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FINAL REPORT OF A MISSION  
CARRIED OUT IN FINLAND  
FROM 10 TO 14 SEPTEMBER 2007  
IN ORDER TO EVALUATE THE SYSTEM OF CONTROL  
IN RELATION TO ANIMAL WELFARE ON FARMS

*Please note that factual errors in the draft report have been corrected. Clarifications provided by the Finnish Competent Authorities are given as footnotes, in bold, italic, type to the relevant part of the report.*



## EXECUTIVE SUMMARY

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

*The objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms and to follow up the recommendations from report 3312/2001 on the same subject.*

*The report concludes that there is a good framework for controls of the welfare of animals on farm in place. Training sessions and procedures have assisted the various levels of the CA to keep up to date with changes in legislation; however, these have not provided sufficient support to municipal veterinarians for carrying out their inspections, which do not fulfil the recommendations made in report 3312/2001. As a result certain requirements were not fully assessed and some basic deficiencies such as insufficient cage height for laying hens had not been detected.*

*Inspections of farms were generally carried out according to the CCA instructions; however, the other levels of the CA had not adequately verified whether municipal veterinarians had taken enforcement measures when necessary. Although many of the elements in Regulation (EC) No 882/2004, such as training, documented procedures and supervision have been part of the system of controls prior to the entry into force of this legislation they have not always been effectively implemented in relation to animal welfare controls.*

*The report makes a number of recommendations addressed to the Finnish 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 Finland 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 Central Competent Authorities of Finland, the Finnish Food Safety Authority – EVIRA (hereafter: CCA) and the Ministry of Agriculture and Forestry, on 10<sup>th</sup> 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 a legal desk officer from the Unit of Legal Affairs, also within the Health and Consumer Protection General Directorate (DG SANCO), and was accompanied throughout the mission by a representative from the CCA.

## 2. OBJECTIVES OF THE MISSION

The 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 Directives 91/630/EEC<sup>1,2</sup>, 99/74/EC<sup>3</sup>, 98/58/EC<sup>4</sup>, 2002/4/EC<sup>5</sup> and Decisions 2000/50/EC<sup>6</sup> and 2006/778/EC<sup>7</sup>. The mission also looked at how measures taken in relation to the above are being integrated with the requirements of Regulation (EC) No. 882/2004 of the European Parliament and of the Council<sup>8</sup>.

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

<sup>2</sup> Council Directive 91/630/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).

<sup>3</sup> Council Directive 99/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens, OJ L 203, 3.8.99, p. 53, (hereafter: Directive 99/74/EC).

<sup>4</sup> Council Directive 98/58/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>5</sup> 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).

<sup>6</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). This Decision will be repealed and replaced by Commission Decision 2006/778/EC as of 1.1.2008

<sup>7</sup> Commission Decision 2006/778/EC of 14 November 2006 concerning the minimum requirements for the 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, applicable from 1.1.2008.

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

An assessment was also made of the actions taken in response to the recommendations in report DG (SANCO)/3312/2001 (hereafter: Report 3312/2001).

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

VISITS			Comments
Competent authority	Central level	2	Opening and closing meetings with the CCA.
	Provincial level	2	These meetings were held at the State Provincial Offices (hereafter provincial CA) of Kuopio in Eastern Finland and of Oulu in Oulu region, where checks made by the municipal veterinarians were evaluated.
Farms	Holdings with pigs	2	Reproductive and fattening animals were present on each holding. The farms were selected by the mission team from a list provided by the CAs.
	Holdings with laying hens	2	One holding with an unenriched cage system and one with an alternative (barn) system. The farms were selected by the mission team from a list provided by the CAs.

### 3. BACKGROUND

The main conclusions from report 3312/2001 were as follows:

- the implementation of EU legislation on the welfare of animals on farm was satisfactory;
- documented procedures, although incomplete for pigs and calves, were implemented;
- the inspections carried out were overall satisfactory although not for all aspects and a potential conflict of interests was noted;
- supervision of the local veterinarians by the provincial level was mainly monitored by controlling their inspection checklists and reports. No control visits were undertaken;
- the application and monitoring of sanctions were adequately addressed by the CA although further improvement was possible;
- there was good co-operation between the veterinary services and the police, although the veterinary services lacked information on the sanctions imposed by the courts.

