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FINAL REPORT OF A MISSION

CARRIED OUT IN

ROMANIA

FROM 25 TO 29 MAY 2009

IN ORDER TO EVALUATE THE IMPLEMENTATION OF ANIMAL HEALTH AND ANIMAL
WELFARE RULES IN RESPECT OF TRADE IN HORSES

Executive Summary

This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Romania, from 25 to 29 May 2009.

The objectives of the mission were to evaluate the measures taken to implement the requirements for intra-Community trade of equidae, in the framework of Council Directive 90/426/EEC and Commission Decision 2007/269/EC, and for animal welfare during transport in accordance with Council Regulation (EC) No 1/2005, and also to follow up the recommendations from previous FVO reports in relation to animal welfare during transport. The mission also assessed how checks of these had been integrated with the requirements for controls laid down in Regulation (EC) No 882/2004 of the European Parliament and Council.

The report concludes that legislation for identification and movement control of equidae is poorly applied and not enforced. Official data do not match with the field situation.

Strict legislation for eradication of Equine Infectious Anemia is in place and is partially applied (testing campaigns, declaration of infected holdings), but is not sufficiently controlled or enforced. Equidae are not killed or slaughtered as compensations funds are not available or not distributed, but also because of lack of slaughtering facilities. They are not marked in such a way that they can be identified. Movement restrictions of infected holdings are not controlled.

Equidae enter intra-Community trade through assembly centres, where they are all tested for equine infectious anaemia while, but not all at the same time, thus mixing equidae of different health status. The significance of this finding is enhanced by the facts that this disease is endemic, infected equidae are not marked or slaughtered, movement restrictions of infected holdings are not controlled, and the identity and health status of the equidae arriving at the assembly centre cannot be established in most instances.

The identification of equidae in assembly centres, using an alternative unofficial system, the insufficient supporting evidence regarding the health status of the equidae from the holdings of origin, and the certification from the assembly centre which is officially suspended, call into question the credibility of the controls and the ability of the Competent Authority at all levels to enforce the legislation.

Although measures on animal welfare have been taken by the Central Competent Authority in the form of training and instruction provided since the previous mission in 2007, the Competent Authority at the county level failed to enforce the relevant EU legislation. Non-compliances in the sector, which were already identified in the previous mission, continue to exist and have not been adequately addressed by the authorities. As a result, equidae continue to be transported on long journeys in a way which does not meet the requirements of Council Regulation (EC) No 1/2005.

The report makes a number of recommendations addressed to the Romanian competent authorities, several of which were also made in the previous report, 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
AC	Assembly Centre
ADNS	Animal Disease Notification System
AHS	African Horse Sicknes
CA	Competent Authority
CCA	Central Competent Authority
EIA	Equine Infectious Anemia
FVO	Food and Veterinary Office
ICT	Intra-Community Trade
MS	Member States of the European Union
NAIRZ	National Agency for Improvement and Reproduction in Zootechnics <i>(Agentia Nationala pentru Ameliorare si Reproductie în Zootehnie)</i>
NRL	National Reference Laboratory
NSVFSA	National Sanitary Veterinary and Food Safety Authority <i>(Autoritatea Nationala Sanitara Veterinara si Pentru Siguranta Alimentelor)</i>
OV (s)	Official Veterinarian(s)
TRACES	Trade Control and Expert System of the European Commission
WNF	West Nile Fever

1 INTRODUCTION

The mission took place in Romania from 25 to 29 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 Romania on 25 May 2009. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team and additional information required for the satisfactory completion of the mission requested.

The inspection team comprised two inspectors from the FVO and a trainee from the FVO, and was accompanied throughout the mission by the representatives from the Central Competent Authority (hereafter: CCA) – the National Sanitary Veterinary and Food Safety Authority (*Autoritatea Nationala Sanitara Veterinara si Pentru Siguranta Alimentelor*) (hereafter: NSVFSA).

2 OBJECTIVES OF THE MISSION

The overall objective of the mission will be to evaluate the measures and control systems put in place to give effect to EU requirements concerning:

- a. intra-Community trade (ICT) of equidae, in the framework of Council Directive 90/426/EEC and Commission Decision 2007/269/EC;
- b. animal welfare during transport, as laid down in Regulation (EC) No 1/2005.

A follow-up assessment was also made of the actions taken in response to certain commitments given by the CCA following mission from 2005 and 2007.

