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FINAL REPORT OF A MISSION  
CARRIED OUT IN  
BELGIUM  
FROM 14 JANUARY TO 18 JANUARY 2008  
IN ORDER TO  
EVALUATE THE SYSTEM OF CONTROL IN RELATION TO ANIMAL WELFARE  
DURING TRANSPORT AND AT THE TIME OF SLAUGHTER

*In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of an endnote.*

### ***Executive Summary***

*This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Belgium, from 14 to 18 January 2008.*

*The objectives of the mission were to evaluate the measures taken to ensure the implementation of the requirements for animal welfare during transport and at the time of slaughter as laid down in Regulation (EC) No 1/2005 and in Council Directive 93/119/EC and how checks of these requirements had been integrated with the requirements for control laid down in Regulation (EC) No 882/2004. In addition, a follow-up of the recommendations made in report DG/(SANCO)/9281/2003 was carried out.*

*The report concludes that overall there is a satisfactory system of controls to ensure the implementation of the requirements for animal welfare during transport and at slaughter, which have been integrated with the requirements for official controls laid down in Regulation (EC) No 882/2004. This system however is incomplete regarding the authorisation of transporters, the checks on journey logs and the measures to ensure the respect of journey times, watering and resting intervals for animals. Although checks at markets have improved, certain deficiencies remain to be corrected. Checks in slaughterhouses were overall adequate, with investigations carried out when there were doubts on the fitness of the animals transported and adequate corrective actions taken when infringements to the above were found.*

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

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## ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

<b>Abbreviation</b>	<b>Explanation</b>
CA	Competent Authority
CCA	Central Competent Authority
DG SANCO	Health and Consumer Protection General Directorate
EC	European Commission
FASFC	Federal Agency for the Safety of the Food Chain
FPS	Federal Public Service Health, Food Chain Safety and Environment
FVO	Food and Veterinary Office

## **1 INTRODUCTION**

The mission was carried out in Belgium from 14 to 18 January 2008, as part of the Food and Veterinary Office's (FVO's) planned mission programme and formed part of a series of missions.

An opening meeting was held on 14 January 2008 with the Central Competent Authorities (hereafter: CCA) of Belgium, the Federal Agency for the Safety of the Food Chain (*Agence fédérale pour la Sécurité de la Chaîne alimentaire / Federaal Agentschap voor de Veiligheid van de Voedselketen*, hereafter: FASFC) and the Federal Public Service Health, Food Chain Safety and Environment (*Service Public Fédéral Santé publique, Sécurité de la Chaîne alimentaire et Environnement / Federale Overheidsdienst Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu*, hereafter: FPS).

The inspection team comprised two FVO inspectors and a trainee and was accompanied throughout the mission by representatives of the CCA.

## **2 OBJECTIVES OF THE MISSION**

The main objective of the mission was to evaluate the measures taken to ensure the implementation of the requirements for animal welfare during transport and at the time of slaughter as laid down in Regulation (EC) No 1/2005 and Directive 93/119/EC, and how checks of these requirements have been integrated with the requirements for controls laid down in Regulation (EC) No 882/2004. This mission also followed up the commitments given by the CCA following mission DG(SANCO)/9281/2003.

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

Visits			Comments
Competent authority	Central	2	Opening and final meetings
	Provincial	2	The Provincial Control Units (hereafter: Provincial CA) of Antwerp and West Flanders.
Assembly centres		3	One assembly centre for pigs and one for calves, and one livestock market for adult cattle and horses.  The sites were selected by the inspection team.
Slaughterhouses		1	One slaughterhouse for adult bovine animals, mostly dairy cows, selected by the inspection team.

### 3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular: Article 45 of Regulation (EC) No 882/2004 and Decision 98/139/EC; Article 14 of Directive 93/119/EC and Article 28 of Regulation (EC) No 1/2005.

Full legal references are provided in Annex I. Legal acts quoted in this report refer, where applicable, to the last amended version.

### 4 BACKGROUND

A previous mission concerning animal welfare during transport and at slaughter took place in Belgium from 24 to 28 November 2003 (ref: DG(SANCO/9281/2003).

The report of this mission (hereafter: report 9281/2003) concluded that a substantial progress had been made on achieving greater compliance with the return of route plans, means of transport, fitness for transport of animals, stunning and bleeding requirements at slaughter. The system of supervision had been improved and effective enforcement actions had been taken. It also concluded that the controls on route plans and monitoring of journey times were insufficient.

The report of this mission is available under its reference number at the FVO website:

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

### 5 MAIN FINDINGS

## 5.1 COMPETENT AUTHORITY

### *5.1.1 Organisation and responsibilities*

The organisation of the Competent Authorities (hereafter: CA) is described in the country profile on food and feed safety, animal health, animal welfare and plant health (ref. DG(SANCO)/7458/2007), available on the FVO web site:

[http://ec.europa.eu/food/fvo/country\\_profiles/CP\\_belgium.pdf](http://ec.europa.eu/food/fvo/country_profiles/CP_belgium.pdf)

The following are further details of the CA and of their tasks in relation to animal welfare during transport and at slaughter, including changes that have taken place after the publication of the country profile.