Report 3312/2001 is available under its reference number at the DG Health and Consumer Protection (DG SANCO) website:

[http://ec.europa.eu/food/fvo/ir\\_search\\_en.cfm](http://ec.europa.eu/food/fvo/ir_search_en.cfm)

The responses from the CCA to the recommendations made following report 3312/2001 are mentioned under the relevant headings in this report.

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

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

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

##### **5.1. Legislation**

Report 3312/2001 listed a number of requirements of national legislation that go beyond EU legislation, as well as certain legal gaps. In response to a recommendation in report 3312/2001 the CCA gave a commitment that the relevant amendments would be introduced. It was noted that the Statute on Animal Protection does not contain a reference to Directive 98/58/EC; Article 10 of this Directive requires such national measures to contain a reference to Directive 98/58/EC. The CCA indicated that the proposed amendment to the Animal Protection Act, currently under review, will provide for:

- The definition of "owner" and "keeper" as laid down in Article 2 of Directive 98/58/EC.
- The requirement for staff on farms as laid down in paragraph 1 of the Annex to Directive 98/58/EC.
- The requirement to obtain veterinary advice where animals do not respond to care, as laid down in paragraph 4 of the Annex to Directive 98/58/EC.

The CCA pointed out that they do not have the legal power to enter farms themselves and that the Ministry of Agriculture and Forestry is working on an amendment to legislation in this regard.

##### **5.2. Competent Authority**

###### *5.2.1. Organisation*

The organisation of the Competent Authorities (hereafter: CA) and how this generally applies to animal welfare controls is described in a report concerning the country profile of Finland on food and feed safety, animal health, animal welfare and plant health (ref. DG(SANCO)/7529/2007) which is available under this reference on the DG Health and Consumer Protection website [http://ec.europa.eu/food/fvo/country\\_profiles\\_en.cfm](http://ec.europa.eu/food/fvo/country_profiles_en.cfm).

The CCA pointed out that one more official is being recruited at central level for animal welfare and should start in November 2007.

Municipal veterinarians are paid a monthly salary by the municipalities. For animal health and welfare inspections and other inspections by the government authorities, the Finnish Government pays a fee to the inspector. Municipal veterinarians may also carry out private practice. In order to avoid potential conflicts of interests when a farm is selected for welfare inspections, the provincial CA may decide to appoint for the inspection a veterinarian from a different municipality. However, on the farms visited

during the mission, the same veterinarian carried out both functions on the same farm. The CCA explained that in the near future a number of municipalities will be merged and a smaller number of specialised veterinarians will perform inspections in a wider area, with the aim of better exploiting human resources and improving the quality of inspections. The CCA added that a major amendment to the structure of the veterinary profession is also foreseen.

Exchange of information through the different levels of the CA is organised through meetings, telephone and e-mails, and an electronic newsletter.

The animal welfare supervisors from non-governmental organisations (NGOs) are described in reports 3312/2001 and 8026/2006. The CCA is organising for the first time in 2007 a training course focussing on the legal powers of the animal welfare supervisors. Training courses were formerly organised by the NGOs and approved by the Ministry of Agriculture and Forestry. Supervisors are granted a licence by the Provincial CAs.

In relation to cross compliance checks foreseen by Regulation (EC) No 1782/2003<sup>9</sup>, one municipal veterinarian has been appointed to perform the animal welfare checks throughout the whole country. 140 inspections are planned in 2007, 100 of which had been carried out at the time of the mission. A number of training courses and meetings have been organised at national level on animal welfare cross-compliance checks, to which both provincial and municipal veterinarians have participated.

The registration of holdings with laying hens as laid down in Directive 2002/4/EC is performed at municipal level, upon the farmer's application, who provides the required information including the maximum capacity of the holding. Data are entered in a database, which is operated by the Information Centre of the Ministry of Agriculture and Forestry. Alternative systems are approved by officials from the Food Hygiene Unit of the Department of Food and Veterinary Control of the CCA. There is no procedure in place to correct the information in the database by the CAs, e.g. if the maximum capacity of the holding is found incorrect at inspection; for such cases it would be necessary for the farmer to submit an updated application. Registration in Finland also includes establishments with less than 350 laying hens.