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

Visits			Comments
Competent authority	Central	2	Opening and final meetings with representatives of NSVFSA and NAIRZ
		1	Meeting with representatives of NAIRZ
	Regional	2	Meetings were held with representatives from the regional competent authorities from Bihor and Arad Counties.
		1	Meeting with representatives of regional NAIRZ in Bihor County
	District	1	One district competent authority office has been visited. The documentation regarding inspections performed and actions taken was reviewed.
Laboratory		3	National reference laboratory and two County laboratories dealing with diseases of Equidae in Bihor and Arad County have been visited
Assembly centre		2	Assembly centres in Bihor and Arad Counties had been visited. Official controls in other assembly centres in the counties have also been

		discussed.
Holdings	2	One holding from where animals are sent to the assembly centre for intra-Community trade and one holding under restriction due to Equine Infectious Anemia were visited.

3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation [1], in particular:

- Article 45 of Regulation (EC) No 882/2004 of the European Parliament and 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.
- Article 10 of Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae.
- Article 28 of Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport.

Full legal references are provided in Annex 1.

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

4 BACKGROUND

4.1 BACKGROUND TO PRESENT MISSION

Directive 90/426/EEC lays down the animal health requirements applicable to ICT of live equidae.

In accordance with Directive 90/425/ECC the Member States (MS) have put in place control systems in order to ensure the implementation of veterinary and zootechnical checks applicable in ICT. However, the ICT of live equidae represents a risk of spreading equine diseases.

Whilst certain aspects of ICT of live equidae have been subject to various FVO inspections, the control system as a whole has not yet been evaluated.

The last mission covering animal welfare during transport was carried out in 2007. Report DG (SANCO)/7339/2007 (hereafter: report 7339/2007) concluded that in relation to animal welfare during transport some of the measures taken by the CCA, such as registration of transporters and means of transport, provided a basic framework for controls, but inspections had not been implemented so that EU requirements were not enforced and as a result equidae were transported on long journeys in a way which did not meet the requirements of Council Regulation (EC) No 1/2005.

This report is available under its reference numbers on the DG Health and Consumer Protection website http://ec.europa.eu/food/fvo/ir_search_en.cfm

4.2 PRODUCTION AND TRADE INFORMATION

Romania reported the presence of around 800 000 horses in its territory in 2007, down from 900

000 in 2004 (source: FAOstat). A significant trade of live equidae occurs from Romania to various MS. According to TRACES, more than 27 000 equidae were moved from Romania to other MS. 90% of the trade goes to Italy, where two thirds of equidae are certified as equidae for slaughter, the remaining one third as equidae for breeding and production.

According to the TRACES database, fewer than 200 live equidae were sent to Romania from other MS in 2008.

Table 1: Intra-community trade – live equidae – Romania 2008

Category	slaughter	Breeding and production	Registered horses	others	Total
Into Romania	0	53	50	88	191
From Romania	17 000	10 000	30	15	27 000

(source: rounded data from TRACES)

Table 2: Most active MS trading equidae - Romania - 2008

	Italy	Belgium	Poland
Equidae traded from Romania	25 000	900	600
Of which for direct slaughter	16 000	0	0

(source: TRACES – rounded data)

5 FINDINGS AND CONCLUSIONS

5.1 COMPETENT AUTHORITY, STAFF AND ORGANISATION OF OFFICIAL CONTROLS

5.1.1 Legal basis

According to Article 3 of Regulation (EC) No 882/2004, Member States are required to ensure that official controls are carried out regularly, on a risk basis and with appropriate frequency using documented procedures.

Article 4 of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for official controls, and sets out the minimum operational criteria that each competent authority must meet. It provides for efficient and effective co-ordination and co-operation between the various organisations involved at all levels. Competent authorities are required to carry out internal audits, or have external audits carried out.

Article 6 of Regulation (EC) No 882/2004 requires that CA staff receive appropriate training to carry out controls.

5.1.2 Findings

The organisation of the Competent Authority (CA) and how this generally applies to animal health and welfare controls is described in a country profile on Romania on Food and Feed Safety, Animal Health, Animal Welfare and Plant Health (DG(SANCO)/7709/2008). This report is available on the DG SANCO website: http://ec.europa.eu/food/fvo/country_profiles_en.cfm.

A recent reorganisation of the National Veterinary and Food Safety Agency (NSVFSA) led to the grouping of animal identification, health and welfare under one Directorate-General. The changes included the transfer of the responsibility for NSVFSA, which is now solely responsible to the Prime Minister, without, as in the past, the Ministry of Agriculture being responsible for technical co-ordination.