At central level, within the Cell Import-Export of the FASFC, a contact point for the purposes of Article 26(7) of Regulation (EC) No 1/2005 has been organised. The person in charge deals with all irregularities related to intra-Community trade of animals, including welfare. The Provincial CAs inform the contact point of shortcomings detected and they are contacted when concerned by a complaint from another Member State to carry out a proper investigation and to follow-up the case. There were several examples of irregularities and complaints concerning consignments to and from other Member States dealt with by the contact point and the Provincial CAs concerned.

### *5.1.2 Coordination between Competent Authorities*

Relevant officials from FPS and from FASFC meet quarterly in a Technical Coordination Committee for Animal Welfare. The results of the controls performed at markets are amongst the issues discussed at these meetings.

Both CCA indicated that they were satisfied with the level of coordination and cooperation established. A recent example of good coordination was the preparation of an audit performed by FASFC at markets, where FPS collaborated for the part concerning animal welfare.

Nevertheless FPS explained that although they are generally involved in drafting the checklists for the inspections, they are not always informed on the date of their implementation or on new versions amended by FASFC. They also indicated that they had not been involved by FASFC in the preparation of a checklist for general inspections of slaughterhouses; although this checklist is mostly based on the requirements of Regulation (EC) No 853/2004, it includes the general animal welfare requirements which are laid down in this Regulation, but not those more detailed of Directive 93/119/EC.

### *5.1.3 Training of Competent Authority staff*

In March and in April 2007 two training sessions (one for each linguistic area) on Regulation (EC) No 1/2005 were held by the CCA for the officials of the Provincial CAs and the Regional Associations for Animal Health and Identification. The training did not include the specific issues mentioned in Article 16 of this Regulation, concerning the recording equipment for road transporters and the navigation system.

The CCA indicated that training for the private practitioners performing official controls at assembly centres was not organised, but they have been provided with the relevant instructions and checklists for the inspections.

Overall the officials met demonstrated a good knowledge of the provisions and requirements of Regulation (EC) No 1/2005.

## **5.2 LEGISLATION**

A comprehensive check of national legislation was not carried out. However, during the evaluation of the control system for animal welfare, the following legal aspects were noted:

- A Royal Decree, which at the time of the mission was proposed for the approval of the Regions' Committee, will integrate various aspects of the transport of animals currently laid down in several pieces of legislation and those of Regulation (EC) No 1/2005, and will provide further details for derogations and a definition of commercial transport.
- The procedures for the authorisation of transporters of animals other than farm animals are described in Royal Decree of 14 February 2007.
- The procedures for authorising transporters of farm animals are described in Royal Decree of 16 January 2006, as part of a general procedure for the approval, authorisation and registration of the operators in the food chain.
- Penalties applicable to infringements to Regulation (EC) No 1/2005 are described in the Animal Welfare Law of 14 August 1986. Infringement reports are forwarded from the Provincial CAs to the Commissioners for the administrative sanctions, who are the legal service within the CCA in charge of assessing the file. They can impose an administrative sanction, usually comprised between 275 euro and 750 euro according to the species involved and the circumstances, or transmit the file to the Court.

## **5.3 CONTROLS ON TRANSPORT**

### *5.3.1 Measures supplementary to transport checks*

Training courses of personnel of transporters and assembly centres, as required by Article 17(1) of Regulation (EC) No 1/2005, are not yet available. The CCA organised a call for

tender and has entrusted a Consortium, made of one University, the Regional Association for Animal Health and Identification and agricultural schools, for organising training for trainers. FPS has given the framework for the content of the courses and of the syllabus, which should be available from March 2008. The courses should start in April or May 2008.

Transporters' staff will have the possibility to buy the syllabus for preparing the examination to obtain the certificate of competence so they will not be obliged to attend the training. Personnel of assembly centres will have to attend the training as the examination is not foreseen for them.

### *5.3.2 Authorisation of transporters*

Article 10 of Regulation (EC) No 1/2005 lays down the requirements for authorising transporters carrying out journeys up to eight hours. In particular, the applicants must demonstrate that they have sufficient and appropriate staff, equipment and operational procedures to comply with this Regulation and that they do not have criminal records of infringements in relation to animal welfare.

Article 11 of Regulation (EC) No 1/2005 laying down the provisions for authorising transporters carrying out long journeys, in addition to the documentation mentioned in Article 10, requires further documents, such as the certificates of approval of vehicles, procedures to trace and record the movements of vehicles and to contact drivers, a contingency plan in the event of emergency, and the certificates of competence for drivers and attendants.

Concerning the procedures for authorising transporters which are in place in Belgium, the following was noted:

- The transporters' authorisation and vehicles' approvals are dealt with by the Provincial CAs.
- All means of transport in Belgium must be approved, regardless of the duration of the journey.
- The information concerning the transporters' staff is not included.
- The measures for tracing vehicles and the contingency plans are not requested.