#### *5.2.2. Documented procedures*

In response to a recommendation in report 3312/2001 the CCA indicated that checklists and instructions have been provided to inspectors.

At the end of 2006, the CCA issued one instruction concerning animal welfare inspections on farm and one which specifically concerns cross-compliance. These instructions replaced those previously issued by the Ministry of Agriculture and Forestry. Species specific checklists have also

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<sup>9</sup> Council Regulation (EC) N° 1782/2003 of 29 September 2003 establishing common rules for direct support schemes for farmers and amending Regulations (EEC) N°2019/93, (EC) N°1452/2001, (EC) N° 1453/2001, (EC) N°1454/2001, (EC) N° 1868/94, (EC) N° 1251/1999, (EC) N°1254/1999, (EC) N°1673/2000, (EEC) N°2358/71 and (EC) N°2529/2001, OJ L 270, 21.10.2003, p.1.

been updated and sent together with the instructions to the provincial CAs and subsequently municipal veterinarians. It was noted that both instructions and checklists did not elaborate on the legal requirements, certain of which would require some further clarification if a consistent assessment was to be carried out. The CCA indicated that they considered the scientific background and professional skills of the veterinarians sufficient to assess such requirements.

### *5.2.3. Training*

In response to a recommendation of report 3312/2001 concerning training of inspecting veterinarians and technicians the CCA indicated that:

- Training is organised at different levels. The CCA organise special training days for the provincial CAs at least four times per year, during which issues related to animal welfare are also covered.
- The provincial CAs organise one to four training sessions per year for the municipal veterinarians.

From a review of the meetings and training days organised in 2005, 2006 and 2007 both at national level and by the two provincial CAs visited, it was noted that:

- The purpose of these meetings is to update the various levels of the CAs on all current issues. Animal welfare issues were included among other subjects discussed in most of the training days and meetings.
- In both 2006 and in 2007 two specific meetings were dedicated to animal welfare aspects of cross-compliance checks on farms.
- The municipal veterinarians met expressed a need for more practical training on certain aspects of animal welfare inspections. This was also indicated in some of the reports by the provincial CAs on the results of their supervision of municipal veterinarians.

### *5.2.4. Reporting*

Copies of the reports of inspections carried out in farms are sent by the municipal veterinarians to the provincial CAs that then summarise them for the central level. These summaries are used by the CCA to prepare annual national reports, sent every two years to the Commission Services as required by Decision 2000/50/EC.

The results of the inspections carried out on farms are recorded in a computer database, but not as regularly as required by the CCA. The CCA indicated that a new database has been put in operation in July 2007; this should enhance the reporting system from the provincial to the central level,

and it is designed to be compatible with the requirements of Decision 2006/778/EC<sup>10</sup> that will be applicable from 1.1.2008.

A review of the documentation relevant to inspections performed in 2005 and in 2006 in pig and laying hen holdings was performed in both provinces visited. In both provinces reports had been correctly summarised.

On reviewing the summary report to the Commission concerning inspections performed in 2004 and 2005, the mission team noted that enforcement was not consistent. Although in all cases of infringements the inspecting veterinarian should issue an order, 16% of the infringements reported in pigs holdings in 2005 were followed by an order or other sanction, and 63% in holdings with laying hens. The CCA commented that currently no actual analysis is performed on these results and no specific feedback is given, but the results of the monitoring and inspections will be discussed between the CCA and the provincial veterinary officers during the training days.

#### *5.2.5. Supervision*

In response to a recommendation in report 3312/2001 to ensure the effective application of sanctions and to monitor this at central level, the CCA indicated that the Food and Health Department of the Ministry of Agriculture and Forestry performed on the spot control visits of the provincial and local authorities during on farm inspections between 2002 and 2005. However, since EVIRA took over as the CCA in 2006, such on the spot visits ceased because of the lack of legal power of the CCA officials to enter farms.

