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DG(SANCO)/ 2009-8270 - MR - FINAL

FINAL REPORT OF A MISSION  
CARRIED OUT IN  
MALTA  
FROM 20 JANUARY TO 23 JANUARY 2009  
IN ORDER TO  
TO EVALUATE THE IMPLEMENTATION OF CONTROLS FOR ANIMAL  
WELFARE ON FARMS, 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 Malta, from 20 to 23 January 2009.*

*The objectives of the mission were to verify the implementation of EU animal welfare legislation applicable to farm animals and to assess how official controls required by Regulation (EC) No 882/2004 have incorporated controls of these sectors. This included an assessment of the actions taken following previous missions which also dealt with animal welfare issues.*

*The report concludes that overall an adequate system for carrying out animal welfare inspections has been put in place and the CA has detected the majority of deficiencies which occur. However, verification of the effectiveness of controls by the CA has been insufficient and enforcement actions have been limited and as a result, there are recurring animal welfare problems such as the transport of unfit animals to slaughterhouses. In addition, the CA has not been effective in getting corrective actions implemented by that part of the Ministry responsible for managing the state owned abattoir and incorrect interpretation of the legislation on laying hens has given rise to non-compliance in the way caged systems for laying hens are operated.*

*The report makes a number of recommendations addressed to the competent authorities 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
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
SANCO	Health and Consumers Directorate General of the European Commission
VRFCDD	The Veterinary Regulation, Fisheries Conservation and Control Directorate General (of the Ministry for Resources and Rural Affairs).

## 1 INTRODUCTION

The mission took place in Malta from 20 to 23 January 2009, as part of the planned mission programme of the Food and Veterinary Office (FVO).

An opening meeting was held with the competent authorities of Malta on 20 January 2009. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the mission team. The mission team comprised two inspectors from the FVO and was accompanied throughout the mission by a representative from the Competent Authority, the Veterinary Regulation, Fisheries Conservation and Control Directorate General of the Ministry for Resources and Rural Affairs.

## 2 OBJECTIVES OF THE MISSION

The objective of the mission was to verify the implementation of EU animal welfare legislation regarding farmed animals and to follow up on commitments given following a pre-Accession mission on animal welfare. In particular the mission assessed how the official controls required by Regulation (EC) No 882/2004 have been implemented to ensure that the requirements of Directives 91/629/EEC, 91/630/EEC, 93/119/EC, 99/74/EC and Regulation (EC) No 1/2005 are respected.

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

Visits		Comments
Competent authority	2	Opening and final meetings
Farms	4	One pig farm and one laying hen farm on Malta, One pig farm and one laying hen farm on Gozo. Selected by the inspection team at the opening meeting.
Slaughterhouses	3	One red meat, one poultry and one rabbit slaughterhouse.

## 3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation, in particular article 45 of Regulation (EC) No. 882/2004.

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

## **4 BACKGROUND**

A previous mission concerning animal welfare took place in Malta from 17 to 20 June 2003, as part of the monitoring of the actions taken by the competent authorities in Accession Countries to ensure the transposition of EU legislation, in particular Chapter 7 Veterinary legislation, into its national legislation, and to ensure effective implementation and enforcement of these rules. The CA provided certain commitments regarding animal welfare controls following this mission. The CA also gave undertakings to address several issues in respect of animal welfare at slaughter following a recommendation on this issue in report DG(SANCO) 8180/2006 regarding food hygiene - food of animal origin. This report and the CA action plan are available under its reference number on the website of DG Health and Consumers at:

[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**

The organisation of the CA and the control system for animal welfare are described in the country profile DG(SANCO)/7715/2008 on food and feed safety, animal health, animal welfare and plant health, which is available on the DG Health and Consumer website.

#### *5.1.1 Designation of tasks and operational criteria*

##### ***Legal basis***

Article 4.2 of Regulation (EC) No 882/2004 requires the CA to ensure the effectiveness and appropriateness of official controls, that staff carrying out official controls are free from any conflict of interest and that they have appropriate equipment to ensure that staff can perform official controls efficiently and effectively. The CA must also provide for efficient and effective co-ordination and co-operation with other authorities.

