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FINAL REPORT OF A SPECIFIC AUDIT
CARRIED OUT IN
BELGIUM
FROM 04 TO 13 MAY 2009
IN ORDER TO EVALUATE THE IMPLEMENTATION OF RULES ON ANIMAL WELFARE
IN THE CONTEXT OF A GENERAL AUDIT

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 specific audit carried out by the Food and Veterinary Office (FVO) in Belgium, from 4 to 13 May 2009.

The objective of the mission was to verify that official controls are carried out in accordance with the multi-annual national control plan (MANCP) referred to in Article 41 of Regulation (EC) No 882/2004 and in compliance with Community law. In addition, the audit sought to specifically verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms, animals at the time of slaughter, during transport, and to follow up certain recommendations from FVO reports 2008- 7688 and 8043/2006.

The report concludes that there have been improvements noted in official controls on the farm animal welfare sector since the last mission on this topic in 2006. However, enforcement action in the laying hen sector is not bringing about the required improvements regarding overstocking of cages and enforcement of non-compliances in the pig sector is not consistent.

Some preliminary steps have been made to address the recommendations on animal welfare during transport made following the mission in January 2008 and the fitness of animals for transport is a priority. However, the scope of competent authority checks on animal welfare in assembly centres is limited and as a result journey times are not respected.

Animal welfare at the time of stunning and restraint stunning in slaughterhouses is demonstrably not a clear priority for those carrying out checks.

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

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
AV	Authorised Veterinarian
CA	Competent Authority
CCA	Central Competent Authority
EU	European Union
FASFC	Federal Agency for the Safety of the Food Chain
FPS	Federal Public Service for Health, Safety of the Food Chain and the Environment
FVO	Food and Veterinary Office
MANCP	Multi Annual National Control Plan
NICU	National Implementation and Co-ordination Unit of FASFC
PCU	Provincial Control Unit
PV	Procès Verbal(aux) (Administrative notice(s))

1 INTRODUCTION

The specific audit took place in Belgium from 4 to 13 May 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 Belgium on 4 May 2009. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the mission team. The mission team comprised three inspectors from the FVO and was accompanied throughout the mission by representatives from the Federal Public Service for Health, Safety of the Food Chain and the Environment (FPS) and the Federal Agency for the Safety of the Food Chain (FASFC), the Central Competent Authorities.

The Specific Audit formed part of the FVO's planned mission programme and was carried out as a component of a General Audit, as prescribed in Article 45 of 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.

This report focuses on the sector specific issues identified during the audit. It does not necessarily include aspects relating to Regulation (EC) No 882/2004; these aspects will be addressed in the subsequent General Audit report.

2 OBJECTIVES OF THE MISSION

As part of the general audit, the main objective of each specific audit is to verify that official controls are carried out in accordance with the multi-annual national control plan (MANCP) referred to in Article 41 of Regulation (EC) No 882/2004 and in compliance with Community law.

The more specific objectives of the mission were to evaluate the measures taken to implement the requirements for EU legislation for animal welfare on farms during transport and at the time of slaughter. Progress with the implementation of recommendations from previous FVO reports was also assessed.

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

Visits		Comments	
Competent authority	Central	2	Opening and closing meetings
	Provincial	2	In Provincial offices and/or in establishments
Farms/ assembly centres/ slaughterhouses etc		2	Laying hen farms 2 Pig farms 1 Calf rearing premises 2 Poultry slaughterhouses

	1 Pig and bovine slaughterhouse
	1 Assembly Centre for Cattle

3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation [1] and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

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

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

4 BACKGROUND

The most recent previous missions concerning animal welfare in Belgium were carried out in 2006 and 2008, the results of which are described in reports DG (SANCO)/2008/7688 – MR Final and DG (SANCO)/8043/2006 – MR Final (hereafter referred to as report 2008-7688 and report 8043/2006 respectively).

Report 2008-7688 on animal welfare during transport and at slaughter concluded that overall there was a satisfactory system of controls to ensure the implementation of the requirements for animal welfare during transport and at slaughter. This system however was 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 had improved, certain deficiencies remained 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.