In relation to the records of previous animal welfare infringements, the CAs indicated that this is part of the interview to the applicant transporters.

For the approval of the means of transport a specific checklist for the inspection was already in use before the applicability of Regulation (EC) No 1/2005. It was updated in May 2007 with the requirements for long journeys laid down in Chapter VI of Annex I to Regulation (EC) No 1/2005. This updated version of the checklist was designed to enter the information in the inspection database. However, it was still incomplete as regards some important requirements concerning the recording and the alarm for temperature and the water tank.

The Provincial CAs were instructed to re-approve at the very beginning of 2007 all the means of transport for long distance already registered in their jurisdiction, and to replace

the previous authorisations with the new form provided for in Chapter II of Annex III of Regulation (EC) No 1/2005.

In the two Provinces visited the following was noted:

- The inspections performed at the beginning of 2007, accounting for the majority of approved means of transport for long journeys, were based on the out of date checklist; although the CAs indicated that a copy of Regulation (EC) No 1/2005 was used during the inspection to integrate the checklist, there was no evidence that certain requirements had been duly checked. As an example, a trailer that the mission team assessed during the visit at the pig assembly centre, was approved for long journeys although there was only one temperature sensor positioned underneath the lower deck, which does not meet the requirement of point 3.3 of Chapter VI of Annex I to Regulation (EC) No 1/2005; the requirements for independent ventilation, as laid down in point 3.2 of Chapter VI of Annex I to Regulation (EC) No 1/2005, could also not be demonstrated.
- In West Flanders the inspections of the means of transport performed after May 2007 were still based on the out of date checklist.
- In Antwerp the area of the decks had been provided by the transporters in their application or copied from the previous authorisation. Files seen in West Flanders contained sketches with measurements of the loading areas.
- The authorisations are valid for 5 years. In West Flanders the expiring date of the previous authorisation had been maintained, i.e. the five years were calculated from the date of the previous authorisation, as the new authorisation was considered just as a replacement document.

A CA representative indicated that the requirements concerning ventilation laid down in point 3.2 of Chapter VI of Annex I to Regulation (EC) No 1/2005 are too technical to be checked by veterinarians. The CCA explained that they are negotiating an agreement with the Ministry of Transport in order to integrate the welfare requirements within the technical inspection of the means of transport.

A further version of the checklist for inspecting means of transport, completed with comments and information for inspectors, was under validation by the CCA at the time of the mission.

An electronic database of authorised transporters and approved vehicles, as required by Articles 13(3) and 18(3) of Regulation (EC) No 1/2005, is kept and updated by each Provincial CA. As all food chain operators, including transporters, are also recorded in a central database, the information concerning transporters is accessible to the CCA but not the other Provincial CAs. The CA explained that an improved version of this database should be operational by the end of 2008 and it will record also information regarding withdrawals, suspensions and temporary bans, as required by Article 13(4) of Regulation (EC) No 1/2005.

In relation to the requirement of Article 13(4) of Regulation (EC) No 1/2005 to make the name and the authorisation number of transporters publicly available, the CCA indicated that this has not yet been implemented.

### 5.3.3 Organisation of checks and documented procedures

Article 27.1 of Regulation (EC) No 1/2005 requires that inspections of animals, means of transport and accompanying documents are carried out on an adequate proportion of the animals transported each year. Article 15 of Regulation (EC) No 1/2005 requires the CA to carry out appropriate checks on a random or targeted basis at any stage of long distance transport to verify that declared journey times are realistic and that the journey complies with Regulation (EC) No 1/2005, in particular regarding travel times and rest periods.

The CCA indicated that the following targets have been set:

- At slaughterhouses, at least 5% of the means of transport must be inspected, with a minimum of one per day.
- At markets, officials from the Provincial CAs must perform inspections on the basis of a frequency set by the CCA. In 2006 the frequency was once every two years for most markets; it was increased at the end of 2006 on the basis of a risk assessment performed by FPS that established individual targets (every two to eight weeks) for each market. The assessment took into account the number of market-days and of the transiting animals.
- At holdings where animals arrive from other Member States, checks must be performed on 10% of consignments. However, for these consignments the integrated checks performed include the animal welfare requirements of Directive 98/58/EC but not those of Regulation (EC) No 1/2005. The CA explained that because the exact time of arrival is unknown, it is not possible to organise checks at the unloading of the animals.
- At assembly centres, checks on consignments must be performed on all animals and means of transport before loading.
- For road side checks there is no set target.

Article 8 of Regulation (EC) No 882/2004 requires that official controls are carried out in accordance with documented procedures. The CA provided the following information and instructions for inspections:

- An instruction, last revised on 3.7.2007, on the checks on journey logs and the transporters' records, fitness for transport of animals, means of transport, loading densities, travelling and resting times and the actions in the event of non compliance; this instruction includes specific checklists for the controls.
- An instruction, last revised on 11.01.2007, on animal welfare checks at assembly centres; it reminds the private veterinarians in charge of the controls to check loading and unloading and to inspect each animal unloaded; it also indicates that the person responsible for the assembly centre keeps records of the consignments arriving and leaving, and details the elements to be recorded. Officials from the Provincial CAs are then reminded to investigate and take action where unfit animals are transported.