##### ***Audit Findings***

Regarding potential conflict of interest:

- Veterinary support officers work under an official veterinarian and carry out inspections of animal welfare on farms.
- Country profile DG(SANCO)/7715/2008 indicates that the veterinary service on the Island of Gozo is administratively dependent upon the Ministry of Gozo and receives technical instructions from the the Veterinary Regulation, Fisheries Conservation and Control Directorate General (VRFCCD).
- There is one official veterinarian working on Gozo and this veterinarian is also paid privately for clinical work carried out on farms which are also visited as part of official controls. No arrangements had been made by the CA to deal with the potential conflict of interest for a veterinarian carrying out official and private work.

No inspections had been carried out on Gozo during previous animal welfare inspections of pig farms and at the final meeting, representatives of the CA explained that to avoid any potential conflicts of interest, future inspections of this sector on Gozo would involve an official from the central level of the CA.

- Veterinary services are part of the VRFCCD, a separate Directorate General from the DG responsible for the management of the state owned red meat slaughterhouse. However both DGs are still part of the Ministry for Resources and Rural Affairs, so the same Ministry is responsible for issuing orders regarding deficiencies detected in the slaughterhouse and subsequently taking actions to correct them.

Regarding equipment to carry out official controls:

- Basic equipment was available for measuring dimensions of cages or pens, but staff did not have access to equipment which would enable the taking of objective measurements of light, noise or gas concentrations.

In relation to co-ordination with other authorities:

- There is regular liaison with the Environment and Planning Authority particularly on establishment and refurbishing of pig farms, and animal welfare issues are considered at this stage.

### *5.1.2 Staff training*

#### ***Legal Basis***

Article 6 requires competent authorities to ensure that staff receive appropriate training, and are kept up-to-date in their competencies.

#### ***Audit Findings***

- Training on several animal welfare issues has taken place through twinning projects notably with the University of Vienna on the welfare of pigs, and representatives from this institution were also involved in developing procedures for inspecting laying hen farms. The CA are currently relying on SANCOs "Better Training for Safer Food " to provide training for officials.
- All the staff met during the mission had a good knowledge of EU animal welfare requirements.
- During the visits measuring of the dimensions of cages and pens was not always accurately carried out and one VSO was unable to carry out the calculation to assess the slope of the cages.

## **5.2 DOCUMENTED PROCEDURES FOR CONTROLS**

#### ***Legal Basis***

Article 8 of Regulation (EC) No 882/2004 requires that official controls are carried out in accordance with documented procedures.

#### ***Audit Findings***

- Documented procedures have been developed for most animal welfare related tasks.
- Veterinary Support Officers followed the instructions they had been given when carrying out the inspections of farms.
- Some requirements had not been included in the checklists.
- On laying hen farms this resulted in the maximum number of birds which can be kept not being assessed and the formulation of certain questions, using double negatives, had led inspectors to misunderstand how to answer the question ([see Endnote](#)). Instructions were also insufficient to enable the inspector to calculate the floor slope of cages ([see Endnote](#)).
- Although there were some references to floor areas in the checklist for pigs this had not resulted in the CA systematically assessing compliance with the stocking densities listed in Article 3 of Directive 91/630/EEC, and the lack of reference to the provision of manipulable material meant that the requirements of Chapter 1.4 of the Annex to Directive 91/630/EEC were not checked ([see Endnote](#)).
- The inspection team saw deficiencies on the farms visited regarding the above issues.
- The checklists for use in slaughterhouses were adequate. The competent authority had determined the strength of current for stunning broilers in water bath stunners, as required by Directive 93/119/EC, Annex C II 3 B1 and the stunning of birds in the slaughterhouse visited was satisfactory.

### **5.3 CONTROLS ON LAYING HEN FARMS**

There are currently 57 laying hen farms and 20 farms with both layers and broilers. 12 farms were granted a transitional period until 2006 to operate unenriched cages not meeting the requirements of Article 5 (1) (4) and Article 5 (1) (5) of Council Directive 1999/74/EC in relation to height and floor slope. The CA indicated, following a pre-Accession FVO mission, that they were monitoring progress with upgrading and if this was not satisfactory final warnings would be given and no permits issued for the introduction of further flocks.