Report 8043/2006 concluded that a system for the inspection of animal welfare in holdings of laying hens, pigs and calves was in place and had improved since the previous mission. The checks were planned, coordinated, standardised and supervised by the competent authorities. However, the system was weakened by the delay in transposing Directive 1999/74/EC on the protection of laying hens, by the lack of training for inspectors on certain technical points and by the fact that the problems detected were not properly followed up by the competent authorities. Moreover, certain Community requirements with regard to mutilations of pigs and laying hens had not been fully transposed.

These reports are accessible at: http://ec.europa.eu/food/fvo/index_en.cfm.

A detailed description of the Competent Authorities (CA) can be found in the report DG(SANCO)/7712/2008 country profile for Belgium which is accessible at: http://ec.europa.eu/food/fvo/country_profiles_en.cfm and in the Multi-Annual National Control Plan (MANCP) of Belgium.

5 FINDINGS AND CONCLUSIONS

5.1 ANIMAL WELFARE ON FARMS

5.1.1 *Farm Inspections in general*

Legal requirements

Article 8(1) of Directive 2008/120/EC requires the CA to carry out inspections on a representative sample of the different rearing systems for pigs. Article 8(1) of Directive 1999/74/EC requires checks of laying hen farms. Article 7(1) of Directive 2008/119/EC requires the CA to carry out inspections on a representative sample of the different rearing systems for calves.

Findings

Report 8043/2006 recommended that inspectors should receive training as required by Article.6 Regulation (EC) No. 882/2004 to carry out controls in laying hen, calf and pig holdings. The CCA has not scheduled any training activities in this area but rely on discussions on the interpretation of the explanatory notes in the inspection checklists held in each PCU between Heads of Sector and inspectors. Findings on training are discussed under each of the farm type headings below.

Conclusions

The CA has not effectively addressed the recommendation from report 8043/2006. Inspectors met varied in their abilities to carry out official controls, partially due to lack of on the spot training and the CA's reliance on checklists as training tools.

5.1.2 *Inspections of laying hen farms*

Legal requirements

Article 8(1) of Directive 1999/74/EC requires Member States to ensure that the CA carries out inspections to monitor compliance with the provisions of this Directive.

Findings

Report 8043/2006 recommended that measures be taken by the CCA to address certain omissions in transposition of legislation relating to permitted mutilations of laying hens.

A Royal Decree of 17 December 2008 has been published which corrects the omissions previously noted on beak trimming in Belgian legislation transposing Community requirements laid down in Point 8 of the Annex of Directive 1999/74/EC. The amendment prescribes the requirements on beak trimming of laying hens before ten days of age by qualified personnel. The checklist and guidance notes for the inspection of animal welfare on laying hen premises have not yet been updated to include these requirements.

The mission team visited one conventional cage and one barn premises. The inspections were generally well carried out by the CA using the appropriate checklists. Neither inspector had attended any specific training for the systems visited.

In the barn premises, a junior inspector who had not completed specific training on official controls on this type of premises was replacing the colleague who would normally perform these inspections. The inspector carried out a mainly satisfactory inspection but both he and the senior controller present had difficulty in calculating perch availability from the instructions in the checklist.

In the conventional cage premises which the inspector had reported upon before, the inspector had received shadow training on carrying out inspections but was still not sure of how to calculate slope angles and how to assess the ventilation system installed in the house visited.

The CA has put in place a system for downgrading all eggs produced in holdings using conventional cages which do not comply with the standard cage area of 550 cm². Eggs from these holdings are regraded from grade A to grade B and labels are used to mark the boxes sent to egg packaging centres.

The CA is consistently enforcing these requirements and applying administrative fines of between €275 and €500 for the offences. CAs in both provinces had taken repeated action on overstocking in poultry farms, in one case going back to 2001. However, these sanctions are not effective as farmers continue to overstock on a recurrent basis.