- An instruction of November 2006 provides clarifications on emergency slaughter on farm; it explains the definition and the conditions laid down in Regulation (EC) No 853/2004 that must be satisfied, providing also examples of situations where animals cannot be transported to a slaughterhouse for animal welfare reasons.

#### *5.3.3.1 Checks at departure*

Article 14 of Regulation (EC) No 1/2005 requires the CA at places of departure to check, amongst other things prior to long distance transport, the validity of the transporters authorisation and approval of the means of transport. Article 14 requires also the CA to check the journey log to assess if it is realistic and indicates compliance with Regulation (EC) No 1/2005. Article 15(2) of the same Regulation requires that checks on the fitness for transport, as referred to in Chapter I of Annex I, are performed before loading.

A recommendation was made in report 9281/2003 to the CA, to ensure that transporters submit complete route plans and demonstrate that steps are taken to respect feeding and watering intervals for the animals during long journeys. In their reply, the CCA indicated that certifying veterinarians had been reminded not to approve route plans if they were incomplete and / or unreliable, and that instructions had been updated to take into account the control and the return of route plans.

It was noted that the instructions concerning checks at places of departure have been further updated by the CCA with the requirements of Regulation (EC) No 1/2005 and in particular, the following procedures have been reminded to the inspectors:

- The planning of the journey logs must be sent for approval to the Provincial CA 48 hours before departure, so that it can be checked with the help of an internet-based computer programme;
- A record of the journey logs should be kept by the Provincial CA so that their return can be monitored. Returned journey logs must be checked to verify the correctness of the information entered and if travel times and rest periods have been respected. In the event of irregularities, a letter shall be issued to the transporter and/or to the certifying veterinarian, and recorded.
- If a journey log is not returned, a letter must be sent to the transporter with a further ten-day delay and in the event of failure to reply, health certificates to the concerned transporter can be suspended. Such cases must be communicated to the CCA who will inform the other Provincial CAs.

The CCA indicated that there are no procedures in place for carrying out checks on the use of drivers' record sheets as referred to in Regulation (EEC) No 3821/85 and in Regulation (EC) No 1/2005 Annex II, point 8.

A review of journey logs randomly selected was performed at the offices visited and it was noted that:

- the planning concerning consignments of pigs to Sicily (Italy) did not indicate the transfer to the Ro-Ro ferry;
- where several consignments were loaded on the same means of transport, the

journey logs did not indicate the detours and the stops to unload the other consignments;

- some transporters continued to use for several months in 2007 the old template "route plan" instead of the journey log template;
- the remarks made by other Authorities when they performed checks at controls posts or at destination, and written on the returned journey logs, had not been followed-up by the CA.

Both Provincial CAs explained that the transporters handed the planning sections of the journey logs on the spot to the certifying veterinarians.

Concerning return of journey logs, in Antwerp almost all were returned on time or with little delay, and letters had been sent to non compliant transporters. In Flanders circa 50% of the journey logs were returned; the CA indicated that the most problematic transporters were those from other member States. The contact point at central level had been informed of such cases and requested to contact the member States concerned.

#### *5.3.3.2 Checks at assembly centres*

The facilities at the two assembly centres visited were adequate and the checks performed by the certifying veterinarians on the fitness for transport and the stocking densities of the animals were satisfactory. However, at the assembly centre for calves checks on documents and on the means of transport were insufficient to identify that this place could be considered neither a place of destination nor a place of departure and consequently that the travelling times, the watering and resting intervals of the calves were not in compliance with those set out in Regulation (EC) No 1/2005, for the following reasons:

- Concerning documents, the consignments originating from various member States were accompanied by health certificates and journey logs indicating this assembly centre as the place of destination. Within a few hours from arrival, the same calves were sorted in various consignments and sent to holdings in The Netherlands accompanied by new health certificates. However, Article 2(s) of Regulation (EC) No 1/2005 defines as place of destination, a place where animals are unloaded and accommodated for at least 48 hours. Additionally, as the origin of the animals was more than 100 km away, and the time spent at the assembly centre was less than six hours with restricted access to water, this place could not be considered as a place of departure, as defined in Article 2(r) of Regulation (EC) No 1/2005.
- Concerning the means of transport used for the second part of the journey, these were authorised for long journeys only for adult bovines and pigs. The CA indicated that these means of transport were suitable for the short journey to the final destinations of the calves. However, this was incorrect because, as the time of accommodation and watering at the assembly centre were insufficient, the journey to the final destinations should have been considered as part of a long journey and consequently performed with means of transport authorised for long journeys.

At the other assembly centre visited the checks of the means of transport where the pigs were loaded were also unsatisfactory. This trailer, although in compliance with most requirements for long journeys, had inadequate sensors for temperature monitoring and the requirements for independent ventilation as laid down in point 3.2 of Chapter VI of Annex I to Regulation (EC) No 1/2005 could not be demonstrated.

