very limited and sometimes misleading, such as in relation to manipulable materials, as required by point 4 Chapter I of the Annex to Directive 91/630/EEC. The level of compliance in the pig sector is further weakened as more detailed checks of the largest farms have only taken place in the last few months.
 - (10) Actions were taken when non-compliances were detected as required by Article 54 of Regulation (EC) No 882/2004. The CA had mostly been effective in ensuring that corrective actions were taken; however, there were sometimes extensive delays in notifying the farmers of the need for corrective actions and it was unlikely that farms requiring substantial investment to repair buildings and equipment would be in compliance by the deadlines laid down.
 - (11) Supervision was adequate for ensuring that checks had been organised and reported; however, it was not always effective in verifying the effectiveness of checks, contrary to Article 8.3(a) of Regulation (EC) No 882/2004.
 - (12) A good system of controls has been implemented for checking the requirements of Regulation (EC) No 1/2005 on consignments of live animals transiting Slovenia. The mobile unit has implemented procedures and made use of available equipment and facilities to carry out a comprehensive check of the requirements. However, the target number of inspections in relation to the volume of animals being transported, has not been updated since 2003. Although the penalties, as required by Article 25 of Regulation (EC) No 1/2005, which have been imposed

have been at the lower end of the range defined in national legislation, actions were taken to correct any major deficiencies detected.

- (13) Communication between the mobile unit and the contact point has been efficient; however, notification of infringements, as required by Article 26(2) of Regulation (EC) No 1/2005, from the Slovenian CA to the CA of other Member States has not been so efficient.

6.1. Overall conclusion

Regarding farms, the system of inspections is generally well organised; and where more comprehensive documented procedures have been provided, these have been effective in achieving a satisfactory level of compliance. However, as controls of the pig sector are less developed and until recently the larger farms were not included, this sector is lagging behind the laying hen sector in terms of compliance. In addition there are certain legal gaps in relation to both livestock sectors which weaken the ability of the CA to deliver a higher level of compliance with EU legislation.

There is a good system of controls for checking consignments of live animals transiting Slovenia. Procedures, equipment and facilities were satisfactory to enable comprehensive checks to be carried out and for corrective measures to be taken.

The requirements of Regulation (EC) No 882/2004 such as documented procedures, verification procedures and internal audits have been integrated into the controls of the various sectors but need to be further developed.

7. CLOSING MEETING

A closing meeting was held on 14 September 2007 with representatives of the CCA. At this meeting, the main findings of the mission were presented by the FVO team and the representatives of the CCA provisionally accepted these findings.

8. RECOMMENDATIONS

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 take measures to ensure that:

- (1) The provisions of Directives 99/74/EC, 98/58/EC and 91/630/EEC are correctly transposed in national legislation.
- (2) The risks that influence animal welfare on farm are adequately identified, taking account of the operators past records as regards compliance with animal welfare rules, as required by Article 3.1 of Regulation (EC) No 882/2004.
- (3) Documented procedures are improved so that they contain sufficient information and instructions, as required by Article 8.1 of Regulation (EC) No 882/2004, so

that the requirements of Directives 91/630/EEC and Directive 99/74/EC can be adequately assessed.

- (4) Internal audits are improved so that they not only examine that planned arrangements are implemented effectively, but examine whether these arrangements are suitable to achieve objectives, as required by Article 2(6) and 4(6) of Regulation (EC) No 882/2004 and that measures have been taken to ensure that the audit team is suitably independent, as recommended by point 5.3 of the Annex to Decision 2006/677/EC.
- (5) All laying hen farms covered by the scope of Directive 99/74/EC are correctly registered and that the register is updated when there are changes to the data, as required by Article 1 of Directive 2002/4/EC.
- (6) Procedures to verify the effectiveness of inspections, as required by Article 8.3 of Regulation (EC) No 882/2004, are improved.
- (7) Infringements of the requirements of animal welfare during transport are notified to the CA of other Member States, as required by Article 26(2) of Regulation (EC) No 1/2005.

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_slovenia_7335_2007.pdf