Supervision of the municipal veterinarians is performed by the provincial CA by reviewing their inspection documentation as well as by carrying out joint inspections. The target (1% of the farms selected for animal welfare inspections) is agreed with the CCA. The assessment on the performance of the municipal veterinarian is then recorded in a special report filled in by the provincial CA. In 2005 these inspections covered 11 municipal veterinarians, 12 in 2006. In the two provinces visited three out of 26 and three out of 52 municipal veterinarians performing animal welfare inspections had been assessed in 2007, respectively. The target had been met in both provinces. Both provincial CAs indicated that overall the municipal veterinarians had performed well. However, in Kuopio this system of supervision failed to detect that when certain infringements had been ticked in the checklists of inspections, no action had been taken, e.g. the lack of an alarm for ventilation in two holdings with laying hens and in three holdings with pigs. Another problem not detected in the same province was that where orders had been issued to rectify non compliances, there was no evidence of follow-up. Supervision was more effective in Oulu, where there was evidence of monitoring by the CA on the follow-up.

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<sup>10</sup> Commission Decision of 14 November 2006 concerning the minimum requirements for the 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.

### 5.2.6. *Audits*

The CCA indicated that no audits concerning animal welfare on farm have been performed so far. They are planned to start in 2008.

### 5.3. **Information to the professional sectors and training to pig stockpersons**

The various livestock sectors are provided with information on the legal requirements by the professional associations. The CAs are responsible for providing information on legislation regarding animal welfare, but individual producers have not always been directly informed by letter of changes in legislation. Information is, however, available on the CCA's website and in various guides, in which details of the regulatory requirements regarding the keeping, care and treatment of animals can be found.

Concerning a requirement of Article 5a of Directive 91/629/EEC, that training courses focussing in particular on animal welfare are available to persons attending pigs, the CCA explained that agricultural schools and agricultural polytechnics teach domestic animal husbandry and that usually farmers have attended such schools. Additionally, that local rural communities and associations organise short courses. One of the two provincial CAs met indicated that she would often participate as a lecturer to meetings organised by professional associations, including farm advisers. Both farmers met and their staffs had attended agricultural schools and were aware of most welfare legal requirements.

### 5.4. **Inspection programme and selection of farms**

Approximately 2% of pig farms and 15% of laying hen farms are chosen randomly from a farm register maintained by the Information Centre of the Ministry of Agriculture and Forestry, which meets the requirements of Article 7 of Directive 91/630/EEC and Article 8 of Directive 99/74/EC. In relation to Article 3 of Regulation (EC) No 882/2004, which requires that official checks are carried out on a risk basis and that account should be taken of the operator's past record of compliance with animal welfare rules, the CCA explained that a working party was currently working on the risk analysis and that in 2008, where there was, for example, an above average mortality rate, the aim would be to use this in selecting holdings with calves. Sampling on a risk basis would also be carried out on pigs and laying hens.

At national level, the inspections performed in 2004 and in 2005 met the target set, although not for the laying hen farms (circa 12.2% and 12.8%). The preliminary results for 2006 indicated that the targets set had been met although not in all provinces. In both provinces visited the inspection programmes had been fulfilled.

### 5.5. **Farm inspections**

#### 5.5.1. *Holdings with laying hens*

In the farm visited using an alternative system of rearing the municipal veterinarian relied on the measurements made in 2003 by the CA responsible for registration and on the measurements from a plan of the building. Actual measurements were taken by the municipal veterinarian after the mission

team insisted and these showed that in general the legislative requirements were met. However, the CA official had some difficulties and was not always accurate in performing the inspection (the nest surface had not been subtracted to obtain the usable area, as required by Article 2(d) of Directive 1999/74/EC).

Concerning the farm visited with an unenriched cage system, this had been inspected one year earlier. The lack of alarm and backup system for the ventilation and worn out claw shortening devices had been reported as non-compliances, but no order for corrective action had been issued. During the visit it was noted that both these deficiencies still persisted and the following points were not detected:

- 10% of cages had been overstocked when birds had been introduced two months earlier. At the time of the visit 5% of cages were still overstocked, with the mortalities in these two months accounting for the difference.
- The height at the middle of the cage was 26 cm, which does not comply with Article 5(4) of Directive 1999/74/EC.