### 5.3.3.3 *Checks at markets*

Report 9281/2003 recommended that facilities at markets should be provided so that animals can rest and have access to water. In their reply the CCA indicated that the obligation to provide water was implemented only in those markets lasting ten or more hours. As most places in Belgium can be reached within two hours of travel, they had calculated that this way the maximum 14 hours interval for drinking for adult cattle can be respected, as laid in the previous EU legislation and now in point 1.4(d) of Chapter V of Annex I to Regulation (EC) No 1/2005. Nevertheless, there are no procedures in place to check the duration of the whole journey, from the time of the first loading at the place of origin to the unloading at the final destination.

At the market visited it was not possible to demonstrate the actual total duration of the journey of the animals, including the time spent at the market. The CA explained that water would be provided to those animals remaining at the market after its closure.

In their reply to another recommendation of report 9281/2003 concerning the indication of date and time of departure on documents accompanying animals, the CCA explained that this requirement was fulfilled by the transporters' register and that the CAs had been reminded to verify it. Article 4 of Regulation (EC) No 1/2005 maintained the same requirements for documents accompanying animals as in previous EU legislation and introduced two additional details, which are the indication of the expected duration of the journey and the place of destination.

It was noted that the different models of transporters' register used for the different species partly meet the above requirements. Date and time of departure is implemented but the expected duration of the journey is missing. The CA indicated that this requirement is fulfilled by the "date and time of unloading".

From a review of transporters' registers randomly selected at the sites visited it was noted that records were sometimes incomplete or incorrectly filled in and checks on these documents were insufficient. For this reason it was not possible to calculate the total duration of the journey for the animals concerned.

In relation to welfare checks at markets, the CCA explained that welfare requirements must be ensured by the private veterinarian paid by the market management, within the framework of the auto controls. At the cattle market visited, the following irregularities were noticed by the mission team:

- Most animals were wearing a halter with a rope hanging between the front legs and many of them were stepping and stumbling on it.
- There were no passageways or corridors leading to the pens and the floor was

slippery, thus increasing the excitement of the animals and of the dealers, which were striking them with sticks. The CA did not react.

- Separation by gender and by species was adequate with the exception of a small-sized animal kept in the same pen beside bigger animals.
- The isolation box was of difficult access and was poorly maintained.

The private veterinarian indicated that he had no records of accidents and no records of warnings in 2007. The most recent report of animal welfare inspection performed by the Provincial CA, dated November 2007, indicated as the only non compliance the lack of watering, but no corrective action had been requested.

#### *5.3.3.4 Checks during transport*

Roadside checks are organised at central level by the National Investigation Unit, which depends directly from the General Director of FASFC. These checks are performed in collaboration with the Police, the Provincial CAs and sometimes the authorities of bordering Member States, and cover more than one Province and/or the national borders. They are targeted at detecting frauds but include also the welfare of animals during transport. In 2007, 22 roadside checks were performed, with 19 means of transport checked and two warnings issued. On two separate checks performed in collaboration with the Dutch CAs, a total of 76 means of transport were controlled. In another check performed in West Flanders, 75 means of transport were controlled and one infringement report was made.

Roadside checks are also organised by the Provincial CAs with the Police. The CA of Antwerp indicated that they usually organise five or six such checks per year; in West Flanders roadside checks are performed once a month.

#### *5.3.3.5 Checks at destination*

Checks at slaughterhouses on the transport of animals are performed with specific checklists, one for mammals and ratites and one for poultry. For each slaughterhouse, a summary checklist of the previous 14 working days is sent to the Provincial CA. The results of these checks were made available to the mission team by the CCA and the Provincial CAs visited.

The mission team reviewed a selection of ante mortem and post mortem records of two slaughterhouses, and the following was noted:

- as indicated in the instructions, animals which were unfit for the transport had been killed on farm and the carcasses sent to the slaughterhouse;
- in those instances where a lame animal had been noticed at the ante mortem inspection and a doubt arose on its fitness for transport, special attention had been drawn to the post mortem inspectors; where relevant, further investigation had been carried out interviewing the transporter and / or the farmer concerned. Examples of

investigations and adequate corrective actions taken were seen.

FASFC have requested FPS (which is the CA for this specific sector) to perform checks on consignments of dogs transported from other member States. In 2006 five controls were performed and two infringements reports were issued; one for a consignment of pups from Spain where there was a high mortality at arrival. The non compliances identified were in relation to health requirements, incorrect or insufficient documentation and to the minimum age of the animals as laid down in point 2(f) of Chapter I of Annex I to Regulation (EC) No 1/2005. The second infringement report was issued to a Slovakian transporter for non compliance with the national provisions concerning the means of transport and mutilations. In 2007 there have been three checks by FPS on transport of dogs and no infringements were detected.