No deadlines for corrective action were given on the PVs (Procès Verbaux -administrative notices) for overstocking issued by one provincial office. This is not in accordance with the provisions of point 4 of the Service Note of 23 July 2007 on the usage of checklists and the follow up of non-compliances.

Conclusions

Enforcement action in the laying hen sector is being taken consistently by the CA but neither the downgrading of eggs nor imposition of administrative fines are sufficiently dissuasive to bring about improvements in overstocking of cages, and deadlines for remedial action are not always given. The CA has addressed the recommendation from the previous mission on permitted mutilations. Training is not sufficient to ensure inspectors can effectively perform all aspects of official farm inspections on laying hen premises.

5.1.3 Inspections of pig farms

Legal requirements

Article 8(1) of Directive 2008/120/EC requires the CA to carry out inspections on a representative sample of the different rearing systems for pigs.

Findings

Report 8043/2006 recommended that measures be taken by the CCA to address certain omissions in transposition of legislation relating to mutilations of pigs.

A Royal Decree of 17 December 2008 has been published which corrects the omissions in Belgian legislation transposing Community requirements on castration, tail docking and tooth grinding and clipping set out in Chapter I, paragraph 8, of Annex I to Directive 2008/120/EC previously noted. The amendment prescribes the use of surgical methods for permitted mutilations and the requirement for anaesthetic when these are performed over seven days of age.

Veterinary certificates are routinely issued by private practitioners on therapeutic grounds authorising farmers to carry out tooth grinding and clipping and tail docking and are accepted by the CA as sufficient grounds for this practice. No guidance is given by FASFC to inspectors to assess

the requirements of Chapter I, paragraph 8, of Annex I to Directive 2008/120/EC that producers must take other measures to improve inadequate environmental or management systems before resorting to tail-docking and tooth grinding and clipping.

Inspections on pig farms were generally well carried out and included checks on mutilations. However, the calculation of pen stocking densities by inspectors did not always take into account the requirement to remove feeding troughs from the available pen space even though this is in the guidance notes.

The inspection checklist did not provide any guidance for inspectors on how they could satisfy themselves with respect to the requirement for the provision of high-fibre and high-energy food for pregnant sows and gilts as required by Article 3(7) of Directive 2008/120/EC. Advice to the farmer on the provision of suitable material to fulfil these requirements was offered during the inspection in Limburg province but not Antwerp.

The inspection checklist requires the provision of a sick pen for injured animals which are not immediately euthanised. However, on the farm visited in Limburg the inspector did not take any action on a recumbent, dying piglet until the mission team pointed out that it should be killed immediately to prevent further suffering.

Chains were accepted as a suitable type of manipulable material by one inspector even though they are not listed as such in the checklist guidance and do not enable proper investigation and manipulation as required in Chapter 1, point 4 of Annex I to Directive 2008/120/EC.

There is no requirement in the inspection checklist to verify if stockpersons attending to animals have received instructions and guidance on the relevant provisions of Article 6 and Annex I of Directive 2008/120/EC.

Instructions on the issuing of PVs relating to overstocking and tethering of sows were interpreted in a lenient manner in Antwerp. In three out of four cases reviewed (one farm had subsequently closed), no PVs had been issued for tethering of pigs which should have merited an automatic PV according to the CA's guidance. PVs issued in Antwerp did not routinely give a deadline for rectification of deficiencies and were not followed up by a second visit as required in FASFC instructions.

On the pig farm visited in Antwerp non-compliances noted in 2007 on tethering of sows and the size of boar pens had not resulted in the issue of a PV. These non-compliances were noted during the mission inspection and the inspector informed the owner that a PV would be issued on the tethering issue.

Procedures for enforcement action on pig farms were, with the exception of one case, adhered to in Limburg province.

Conclusions

Inspections on pig farms were generally well carried out but the inspection checklists provide insufficient guidance on a number of issues. Enforcement action following detection of serious deficiencies in the pig sector is not being taken consistently by the CA, in particular in relation to Article 3(3) of Directive 2008/120/EC on the prohibition of tethering. The CCA has addressed the recommendation from the previous mission on permitted mutilations.