#### ***Legal basis***

Directive 2002/4 requires that Member States shall register each establishment with laying hens and ensure that the registered data, including the maximum number of birds which can be kept in the establishment, is updated immediately when changes take place. Article 8 of Directive 1999/74/EC requires the CA to carry out checks to monitor compliance with the requirements of this Directive. Article 5(2) of Dir. 1999/74/EC states that after 1/1/2003 (1/5/2004, day of Accession in the case of Malta) it is not permitted to bring into service cages as referred to in chapter II (unenriched cages).

#### ***Audit findings***

- 22 laying hens farms were inspected by the CA in 2007 and the CA indicated that there were no major deficiencies.
- The previous inspection of one of the farms visited indicated that there were too

many birds per cage. No action had been taken subsequently by the CA. In addition no action had been taken regarding the insufficient height of the cages, which was 32.5cm, whereas Article 5 (1) (4) of Directive 1999/74/EC requires a minimum height of 35cm. The inspector had also previously recorded that beak trimming had been carried out after the age allowed and no action had been taken. Point 8 of the Annex to Directive 1999/74/EC requires Member States to authorise beak trimming only if it is carried out by qualified staff on chickens less than 10 days old. Here the farmer had carried this out himself when birds were 3 weeks of age. The inspection team pointed out that the birds had been severely mutilated. CA inspection reports indicated that this had been done at 3 weeks on other farms also.

- On the second farm cages had been installed after Accession but were being operated as unenriched systems. The CA had informed the industry that although the dimensions of new cages could not be those laid down in Article 5 of Directive 1999/74/EC, new cages could be operated with a stocking density of 550cm<sup>2</sup> per bird and without furnishings. The inspection team noted that the cages were of the minimum height required by Article 6 of Directive 1999/74/EC and could be fitted to meet the requirements for drinkers, nests, perches and litter, and operated at the stocking density laid down in Article 6 of Directive 1999/74/EC, and thus comply with this Directive.
- According to data presented by the CA, 11 farms are operating caged systems in a similar way.
- The maximum capacities registered by the CA for both farms were incorrect. In the first farm this was because the farm had changed the housing arrangements but the CA had not detected at subsequent inspections that the maximum number of birds should be revised ([see Endnote](#)). In the second farm the capacity of the house was incorrect as the CA had allowed it to be operated as an unenriched system at a stocking density of 550cm<sup>2</sup> per bird rather than as an enriched system at 750cm<sup>2</sup> of cage area per bird, as required.

#### **5.4 CONTROLS ON PIG FARMS**

##### ***Legal basis***

Article 7.1 of Directive 91/630/EEC requires the CA has to carry out inspections on a representative sample of the different rearing systems and which can be carried out at the same time as checks for other purposes.

##### ***Audit findings***

- 14 pig farms, all of which were on the Island of Malta, were inspected in 2007 and the CA indicated that there were no major deficiencies. No farms were selected on Gozo, where 9% of pig farms are located.
- Certain deficiencies on the two farms visited, such as lack of manipulable material, had gone undetected as these requirements had not been included in the checklist provided by the CA. Certain other requirements although included in the checklist had not been satisfactorily checked. In both cases inspectors had not paid sufficient

attention to the state of maintenance of fixtures and fittings. In addition, pens for sick animals were without any bedding. On one farm the floor of this pen was very wet and in the second there was a large hole in the floor beneath the drinker.

- In previous years a warning letter had been sent in one case where the CA had detected tethering of sows and further actions had been taken in cases where there had been a complete breakdown in management resulting in animal suffering.

## **5.5 CONTROLS ON CALF FARMS**

### ***Legal basis***

Article 7 of Directive 91/629/EEC requires the CA to carry out inspections which shall each year cover a statistically representative sample of the different rearing systems and which can be carried out at the same time as checks for other purposes. Article 3.3 (a) of Directive 91/629/EEC requires that no calf shall be confined in an individual pen after the age of eight weeks.

### ***Audit findings***

- The CA has focused on inspections in this livestock sector for reasons other than animal welfare (dairy hygiene).
- Where calves had not been accommodated in groups follow-up actions had been taken and the Department of the CA responsible for cross compliance informed.