This had arisen as, prior to the entry into force of Directive 1999/74/EC, the cages had accommodated four hens each and after 1 January 2003 could only provide sufficient cage area for 3.5 hens (Article 5(4) of Directive 1999/74/EC). Therefore, in 2003, in order to minimise the necessary reduction in stocking density, the back of each cage had been taken out and seven hens were placed between the two joined cages. However, this resulted in insufficient height at the point where the birds moved between the cages as the distance from the line of nipple drinkers/water trough to the floor was less than 35 cm, which is the minimum height allowed by Article 5(1) of Directive 1999/74/EC. The CCA explained that when they were notified of the fact that, in some cases, the removal of partitions in the unenriched cages of laying hens caused a situation in which the available space at the position of the water drop line is not at least 38 cm, i.e. the minimum height according to national legislation, the matter was discussed with the provincial CA. In the discussion, it was agreed that measures would not be taken regarding this point because the height was still compliant with the requirements of Directive 1999/74/EC, i.e. at least 35 cm<sup>11</sup>.

#### 5.5.2. *Holdings with pigs*

One of the two farms visited had been inspected ten months earlier and there were no remarks in the report regarding deficiencies in animal welfare. Although no changes had occurred in the meanwhile, during the visit with the mission team certain non-compliances were detected by the CA and a written recommendation was given to the farmer:

- The insufficient size of the pen used for natural service, which had not been detected at the inspection ten months earlier.

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<sup>11</sup> *In their response to the draft report, the Finnish Authorities noted that the height of unenriched cages in Finland is generally compliant with the requirements of Directive 99/74/EC and that the farm visited was exceptional in this regard.*

- The insufficient length of the feeding troughs.
- The insufficient space available to some finishers and some tail biting possibly due to overcrowding, and the inadequate care of a sick pig which had remained in its rearing group.

In addition certain shortcomings were not identified because they were not checked, such as: the lack of material for manipulation and investigation (Paragraph 4 of Chapter I of the Annex to Directive 91/630/EEC); the insufficient bedding in the pen where certain sick pigs had been accommodated (paragraph 4 of the Annex to Directive 98/58/EC); the quality of the feed for pregnant sows and gilts (Article 3.7 Directive 91/630/EEC); and the incomplete records of treatments (paragraph 5 of the Annex to Directive 98/58/EC).

In the other farm visited, which had not been inspected for animal welfare during the past ten years, an order was issued at the end of the visit in relation to:

- The insufficient number of sick pens, the incomplete records of medicines, the insufficient feeder length in some pens, the routine teeth clipping and the lack of alarm for ventilation.
- Additionally the CA advised to put down or to consider slaughtering for his own consumption several animals with large hernias as they were not considered fit for transport to the slaughterhouse (Chapter I of Annex I to Regulation (EC) No 1/2005<sup>12</sup>).

The CA did not detect the insufficient material for manipulation and investigation (Paragraph 4 of Chapter I of the Annex to Directive 91/630/EEC) and the lack of permanent access to water in individual stalls where sows and gilts were confined during servicing or for other reasons (Paragraph 7 of Chapter I of the Annex to Directive 91/630/EEC).

In one of the two holdings visited the use of anthelmintics had not been recorded by the farmer. According to both the provincial and the municipal CA there was no obligation to record use of this medication because the requirement of Paragraph 5 of the Annex to Directive 98/58/EC concerning records of medicines is transposed into national legislation on the welfare of pigs as: "treatments of illnesses must be recorded", rather than "medicinal treatments". The same wording is used in the checklists for the inspections. The CCA clarified that the legislation on the welfare of pigs also refers to two other pieces of national legislation where the obligation to record any medicine listed in the pharmacopoeia for farm animals is laid down, and acknowledged that in this instance it was a lack of enforcement.

Although not applicable to the holdings visited, which had not been built or rebuilt after 1.1.2003, the CCA indicated, in relation to the total unobstructed floor area of pens where sows and gilts are kept in groups that

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<sup>12</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.

they had instructed inspecting veterinarians to subtract the area occupied by any obstruction where animals cannot walk underneath.