5.1.4 Inspections of calf farms

Legal requirements

Article 7(1) of Directives 2008/119/EC requires the CA to carry out inspections on a representative

sample of the different rearing systems for calves.

Findings

Report 8043/2006 recommended that a statistically representative sample of calf farms should be inspected, including calves younger than six months in dairy holdings.

Inspections are now organised in dairy holdings and checks are now carried out on calves younger than six months. However, the checklists for calf rearing premises are not used during these inspections. The instructions for the inspection of calf welfare on farm are not clear that the requirements for group housing also apply to dairy farms where the industry norm in Belgium is for calves to remain in individual pens for 10-12 weeks. FPS is liaising with FASFC to clarify the instructions relating to calves so that the requirements of Directive 2008/119/EC are inspected during these visits.

The mission team visited one calf rearing premises. During the visit a number of deficiencies relating to the CA checklists and guidance were noted that presented difficulties for the inspector to carry out a satisfactory inspection:

The results of haemoglobin testing of calves on the farm were given in grams per litre. The legislative requirements in Directive 2008/119/EC are given in millimoles per litre. Neither the CA nor the operator staff knew how to convert the results of the tests to determine whether the blood levels of haemoglobin were in compliance and no guidance was given in the CA checklist.

The checklist does not require inspectors to indicate in which of the two different rearing periods (i.e individual box or group housing) deficiencies have been detected. As a result, inspectors could not tell from previously completed checklists if the problems noted then referred to individual or group housed calves. Inspectors are unable to report clearly on this area or follow up previous non-compliances effectively.

Staff of the PCU were not aware that roughage is required to be given to calves after two weeks of age (Directive 2008/119/EC Annex 1, paragraph 11) and did not verify if these conditions had been met.

Conclusions

Inspections on calf farms were generally well carried out but the CCA has not provided sufficient guidance to staff to ensure all the requirements of Directive 2008/119/EC are assessed during inspections. The CCA has taken action to put in place inspections of dairy holdings with calves younger than six months but does not assess against all the requirements applicable under Directive 2008/119/EC.

5.1.5 Registration of laying hen farms

Legal requirements

Directive 2002/4/EC requires Member States to establish a system for registering every production site covered by the scope of Directive 1999/74/EC. Last paragraph of point 1 of the Annex of this Directive requires the registration of the maximum capacity of an establishment in number of birds present at one time.

Findings

All levels of the CA questioned were unsure as to who was responsible for the registration of laying hen premises as required in Directive 2002/4/EC, and the procedures involved to update farm registration parameters.

There were no instructions made available to the mission team to illustrate how staff are to immediately notify changes in the maximum number of birds present as required by Article 1(4) of Directive 2002/4/EC.

There were no instructions to staff on how to calculate the maximum capacity of holdings for premises using enriched cages with more than 350 birds. There is no guidance in the checklists for inspectors to calculate the total number of birds on the premises and to compare this with the maximum permitted. However staff in one of the provinces visited did demonstrate satisfactory knowledge of methods for doing this.

Conclusions

The system in place for the registration of laying hen premises does not ensure that changes concerning registered data are notified to the CA without delay and that the register is updated immediately when such information is received contrary to Article 1(4) of Directive 2002/4/EC.

5.2 ANIMAL WELFARE DURING TRANSPORT

5.2.1 Authorisation of transporters

Legal requirements

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.

Article 18 of Regulation (EC) No 1/2005 lays down the requirements for CAs to grant certificates of approval of means of transport by road for long journeys.

Findings

Report 2008-7688 recommended that procedures for the authorisation of transporters include checks on transporters' staff, measures for tracing vehicles and requirements for contingency plans.

The transporters had provided sufficient information that arrangements had been made to contact drivers and to deal with contingencies. However, the CA also accepts a self declaration from applicants on their freedom from serious animal welfare infringements: whereas Article 10 of Regulation (EC) No 1/2005 requires that the applicants have no record of serious infringements.

Report 2008-7688 recommended that 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.