## **5.6 REPORTING OF INSPECTIONS**

Following a pre-Accession FVO mission the CA indicated that trials on a database for reporting procedures as foreseen in Commission Decision 2000/50/EC had started and the database would be fully functional by the 1st quarter of 2004.

### ***Legal basis***

From 1.1.2008 recording and reporting the results of farm inspections is laid down in Commission Decision 2006/778/EC. Article 27.2 of Regulation (EC) No 1/2005 requires each Member State to submit an annual report on the previous year's inspections of animal transport accompanied by an analysis of the major deficiencies and actions to address them.

### ***Audit findings***

- Reporting of farm checks has not been carried out as required by Decision 2006/778 nor as required by Article 27 of Regulation (EC) No 1/2005 for transport checks.

## **5.7 CONTROL OF ANIMAL WELFARE DURING TRANSPORT**

Following a pre-Accession FVO mission the CA indicated that information on procedures for on farm slaughter, to avoid the transport of injured animals had been discussed with the respective co-operatives and had been implemented.

### ***Legal basis***

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, including transport of animals by farmers in their own vehicles on journeys of less than 50km. Article 12 of Council Directive 93/119/EC requires that injured animals must be killed on the spot if it is not possible to transport them without causing further suffering.

### ***Audit findings***

- The CA had indicated, both at the opening meeting with the inspection team and in certain documents seen during the mission, that they considered that Regulation (EC) No 1/2005 did not apply to the transport of animals on Malta. The inspection team pointed out that even if distances were less than 50km, Article 3 and Article 27 applied to farmers using their own vehicles and that the detailed provisions of Annex I of Regulation (EC) No 1/2005 would apply for other commercial transport up to 65km. The pig farmer visited in Gozo indicated that it would take around 4 hours to complete the transport of pigs to the slaughterhouse in Malta.
- The majority of cases which had undergone emergency slaughter at the red meat slaughterhouse were of recumbent dairy cows and for which a private veterinarian had supplied a support certificate indicating that these animals were "downers" before leaving the farm. Other cases were seen where animals with fractured limbs had been transported to the slaughterhouse. The OV had indicated to his hierarchy on-going problems with the transport of unfit animals but no subsequent action had been taken.
- A recent report from the OV at the red meat slaughterhouse had also highlighted to the CA that most pig producers were transporting unfit animals in the same vehicle as other animals, and that categories of animals unsuitable to be transported together were in the same compartments on the vehicles, but no further action had been taken by the CA.
- The CA indicated that they now intend to put in place a system for on farm slaughter for human consumption as permitted by Chapter VI of Section I of Annex III to Regulation (EC) No 853/2004.
- Checks of poultry transport had been carried out at the poultry slaughterhouse. Stocking densities were much lower than those allowed in Regulation (EC) No 1/2005. The OV indicated that it was necessary to keep these densities low to avoid high temperatures during transport particularly where vehicles had to use the roll on roll off ferry from Gozo.

## **5.8 CONTROLS IN SLAUGHTERHOUSES**

### ***Legal basis***

Article 7 of Directive 93/119/EC requires that the CA ensures that persons employed in the slaughter process possess the necessary skill, ability and professional knowledge. Article 8 of this Directive requires the CA to carry out controls and the Annexes provide detailed requirements for the lairaging, restraint, stunning and bleeding of animals.