Checks on consignments of dogs have been performed also by Provincial CAs at borders, airports and dealers' premises. Instances of false certifications and non compliance with health requirements were detected. Most of these checks were targeted and based on information obtained from Traces and received from other member States and private veterinarians.

The CCA stated that a meeting is planned between FASFC and FPS and a programme of checks will be prepared on the basis of the results of those performed in 2006 and 2007.

#### *5.3.3.6 Corrective actions*

Between January and November 2007, a total of 32 infringement reports concerning animal welfare during transport have been made in the whole of Belgium. 25 of these files were proposed for administrative sanctions; eight have been forwarded to the Court.

### **5.4 REPORTING OF RESULTS OF TRANSPORT CHECKS**

Article 27(2) of Regulation (EC) No 1/2005 requires the CA to submit a report by 30 June 2008, and annually thereafter, of inspections carried out on animals, means of transport and accompanying documents, an analysis of the major deficiencies and an action plan to address them.

The CCA indicated that there will be no difficulties in providing the above to the Commission, as all inspection reports are entered in a database which should contain the required information.

### **5.5 VERIFICATION OF TRANSPORT CHECKS**

Article 8.3(a) of Regulation (EC) No 882/2004 requires that CA have procedures in place to verify the effectiveness of official controls. The CCA explained that the controls performed by the contracted private veterinarians are verified at Provincial level by the head of the office and by the head of the relevant sector. Verifications are made by reviewing the inspection reports and the other documents received but also performing on the spot inspections. A written assessment is made twice a year to evaluate if the veterinarian is meeting the objectives of his contract and respecting its conditions. This evaluation is again assessed before renewing the annual contract with the Provincial CA.

The private veterinarians, before being recruited by the Provincial CAs, must have passed an exam and signed a three-year general contract with the CCA. They must repeat the exam before signing a new contract with the CCA.

The CA in Antwerp pointed out that in 2007 several contracts were not renewed to private veterinarians that did not perform as required.

## **5.6 AUDITS OF CONTROLS OF ANIMAL TRANSPORT**

Internal audits, as required by Article 4.6 of Regulation (EC) No 882/2004, are organised by the National Implementation and Coordination Unit within DG Control of FASFC. In 2007 they performed an audit on markets including amongst various aspects, animal welfare. In relation to animal welfare, it was concluded that there was substantial progress compared to the situation a few years ago; the most common remark concerned the length of the ropes used to tie the animals in the pens. The outcome of this audit was discussed at the Animal Welfare Technical Coordination Committee.

Following this audit, corrective actions were requested to all the parties involved, and in particular: to FPS, to integrate the observations in the risk assessment for the future control plans; to the Animal Welfare Technical Coordination Committee, to revise the checklist for transport inspections at assembly centres; to the Provincial CAs, to ensure that deficiencies were corrected and that operators improve and implement internal rules. The checklist used for the transport checks was modified following the audit. A follow-up of the audit will be carried out in April 2008.

## **5.7 CONTROLS IN SLAUGHTERHOUSES**

Article 5(1) of Regulation (EC) No 854/2004 requires that official veterinarians carry out inspection tasks in slaughterhouses, including animal welfare. Article 3 of Regulation (EC) No 882/2004 requires official controls to be carried out regularly, on a risk basis and with appropriate frequency.

The CCA explained that checks concerning animal welfare at slaughter are part of the ante mortem and post mortem inspections performed on each animal by the veterinarians in charge of the controls. Additionally, a check list for animal welfare at slaughter must be completed every fourteen working days. At the time of the mission this check list was under revision; the new version should include comments and clarifications to better support inspectors.

At the slaughterhouse visited the lairages were adequate, with the only exception of the poor state of maintenance of the isolation pen. The operations concerning handling, restraining, stunning and bleeding of the animals were performed in a satisfactory way. There were three captive bolt pistols kept at the place of stunning, all in proper working conditions; their maintenance was recorded in a logbook.

This issue of feeding animals which are not slaughtered within 12 hours of their arrival at slaughterhouses had been the subject of a recommendation in report 9281/2003. In their response the CCA indicated that this obligation had been reminded to the CAs. This requirement was verified by the CA in the slaughterhouse visited.

## **5.8 REPORTING OF RESULTS OF CHECKS IN SLAUGHTERHOUSES**

The results of animal welfare checks are recorded in the checklists used for the inspections, which are entered in a national database. Copies of the checklists are sent to the Provincial CAs and there kept for three years. At the offices visited there were examples of communications with other Provincial CAs and the CCA, where problems identified at the slaughterhouse were attributed to the farm of origin of the animals.

## **5.9 VERIFICATION OF CHECKS IN SLAUGHTERHOUSES**

The procedure in place to verify the effectiveness of official controls is the same for all the private veterinarians contracted by the Provincial CAs, and is described in the section concerning checks on transport.

There are additional verifications which are performed on the private veterinarians in charge of official controls in slaughterhouses.

A first level of verification is performed by the Administrative Veterinarian, who is also a private veterinarian contracted by the Provincial CA, and is responsible of the colleagues working in the abattoir.