No risk based approach is applied yet but official controls in relation to animal health and welfare in the field are planned by the County level based on the National control plan which is prepared annually by the NSVFSA. In Bihor County the programme of inspections indicated that in 2009 no checks had been planned in assembly centres, although consignments are regularly dispatched from these assembly centres. However, after the announcement of this FVO mission, checks had been performed at three assembly centres. Two of them had been temporarily suspended and in the third corrective actions had been required. In Arad County the programme was more comprehensive and indicated the number of checks to be carried out at the assembly centres and on the means of transport. However, only 19 checks had been performed out of 40 planned in 2008.

The NSVFSA issued a Service note No. 18390 of 11.03.2008, accompanied by guidance on implementation of Regulation (EC) No 1/2005, which contained provisions concerning the welfare of animals during transport. A check list for checking the means of transport and assembly centres had been made available to the staff performing official checks. New, more detailed guidance on animal welfare has been prepared by the CCA and is awaiting approval from the president of NSVFSA.

The Emergency order No. 49 of 28.06. 2006 removed the organisation of identification and registration of equidae from the scope of duties of NSVFSA, attributing it to the National authority for reproduction and zootechnical improvement (NAIRZ).

The Law No. 514 of 29. 12. 2006 subsequently amended the emergency order, attributing this authority to the National Equestrian Federation. However, in practice (and as indicated in the country profile), NAIRZ remains in charge of identification and registration of equidae, as the equestrian federation lacks resources and staff to perform these duties.

NAIRZ has a staff of 220 people, with offices in all Counties but one. Field staff are also in charge of other duties, such as artificial insemination of cattle, and milk quality control in farms. All staff met indicated that the staffing is insufficient to perform the identification tasks.

Although the legislation foresees the possibility of cooperation and collaboration between NAIRZ (which reports to the Ministry of Agriculture) and NSVFSA for the identification of equidae, the two agencies have not organised such cooperation.

NSVFSA, which is also empowered to perform official controls on identification of equidae (for certification before movement, or in the course of eradication campaigns), indicated that they have no power to enforce this legislation. No system is in place for them to report the non-compliances to NAIRZ.

NSVFSA designated a contact point in accordance with Article 24.2 of Regulation (EC) No 1/2005. In cases when the county CA notified the contact point of non-compliances related to animal

welfare detected on the consignments arriving from other MS, the contact point in the MS concerned has been informed and clarification requested.

In addition to regular reports from the Counties to the central level, horizontal audits of Counties are foreseen in the national control plan (with three Counties already audited). No sectoral audit on the trade in equines has been performed or planned yet.

The NSVFSA organised a series of training courses, which included animal health and welfare issues, including transport of animals. The OV's from the Counties which were trained during these sessions were expected to convey this information to the district OV's.

Three training courses for the County OV's had been organised in 2007 and two in 2008, which included training on Traces, veterinary certification and animal diseases with implications for ICT. In 2008 a course on animal welfare during transport had also been organised. The OV's from both Counties visited attended the training courses and evidence had been provided that this training had been passed to other OV's at the County level, as well as to the personnel of the AC's visited.

NAIRZ indicated that all staff have received training on different tasks of identification, but this training was not documented. Data on activities is collected from the County offices, but no formal verification of identification activities is organised, and no audit on this sector has been implemented or is planned.

5.1.3 Conclusions

As the planning of the checks does not take into account risk factors it is not ensured that the controls at the County level are performed at establishments with higher risk.

There had been no planning for official controls in one County, while in the other, although the plan was adequate, it had not been fully implemented.

Training and documented procedures provided by the NSVFSA were sufficient to enable the OV's to carry out inspection of the relevant EU legislation regarding animal welfare during transport.

NAIRZ is designated as the CA for identification of equidae, but its legal power to carry out official controls and enforce the legislation is undermined by the fact that it is not legally recognised as such. In any case it has insufficient staff to carry out the checks on identification and there has been no effective coordination between NAIRZ and NSVFSA to perform official controls on identification of equidae.

No audits, as required by Article 4 (6) of Regulation (EC) No 882/2004 are performed or planned in the fields related to the scope of the mission for either CA.

5.2 HOLDING REGISTRATION, ANIMAL IDENTIFICATION AND MOVEMENT CONTROL

5.2.1 Legal basis

Equidae, being considered as food producing animals by default, premises raising equidae which have not been excluded from the food chain must be registered in accordance to Article 6 (2) of Regulation (EC) No 852/2004.