The CCA has completed the syllabus for the training programmes. However, although a Royal Decree on the approval of examination centres to provide training for transporters to receive certificates of competence has been drafted it awaits agreement between the regional governments and FPS on the location of the centre, the cost of the training and the criteria for granting

certificates of competence.

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 no progress has been made on the conflict with privacy laws that has prevented publication of these details in Belgium since the last mission.

Report 2008-7688 recommended that all means of transport approved for long distance meet the requirements of Chapter VI of Annex I to Regulation (EC) No 1/2005.

The CCA has not provided the PCUs with guidance on how inspectors can satisfy themselves that the ventilation requirements laid down in Annex 1 Chapter VI 3.2 of Regulation (EC) No 1/2005 have been met. Inspectors rely on technical specifications from manufacturers as sufficient evidence of compliance.

Conclusions

The CCA has not put in place a fully satisfactory system for the authorisation of transporters. The system does not adequately include the requirements of Articles 10, (1c) and 11, 1, (b) i of Regulation (EC) No. 1/2005 and the approval of vehicles is missing an assessment of the capacity of the ventilation equipment. The CCA has not been able to finalise the provision of training courses for personnel of transporters which is also a prerequisite of the authorization procedure. Due to privacy laws the CCA is unable to make the name and the authorisation number of transporters publicly available as required by Article 13(4) of Regulation (EC) No. 1/2005.

5.2.2 Checks on transport

Legal requirements

Article 27.1 of Regulation (EC) No 1/2005 requires that the CA shall carry out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of the animals transported each year within each Member State and may be carried out at the same time as checks for other purposes.

Findings

Report 2008-7688 recommended that target inspections on long journeys include checks at unloading at holdings, to verify that the requirements of Regulation (EC) No 1/2005 have been complied with, as required by its Articles 15(1) and 27(1) of Regulation (EC) No 1/2005.

The CA indicated in their response to the above recommendation that they would include checks on long journey transport at unloading in the 2009 inspection plan. However, checks have not been included in the 2009 plan and no clear instructions have been issued to official or authorised veterinarians to carry out checks on journey logs at assembly centres.

The inspection of the fitness of animals for transport at departure was seen to be the main priority at the assembly centre visited and these checks were carried out in a satisfactory manner.

Report 2008-7688 recommended that 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 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.

The checklists for assembly centres do not include clear requirements for checking journey times indicated in journey logs and no instructions have been issued to OV's or AV's to carry out this task. In the assembly centre visited a number of journey logs examined from different countries were

found to be deficient, incomplete and unrealistic e.g. no times for departure or arrival stated and planned journey times indicated would have required speeds of approximately 115km/hour. Irregularities in a journey log accompanying a consignment of animals arriving at this assembly centre from another Member State had been noted by the CA previously but had not been communicated to the Member State of origin.

The CCA has not finalised guidance to require AVs to check the different resting period requirements applicable under Article 2(r) and 2(s) of Regulation (EC) No 1/2005 in relation to the origin of the animals arriving at assembly centres i.e. animals arriving on a health certificate from other Member States indicating that this is the destination, which implies a 48 hour rest (Article 2(s) of Regulation 1/2005) and animals arriving from within Belgium; either from less than 100km away or from more than 100km but requiring a 6 hour rest.

A check on documentation at the assembly centre revealed similar deficiencies to those noted in report 2008-7688. Some consignments of calves which had completed long journeys from other Member States may spend as little as one hour in the centre before being subsequently reloaded and sent on another journey. The CA had imposed a rest period of 24 hours prior to re-export in the case of one consignment the week before the mission.

No clear instructions have been issued to official or authorised veterinarians to carry out checks on means of transport at assembly centres. The AV at the assembly centre visited relied solely on the vehicle certificate of approval and did not carry out physical checks of vehicles whilst supervising the loading of animals.

The system of inspection of animals and vehicles at slaughterhouses has not changed from report 2008-7688. Inspections of vehicles and fitness of animals at unloading by AVs are scheduled on a daily basis and a summary checklist of the previous 14 days is required to be sent to the Provincial CA. The target is for at least 5% of vehicles (with a minimum of one) inspected per day.