Documental review is performed by the Provincial CA on the reports and other documents received from the veterinarians working in the slaughterhouses, and random inspections in the abattoirs are also made.

In addition to the above, officials from the Provincial CA perform inspections in each slaughterhouse to verify that the requirements of hygiene, infrastructure, identification, registration and animal welfare are uniformly implemented; these checks are made with the help a checklist based on the requirements of Regulation (EC) No 853/2004. The frequency of such inspections has been increased from once a year to four times per year, starting from mid-2007.

## **5.10 AUDITS OF CONTROLS IN SLAUGHTERHOUSES**

The CCA indicated that an audit of the slaughterhouses was ongoing, but the results were not yet available at the time of this mission.

## **6 CONCLUSIONS**

1. Although the legislative procedure has not yet been completed, the integration of Regulation (EC) No 1/2005 into a single piece of national legislation concerning various aspects on the transport of animals is a positive step to facilitate implementation of animal welfare requirements.
2. A contact point has been organised by the CCA to facilitate communication between CAs and other Member States and it was effectively used, as required by Article 26(7) of Regulation (EC) No 1/2005.

3. Coordination between the two CCA, as required by Art 4 (3) and (5) of Regulation (EC) No 882/2004 was overall adequate with several good examples of effective collaboration and coordination, and only in limited occasions there has been insufficient exchange of information.
4. Training of CA staff on the requirements of Regulation (EC) No 1/2005 was provided by the CCA and overall the officials met demonstrated a good knowledge of this Regulation. However it was incomplete as it did not include provisions concerning recording equipment for road transport and navigation system, contrary to the requirement of Article 16 of Regulation (EC) No 1/2005.
5. The procedures for authorising transporters are incomplete. Authorisations have been granted without respecting all the provisions of Articles 10 and 11 of Regulation (EC) No 1/2005 concerning the required documentation, such as the procedures to trace and record the movements of vehicles and to contact drivers; contingency plans in the event of emergency; and the certificate of competence of transporters' staff.
6. Although arrangements to organise training of transporters and assembly centre staff are ongoing, courses are not yet available, contrary to the requirement of Article 17(1) of Regulation (EC) No 1/2005. Consequently drivers and attendants do not hold yet a certificate of competence; transporters cannot fulfil the requirements of Article 6(4) to entrust handling of animals to trained staff, and of Article 11(1)b(i) to provide such certificates when applying for a long journey authorisation; operators of assembly centres cannot fulfil the requirement of Article 9(2)(a) to entrust the handling of animals to personnel trained on the provisions of Annex I.
7. The initiative of the CCA to negotiate an agreement with the Ministry of Transport in order to integrate the welfare requirements within the technical inspection of the means of transport is an additional instrument to ensure better compliance particularly with technical requirements of Regulation (EC) No 1/2005, such as for ventilation rates. There is a system in place for the approval of means of transport, including those for less than eight hours. However, due to delay in adapting the checklist for the inspection of means of transport for long journeys to the requirements of Regulation (EC) No 1/2005, it is not ensured that these means of transport meet all the requirements of Chapter VI of Annex I, in particular the recording and alarm system for temperature and the water tank.
8. A database of authorised transporters and approved means of transport, as required by Articles 13(4) and 18(3) of Regulation (EC) No 1/2005, is in place but transporters' name and authorisation number are not yet publicly available as required by Article 13(4) of this Regulation.
9. With the exception of checks at destination on consignments arriving at holdings, the CCA have set adequate targets to ensure that inspections of animals, means of transport and accompanying documents are carried out and roadside checks are performed as required by Article 27(1) of Regulation (EC) No 1/2005. Although not part of the programme, checks are organised also on species other than farm animals.

10. Official controls are carried out in accordance with documented procedures provided by the CCA, as required by Article 8 of Regulation (EC) No 882/2004 and the CCA are making efforts to update the checklists for the inspections.
11. Despite the commitment made by the CCA following a recommendation in report 9281/2003, the checks at places of departure and at assembly centres performed on journey logs prior to departure and when these are returned were still insufficient to ensure that the intervals for resting and watering animals are respected by transporters, and remarks by other CAs had not been taken into account.
12. Concerning checks at assembly centres, these were adequate in relation to the fitness for transport and stocking densities of the animals. However, checks on documentation were insufficient to ensure that journey times, watering and resting intervals and means of transport for calves transiting through assembly centres met the requirements set out in Regulation (EC) No 1/2005.
13. The CA have put in place a system of controls at markets but this was insufficient to ensure that some facilities and the handling requirements set out in Chapter III of Annex I to Regulation (EC) No 1/2005 are respected. The commitment given by the CA following mission 9281/2003 was not sufficiently implemented to ensure that resting and watering intervals set out in Chapter V of Annex I to Regulation (EC) No 1/2005 were respected for animals transiting through market. The actual duration of the travel of animals could not be properly assessed since documentation does not fulfil the requirements of Article 4 of Regulation (EC) No 1/2005 and checks performed on the transporters registers were insufficient to ensure that correct records were kept.
14. Concerning checks at destination performed at slaughterhouses, there is an effective system of supervision to ensure that unfit dairy cows are not transported, and appropriate measures were taken to investigate irregularities. Results of checks in slaughterhouses were reported, as laid down in section II of Annex I of Regulation (EC) No 854/2004.
15. Verification of official controls, as required by Article 8.3(a) of Regulation (EC) No 882/2004, was performed by the Provincial CAs. These generally helped to ensure a satisfactory level of inspection. However, they failed to detect irregularities concerning the journey logs and the duration of travelling times for animals transiting through assembly centres.
16. Internal audits are performed by the CCA to ensure effectiveness of controls, as required by Article 4.6 of Regulation (EC) No 882/2004; the audit performed in 2007 at markets included animal welfare and appropriate actions were taken by the CAs following the recommendations made, for example revising the inspection checklist concerning welfare during transport. However, they did not identify the inadequate performance of controls.