### *Audit findings*

- A contracted veterinarian has inspected rabbit slaughter houses slaughtering more than 50 animals per week and several of these establishments are upgrading their facilities to meet the requirements of Regulation (EC) 853/2004; however, inspections as required by Article 8 of Directive 93/119/EC have not been carried out.
- Movement of rabbits from the farm on the same site as the slaughterhouse was carried out in very overcrowded trolleys. Dislocation of the neck was used to kill the rabbits, although this is not an approved method in Directive 93/119/EC. An electrical stunning device had been purchased, but had not yet been installed.
- As indicated by the CA in response to report 8180/2006, CO2 stunning equipment had been put into operation in the red meat slaughterhouse. This was seen to be effectively operated on the day of the visit, but certain reports from the OV indicated problems with handling pigs and exceeding the maximum number of pigs which should enter the gondola, both of which give rise to insufficient stunning. Although not in operation during the visit it was also seen that new cattle handling facilities had also been installed.
- The OV at the red meat slaughterhouse had highlighted to his hierarchy that there were on-going problems with handling of animals by dealers within the lairages and also on several occasions dealers have carried out the actual stunning of bovine animals. Problems with ventilation in the lairages and animals not being fed as required after 12 hours of their arrival were also highlighted. The Food Business Operator, who in this case is the part of the Ministry which manages the slaughterhouse, has not yet responded to the corrective actions requested in 2008.
- An incident in 2007 involving the grossly improper handling of an injured cow in this slaughterhouse was investigated by the Police, who decided to take no further action.
- In the poultry slaughterhouse, although the OV had indicated on his daily inspection check list that the shackling of birds was satisfactory, the inspection team indicated a problem with shackled birds coming into contact with the crates below.

## **5.9 VERIFICATION OF INSPECTIONS**

### *Legal basis*

Article 8.3(a) of Regulation (EC) No 882/2004 requires the CA to verify the effectiveness of official controls.

### *Audit findings*

- There had been insufficient verification of the reports from VSOs and it was the inspection team who pointed out that different VSOs had understood the questions on the pig farm checklist in different ways and had misunderstood certain questions on the checklist for laying hens. This had resulted in conflicting information on the outcome of checks.

- During the visits the OV agreed with the inspection team that VSOs had not paid sufficient attention to the state of repair of floors and fixtures and had not assessed this requirement appropriately.

## 6 CONCLUSIONS

1. There has been good co-ordination between the CA and authorities responsible for the planning regulations concerning livestock buildings so that animal welfare on farms has been taken into consideration at the planning stage.
2. The CA lacks the equipment necessary for measurements of criteria other than the physical dimensions of pens and cages and therefore cannot make objective measurements of these other requirements.
3. There is a good level of understanding of EU requirements, but reliance on SANCOs "Better Training for Safer Food" is unlikely to provide sufficient technical support to ensure that those carrying out inspections are competent in all aspects of their work.
4. Documented procedures for controls are generally sufficient, although certain requirements for checks of pig and laying farms have been overlooked and this has resulted in certain requirements not being checked.
5. The CA decision to allow the introduction and operation of unenriched cage systems for laying hens after Accession does not comply with Article 5(2) of Directive 1999/74/EC. In addition, as measures have not been taken to ensure that the maximum number of birds in the register required by Directive 2002/4/EC are verified, the extent of overstocking on farms has gone undetected.
6. Pig farms on Gozo have not yet been included among the farms selected for checks, but as Gozo has only 9% of the licensed pig farms these were not picked up by the random selection. Such a random selection meets the requirements of Article 7.1 of Directive 91/630/EEC which requires inspections of a representative sample of the different rearing systems.
7. Insufficient verification of the quality of inspections has meant that factors which have a major impact on animal welfare have not been addressed, such as the state of maintenance of fixtures and fittings on pig farms or the structure and operation of cages for laying hens.
8. Although certain issues have been targeted by the CA for follow-up action, this is not the case for many of the deficiencies detected and reported by inspectors. As a result major deficiencies which have been detected such as insufficient height of the cages for laying hens, inappropriate beak trimming and overstocked cages have not been corrected.
9. Apart from rabbit slaughterhouses, where there has been an insufficient veterinary presence to carry out inspections as required by Article 8 of Directive 93/119/EC, controls at slaughterhouses have been sufficient to identify the most significant

deficiencies. Certain improvements have been made in the the facilities at the state owned slaughterhouse; however, enforcement action has often been lacking in relation to the operational deficiencies detected and the food business operator, in this case another part of the same Ministry, has not responded to many requests for corrective actions.

10. Reporting of inspections has not been carried out as required by Decision 2006/778 nor as required by Article 27 of Regulation (EC) No 1/2005.
11. Despite previous commitments from the CA to deal with the issue of the transport of injured animals for slaughter, this has not been implemented and has given rise to unnecessary suffering.