However, recurrent overstocking during poultry transport was tolerated by the CCA as a level of 20% overstocking is set for intervention. Despite repeated findings of overstocking in poultry transported to one slaughterhouse in Antwerp province over a three month period (three out of twelve consignments in a 10 day period reviewed by the mission team were overstocked), only one warning letter had been issued and the CA had not issued a PV on one occasion when the number of birds found dead had exceeded the intervention level of 0.5% by six times.

Conclusions

The CA has prioritised inspection of the fitness of animals for transport at departure in assembly centres and upon arrival at slaughterhouses and these checks were carried out in a generally satisfactory manner with the exception of a lack of investigative or enforcement action on a number of occasions of poultry transport incidents.

The CCA have not taken action to address the recommendations of the previous report on targeting inspections to include checks at unloading of animals transported on long journeys nor have they put in place a system ensure that 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.

5.2.3 Checks of journey times

Legal Basis

Article 14.1(a) (ii) of Regulation (EC) No 1/2005 requires that the CA of the place of departure shall carry out appropriate checks to verify that the journey log submitted by the organiser is realistic and indicates compliance with this Regulation.

Point 8 of Annex II to Regulation (EC) No 1/2005 requires a copy of the completed journey log to be returned to the CA of the place of departure within one month of completion of the journey, which allows the CA to check if the journey times described in point 1.1 Chapter V of the Annex I of the same Regulation are respected.

Article 16 of Regulation (EC) No 1/2005 specifies that CA staff are duly trained and equipped to check data recorded by the recording system for road transport and the navigation system referred to in Annex 1, Chapter VI, 4.1 of Regulation (EC) No 1/2005.

Findings

Report 2008-7688 recommended that effective checks are performed on documents accompanying animals, and in particular on journey logs prior to departure and when returned at assembly centres. FASFC has updated its guidance to PCUs on the documentary checks and approval of journey logs to be carried out prior to their issue and upon return. Documentary checks on the approval and return of journey logs were reviewed in Limburg province. The administrative system in place and the results of the checks were found to be satisfactory.

Report 2008-7688 recommended that training of CA staff on the requirements of Regulation (EC) No 1/2005 includes training on checking data recorded on drivers' record sheets (tachographs) or navigations systems, as required by Article 16 of the same Regulation. Five training sessions on animal welfare during transport have been given to official veterinarians and AVs since mission 2008-7688. However, the requirements of Article 16 which can be used to verify journey logs, as indicated in Annex II point 8 of Regulation (EC) No 1/2005, have still not been included in the training.

Conclusions

The CA has taken action to improve the system of approval and checking of returned journey logs by PCUs. The CA have still not provided training, contrary to Article 16 of (EC) No Regulation 1/2005, which would be the basis for a system to verify the information on journey logs.

5.3 ANIMAL WELFARE WITHIN SLAUGHTERHOUSES

5.3.1 Checks within slaughterhouses

Legal requirements

Article 8 of Directive 93/119/EC requires that inspections and controls in the slaughterhouse shall be carried out under the responsibility of the CA. Article 3 of Directive 93/119/EC requires that animals shall be spared any avoidable excitement, pain or suffering during movement, lairaging, restraint, stunning or slaughter. Article 7 of Directive 93/119/EC indicates that no person shall engage in the movement, lairaging, restraint, slaughter or killing of animals unless they have the knowledge and skill necessary to perform the tasks humanely and efficiently.

Article 6.1 of this Directive requires that equipment and installations used for stunning must be used in such a way as to achieve rapid and effective stunning. The competent authority shall check them regularly to achieve this objective.

Findings

The system for checks on animal welfare at slaughter has not changed since the previous mission. Checks are scheduled to be part of the *ante* and *post mortem* inspections performed on each animal by the official veterinarian. Additionally, a checklist for animal welfare at slaughter must be completed every fourteen working days.