## **6.1 OVERALL CONCLUSION**

Overall there is a satisfactory system of controls to ensure the implementation of the requirements for animal welfare during transport and at slaughter, which have been integrated with the requirements for official controls laid down in Regulation (EC) No 882/2004. This system however is incomplete regarding the authorisation of transporters, the checks on journey logs and the measures to ensure the respect of journey times, watering and resting intervals for animals. Although checks at markets have improved, certain deficiencies remain to be corrected. Checks in slaughterhouses were overall adequate, with investigations carried out when there were doubts on the fitness of the animals transported and adequate corrective actions taken when infringements to the above were found.

## 7 CLOSING MEETING

A closing meeting was held on 18 January 2008 with representatives of the CCA. At this meeting, the main findings and conclusions of the mission were presented by the FVO team. Following a discussion concerning the provision of water to animals at markets, the FVO team indicated that they would consult further within DG SANCO on this requirement. The representatives of the CCA indicated that there is a contradiction in Regulation (EC) No 1/2005 on the requirement of watering animals at markets and that moreover it creates practical difficulties and health risks.

## 8 RECOMMENDATIONS

Within 25 working days of receipt of the report, the Competent Authorities of Belgium are requested to present a plan of actions, including a timetable for their completion, to address the following recommendations. The CCA are recommended to ensure that:

No.	Recommendation
1	Training of CA staff on the requirements of Regulation (EC) No 1/2005 is completed, to include the provisions concerning recording equipment for road transport and navigation system, as laid down in Article 16 of Regulation (EC) No 1/2005.
2	Procedures for the authorisation of transporters include the documentation required by Articles 10 and 11 of Regulation (EC) No 1/2005.
3	Training courses for personnel of transporters and assembly centres are made available as soon as possible, as required by Article 17 of Regulation (EC) No 1/2005.
4	All means of transport approved for long distance meet the requirements of Chapter VI of Annex I to Regulation (EC) No 1/2005.
5	Target of inspections on long journeys include checks at unloading at holdings to verify that the requirements of Regulation (EC) No 1/2005 have been complied

No.	Recommendation
	with, as required by Articles 15(1) and 27(1) of Regulation (EC) No 1/2005.
6	Documents accompanying animals fulfil all the requirements of Article 4 of Regulation (EC) No 1/2005.
7	Effective checks are performed on documents accompanying animals, and in particular on journey logs prior to departure and when returned, as laid down in Article 15(1) and (4) of Regulation (EC) No 1/2005, to ensure that watering and feeding intervals, journey times and resting periods for animals are respected by transporters.
8	Adequate checks are performed at assembly centres for transiting animals, to ensure that the watering and feeding intervals, journey times and resting period laid down in Chapter V of Regulation (EC) No 1/2005 and the minimum requirements for means of transport for long journeys set out in Chapter VI of Regulation (EC) No 1/2005 are respected.
9	Adequate checks are performed at markets to ensure that facilities and handling requirements set out in Chapter III of Annex I to Regulation (EC) No 1/2005 are respected.

The competent authority's response to the recommendations can be found at:

[http://ec.europa.eu/food/fvo/ap/ap\\_belgium\\_7688\\_2008.pdf](http://ec.europa.eu/food/fvo/ap/ap_belgium_7688_2008.pdf)

## ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Decision 98/139/EC	OJ L 38, 12.2.1998, p. 10–13	98/139/EC: Commission Decision of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States
Regulation (EC) No 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	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
Regulation (EC) No 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	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
Regulation (EC) No 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
<b>Animal welfare on farms</b>		
Directive 98/58/EC	OJ L 221, 8.8.1998, p. 23–27	Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes
<b>Animal welfare during transport</b>		
Regulation (EC) No 1/2005	OJ L 3, 5.1.2005, p. 1–44	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
<b>Animal welfare at slaughter</b>		
Directive	OJ L 340,	Council Directive 93/119/EC of 22 December 1993

<b>Reference</b>	<b>OJ Ref.</b>	<b>Detail</b>
93/119/EC	31.12.1993, p. 21–34	on the protection of animals at the time of slaughter or killing