### **6.1 OVERALL CONCLUSION**

Overall, an adequate system for carrying out animal welfare inspections has been put in place and the CA has been able to detect the majority of deficiencies. However, the verification of the effectiveness of controls by the CA has been insufficient and enforcement actions have been limited. As a result there are recurring animal welfare problems such as the transport of unfit animals to slaughterhouses. In addition, the CA has not been effective in getting corrective actions implemented by that part of the Ministry responsible for managing the state owned abattoir and incorrect interpretation of the legislation on laying hens has given rise to non-compliance in the way caged systems for laying hens are operated.

## **7 CLOSING MEETING**

A closing meeting was held on 23 January 2009 with representatives of the CCA. At this meeting, the main findings and conclusions of the mission were presented by the FVO team. In relation to the installation of cages for laying hens after Accession, the representatives of the CA indicated that their producers were aware of the situation in other Member States and that the CA had agreed to allow them to implement the requirements in stages so that the cages would comply completely by 2012.

## **8 RECOMMENDATIONS**

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

<b>No.</b>	<b>Recommendation</b>
1	Ensure that staff have the necessary equipment for carrying out controls of animal welfare, as required by Regulation (EC) No 882/2004 Article 4.2 (d).
2	Make arrangements so that staff receive appropriate additional training for carrying out controls of animal welfare, as required by Regulation (EC) No

No.	Recommendation
	882/2004 Article 6 (b).
3	Revise documented procedures so that they contain sufficient and unambiguous information and instructions, as required by Article 8 of Regulation (EC) No 882/2004, for inspections of pig farms (Directive 91/630/EEC) and laying hen farms (Directive 99/74/EC).
4	Ensure that all cage systems for laying hens brought into service after 1.5.2004 are operated in compliance with the requirements of Article 6 of Directive 99/74/EC.
5	Take measures so that the data on the maximum number of birds in each laying hen establishment are verified and the register updated as required by Article 1.4 of Directive 2002/4/EC.
6	Verify the effectiveness of animal welfare controls, as required by Article 8.3(a) of Regulation (EC) No 882/2004.
7	Taken actions to ensure that operators remedy the situation when deficiencies are detected, as required by Article 54.1 of Regulation (EC) No 882/2004.
8	Ensure that inspections are reported as required by Decision 2006/778 and by Article 27 of Regulation (EC) No 1/2005.
9	Ensure that animals at the farm of origin which are unfit for transport are killed on the spot, as required by Article 12 of Directive 93/119/EC.
10	Ensure that inspections are carried out in rabbit slaughterhouses as required by Article 8 of Directive 93/119/EC.

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

[http://ec.europa.eu/food/fvo/ap/ap\\_malta\\_8270\\_2009.pdf](http://ec.europa.eu/food/fvo/ap/ap_malta_8270_2009.pdf)

## 9 ENDNOTES

Concerning	Detail
Section 5.2	In their comments on a draft version of this report the CA indicated that VSOs normally work in pairs when carrying out this assessment of the slope of cages.
Section 5.2	In their comments on a draft version of this report the CA indicated that they would address the problem with double negatives in some of their instructions.
Section 5.2	In their comments on a draft version of this report the CA indicated that in 2003/2004 a study of all pig farms had been carried out to verify the actual capacities of all categories. Besides, all new pig farm applications are being evaluated to verify that the requested number of pigs would be in accordance to the 91/630, for all the various categories of pigs. When

Concerning	Detail
	inspections are carried out, a sample of a category of pigs is taken, measured and verified. This is not within the checklist and has now been inserted.
Section 5.3	In their comments on a draft version of this report the CA indicated that the maximum capacity granted to the first laying hen farm was exceptional. Within the farm there was previously another type of cage. The farm capacity included the capacity of the missing cages. However, on inspection it was noticed that there were a high number of birds per cage. He was warned to reduce them.

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

Reference	OJ Ref.	Detail
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
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
Directive 1999/74/EC	OJ L 203, 3.8.1999, p. 53–57	Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens
Directive 91/629/EEC	OJ L 340, 11.12.1991, p. 28–32	Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves
Directive 91/630/EEC	OJ L 340, 11.12.1991, p. 33–38	Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs
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
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