Two poultry slaughterhouses were visited by the mission team. In the first slaughterhouse reports of checks had been completed as required. However, neither the official veterinarian nor supervising staff from the PCU had detected that waterbath stunning of birds on one of the two slaughter lines was not fully effective (0.6A at 400 Hz was provided for 25 birds). The birds on the second line were adequately stunned prior to neck cutting but it was noted by the mission team that the current in the waterbath had been set at almost twice the normal operating level stated by the official veterinarian (0.8 A normally, during visit it was 1.5 A for 30 birds).

In the second slaughterhouse visited reports of checks were again satisfactory; however waterbath stunning of birds was not fully effective as birds experienced pre-stun shocks before entering the waterbath and wing flapping, head shaking and gasping were observed after neck cutting. Again, neither the official veterinarian nor supervising staff from the PCU had detected that the stunning of birds was not fully effective. The official veterinarian did not know what stunning parameters were appropriate for the waterbath stunner and had received no guidance on this issue.

The CCA has not laid down stunning parameters for waterbath stunners used in poultry slaughterhouses, contrary to the requirements of Directive 93/119/EC Annex C(II)(3)(B)(1). The checklist for the welfare of poultry in slaughterhouses asks for the stunning parameters to be noted but does not give any guidance on stunning parameters to improve the effectiveness of stunning.

Poor handling of poultry arising from automatic unloading systems was not addressed in the high-throughput slaughterhouse visited; whereby birds were dropped from four tiers of cages simultaneously onto a conveyor belt so that the birds from the upper cages fell on the ones below and were then subsequently dropped from this conveyor to another conveyor belt which provoked further unnecessary excitement. Action taken by the CA to address a deficiency whereby a small number of birds were trapped in crates during the washing process had not been fully effective as birds continued to be trapped in the cages after emptying. In the second slaughterhouse discussions with the operator had resulted in improvement to the lairage facilities.

Religious slaughter in Belgium requires the authorisation of slaughter men by the relevant religious authorities and the issue of a licence to the individual. Licences must be made available to official inspectors and are valid for 3 years (renewable). Slaughterhouses must notify the PCU that religious slaughter takes place.

The slaughterman performing Halal slaughter of bovines in one slaughterhouse was in possession of a valid authorisation from the local religious authorities and the PCU was informed of the Halal slaughter activities.

The design of the stunning pen in the red meat slaughterhouse visited in Antwerp province was such that it was not possible for the Halal slaughter of bovines to be carried out in a manner that spared the animals avoidable excitement pain or suffering as laid down in Article 4 of Directive 93/119/EC. Once the floor had been contaminated with blood from the first animal killed, even though the floor was cleaned between animals it remained slippery. The system of restraint for subsequent animals was ineffective due to the slippery floor conditions and they were unable to retain their footing in the stunning pen whilst awaiting or during Halal slaughter. Annex B(1) of Directive 93/119/EC specifically requires mechanical restraint that avoids pain, suffering or agitation in the case of ritual slaughter.

The official veterinarian in the slaughterhouse was aware of the problem but had not taken any action to resolve this issue.

Conclusions

Checks on the stunning of poultry were inadequate as the CA did not detect problems which resulted in avoidable excitement during unloading and ineffective stunning. The CCA has not issued guidance on the strength and duration of current used in waterbath stunners as required by Annex C(II)(3)(B)(1) of Directive 93/119/EC.

Halal slaughter was not carried out in accordance with the requirements of Annex B(1) of Directive 93/119/EC and the CA did not take any action to rectify the situation.

6 OVERALL CONCLUSIONS

There have been improvements noted in official controls on the farm animal welfare sector since the last mission on this topic in 2006. However, enforcement action in the laying hen sector is not bringing about the required improvements regarding overstocking of cages and enforcement of non-compliances in the pig sector is not consistent.

Some preliminary steps have been made to address the recommendations on animal welfare during transport made following the mission in January 2008 and the fitness of animals for transport is a priority. However, the scope of CA checks on animal welfare in assembly centres is limited and as a result journey times are not respected.

Animal welfare at the time of stunning and restraint in slaughterhouses is demonstrably not a clear priority for those carrying out checks.