## **6. CONCLUSIONS**

- (1) Directive 98/58/EC has not been completely transposed, which was the subject of a recommendation in report 3312/2001. However, there were no major consequences for standards of animal welfare. This gap is now being addressed as part of a wider revision of the Animal Protection Act.
- (2) As the same veterinarian frequently carries out both private practice and official inspections on the same farm, the prescription of medicines and the monitoring of how the producer keeps records of the treatment of diseases are made by the same person. This conflict of interests is contrary to the provisions of Article 4.2(b) of Regulation (EC) No 882/2004 and this arrangement could also give rise to conflicts on other issues related to animal welfare.
- (3) The CCA did not sufficiently address the recommendations in report 3312/2001 concerning training and documented procedures. Training did not provide sufficient practical information to veterinary inspectors to carry out inspections competently and consistently, as required by Article 6 of Regulation (EC) No 882/2004. Documented procedures were limited to summaries of the legal provisions and had not sufficiently clarified how to assess many of the requirements, and as a result problems such as overstocked cages and insufficient height of cages for laying hens had gone undetected. Several requirements relevant to the pig sector were also overlooked and there was confusion regarding the requirements for the recording of the use of medicines, as requirements are spread over several pieces of national legislation and have not been sufficiently clarified for inspectors.
- (4) Procedures to verify the effectiveness of official controls are in place as required by Article 8(3) of Regulation (EC) No 882/2004. However, their efficiency was inconsistent as it failed to ensure that appropriate corrective actions were taken when necessary. The supervision by the provincial CAs was also insufficient to ensure that all EU requirements for the welfare of pigs and laying hens were adequately checked by the municipal veterinarians.
- (5) Audits as required by point 6 of Article 4 of Regulation (EC) No 882/2004 have been planned for controls of animal welfare on farm.
- (6) Farms are selected for inspection to comply with Article 7 of Directive 91/630/EEC and Article 8 of Directive 99/74/EC and steps are being taken to include a risk based selection of farms, as indicated in Article 3 of Regulation (EC) No 882/2004.

### **6.1. Overall conclusion**

There is a good framework for checks of the welfare of animals on farm in place. Training sessions and procedures have assisted the various levels of the CA to keep up to date with changes in legislation; however, these have

not provided sufficient support to municipal veterinarians for carrying out their inspections, which do not fulfil the recommendations made in report 3312/2001. As a result certain requirements were not fully assessed and some basic deficiencies such as insufficient cage height for laying hens had not been detected.

Inspections of farms were generally carried out according to the CCA instructions; however, the other levels of the CA had not adequately verified whether municipal veterinarians had taken enforcement measures when necessary. Although many of the elements in Regulation (EC) No 882/2004, such as training, documented procedures and supervision have been part of the system of controls prior to the entry into force of this legislation they have not always been effectively implemented in relation to animal welfare controls.

## **7. CLOSING MEETING**

A closing meeting was held on 14 September 2007 with representatives of the CCA. At this meeting, the main findings and conclusions of the mission were presented by the FVO team. In their reaction, the CCA indicated that they were already aware of most of the non compliances identified and were working on them. They pointed out that the structure of the local CAs, the structure of the veterinary profession, the legal power of CCA officials, the registration of animals and the Animal Protection Act were already under revision and that an additional budget has already been provided to improve animal welfare checks at local level.

## **8. RECOMMENDATIONS**

### **To the competent authorities of Finland**

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 Competent Authorities should take measures to ensure that:

- (1) The provisions of Directive 98/58/EC are correctly transposed into national legislation.
- (2) Staff performing official controls are free from any conflict of interests, as required by Article 4.2(b) of Regulation (EC) No 882/2004.
- (3) Appropriate training, as required by Article 6(a), is provided to staff to facilitate a more complete assessment of the requirements of Directive 91/630/EEC and 1999/74/EC.
- (4) Documented procedures shall contain sufficient information and instructions, as required by 8.1 of Regulation (EC) No 882/2004, so that adequate inspections are made of the requirements of Directive 91/630/EEC and 1999/74/EC.
- (5) The requirements of Article 5.1.4 of Directive 1999/74/EC concerning the minimum height of cages for laying hens are respected and the minimum

unobstructed area for each hen meets the requirements of Article 5.1.1 of Directive 1999/74/EC.

- (6) Procedures, as required by 8.3 of Regulation (EC) No 882/2004, are sufficient to verify the effectiveness of inspections and corrective actions taken in relation to the welfare of pigs and laying hens on farms.

## **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\\_finland\\_7329\\_2007.pdf](http://ec.europa.eu/food/fvo/ap/ap_finland_7329_2007.pdf)