7 CLOSING MEETING

A closing meeting was held on 13 May 2009 with the CCA. At this meeting, the main findings and preliminary conclusions of the mission were presented by the FVO team. The representatives of the CCA acknowledged the findings and conclusions presented, and provided further clarification on some of the issues discussed.

8 RECOMMENDATIONS

It is recommended that the Competent Authority:

N°.	Recommendation
1.	take measures to put in place training for inspectors in conducting checks in holdings of laying hens, calves and pigs, to ensure that the requirements of Directive 1999/74/EC, Directive 2008/119/EC and Directive 2008/120/EC respectively are adequately controlled.
2.	take measures to ensure that laying hen cages comply with the space requirements of

N°.	Recommendation
	Article 5(1)(1) of Directive 1999/74/EC.
3.	take measures to ensure that changes concerning registered laying hen flock data are notified to the CA without delay and that the register is updated immediately when such information is received in accordance with Article 1(4) of Commission Directive 2002/4/EC.
4.	take measures to ensure that where deficiencies are detected at initial visits performed under Article 8(1) of Directives 2008/120/EC consistent enforcement and follow up inspections are scheduled and carried out as necessary.
5.	take measures to ensure that as stipulated in Directive 2008/120/EC, pig farmers comply with the unobstructed floor area requirements in Article 3(1a and b) and Chapter II(A) of Annex I); give manipulable material to all categories of pigs (Chapter I, point 4 of Annex I); carry out tail docking only after other measures have been taken to prevent tail biting (Chapter I, point 8 second paragraph of Annex I) and stop tethering their sows (Article 3(3));
6.	take measures to ensure that inspections on all calf premises include all the requirements of Articles 3 and 4 of Directive 2008/119/EC.
7.	take measures to ensure the procedures for the authorisation of transporters include the documentation required by Articles 10 and 11 of Regulation (EC) No 1/2005.
8.	take measures to ensure that a database of authorised transporters and approved means of transport is made publicly available as required by Article 13(4) of Regulation (EC) No 1/2005.
9.	take measures to ensure that 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 the same Regulation.
10.	take measures to ensure that targets 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 with, as required by Articles 15(1) and 27(1) of the same Regulation.
11.	take measures to ensure that adequate checks and enforcement actions are carried out at poultry slaughterhouses when deficiencies are detected in stocking densities during transport laid down in Chapter VII E of Annex I to Regulation (EC) No 1/2005 and that automated systems for handling birds do not give rise to avoidable excitement or suffering, as required by Article 3 of Directive 93/119/EC.

N°.	Recommendation
12.	take measures to ensure that 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 Annex I to Regulation (EC) No 1/2005 and the minimum requirements for means of transport for long journeys set out in Chapter VI of the Annex of the same Regulation are respected.
13.	take measures to ensure that equipment used for stunning and killing is constructed, maintained and used in such a way as to achieve rapid and effective stunning or killing in accordance with the requirements of Article 6 of Directive 93/119/EC and restraint for ritual slaughter meets the requirements of Annex B (1) of the same Directive.
14.	take measures to ensure that guidance is issued on the strength and duration of current used in waterbath stunners as required by Annex C(II)(3)(B)(1) to Directive 93/119/EC.

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

http://ec.europa.eu/food/fvo/ap/ap_be_2009-8255.pdf

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Dir. 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
Dir. 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
Dir. 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
Dec. 2000/50/EC	OJ L 19, 25.1.2000, p. 51-53	2000/50/EC: Commission Decision of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes
Dir. 2002/4/EC	OJ L 30, 31.1.2002, p. 44-46	Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC
Reg. 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
Dec. 2006/778/EC	OJ L 314, 15.11.2006, p. 39-47	2006/778/EC: Commission Decision of 14 November 2006 concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes
Dir. 2008/119/EC	OJ L 10, 15.1.2009, p. 7 ₆ 13	Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves
Dir. 2008/120/EC	OJ L 47, 18.2.2009, p. 5 ₆ 13	Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the

Legal Reference	Official Journal	Title
		protection of pigs