Article 4 (4) of Directive 90/426/EEC requires the equidae to be identified. Decisions 92/623/EEC and 2000/68/EC define the format of the passports for registered horses, and for equidae for

breeding and production respectively.

Section 1 of the passports requires the change of ownership to be recorded.

5.2.2 Findings

National rules for identification of equidae are laid down in the Emergency Order No 49 of 2006, approved by the Law 514 of 2006. The procedure for identification is laid down in Ministerial orders 502 of 2006, and 464 of 2006 for equidae.

The national legislation foresees that all birth and movement of equidae must be notified to NAIRZ within 15 days. All equidae must be identified before 30 days from birth, or before the end of 2006. A first visit is performed to implant a microchip and draw an identification sketch of the animal. An official passport is issued within 30 days of this visit, and the data regarding the animal, the owner and the holding are recorded in a central database. The legislation for national movements of equidae was not provided by the CA, despite being requested by the mission team.

When NSVFSA was in charge of identification of equidae, a FDX-A (10-digit) microchip was used. When NAIRZ took over the responsibility, a FDX-B (15 digit) microchip was introduced, using the first three digit to encode the country (with the ISO 3166 standard, coding Romania with "642").

The software for the national database was developed in 2006. All local offices of NAIRZ have intranet access to the national database and record the events from their area. No access has been given yet to other authorities or external operators.

NAIRZ presented data, showing that on a total population evaluated at 650 000 animals, 99% of all equidae over six months are microchipped, over 500 000 passports have been issued, and 420 000 animals entered into the database.

The database is not complete in terms of holdings registered. Significant holdings, such as a "trader / fattener" of equidae, and a holding under restriction for EIA, were not registered in the database. Despite national legal requirement, movement registers were not available in the two holdings, other than ACs, visited by the mission team.

The overall good progress reported by NAIRZ was not confirmed in the field. From a random selection of certificates of more than 20 equidae subject to ICT over the last year, or from holdings subject to restriction for EIA, only one animal was recorded in the database.

The database records only 328 equidae that have been "exported" and 2,205 dead equidae. On the basis of the trade data and average life expectancy of equidae, one can expect 50,000 such movements or deaths to happen every year in Romania. None of the equidae recorded in the database as present in an AC visited by the mission team, could be traced in the AC register, or in the ICT certificates issued over the last year.

At the NAIRZ County office, the personal in charge explained that delays in recording data into the national database were due to the bad quality of the intranet link. NSVFSA made a formal request to be granted access to the electronic identification database in March 2009, but this access has not been granted, due both to technical and financial constraints.

The number of equidae reported with microchips aggregate all historical data, including those from the NSVFSA, and therefore include all equidae that have been sent to other MS. It is not possible at this stage to know how many live horses resident in Romania are identified with a microchip.

NAIRZ accepts and records as valid identification any microchip inserted by anybody. As a result,

many equidae are identified with microchips which are freely available on the market, and, although being of the FDX-B standard, do not bear the country code.

County offices may find different arrangements for identification. In one County visited, NAIRZ staff distributed official microchips to OV's in charge of checks of ACs for them to inject them at the ACs. Although NAIRZ was keeping record of distribution of such microchip to one OV, no supervision of the use of them was performed (no record of the microchip number range, no check of issuance of identification sketch). No passport was delivered for such identifications. This co-operation was not formalised.

None of the equidae that the mission team checked in the field, either in the ACs, at the dealer premises, going through market or in a holding under restriction, had a passport and some had no microchip.

The OV's in charge of checking the correct identification of equidae for a number of reasons (national movement authorisation, EIA eradication campaign, including compulsory annual blood sampling and movement restriction of positive holdings, checks of AC) issue permits even in the absence of identification, despite clear national legal rules on this issue (Article 22 of order 502 of 2006). No instruction from the NSVFSA was available on the subject.

Passports were issued at the NAIRZ County office only on request. The arrangements whereby the owner is required to sign the passport at the County office, makes it impractical for most owners.

5.2.3 Conclusions

Contrary to what official figures suggest, the identification of equidae is almost completely unsuccessful and does not comply with legal requirements. Insufficient staff, heavy procedures, technical and administrative constraints, and lack of enforcement or incentive explain this failure.

A parallel, partial and unofficial system of identification is being implemented and accepted by all parties and CAs. This system gives poor guarantees of traceability.

5.3 ANIMAL DISEASE CONTROLS

5.3.1 Legal basis

Annex A to Directive 90/426/EEC lists the compulsorily notifiable diseases of equidae. These diseases are subject to notification to the Commission and other Member States, in accordance with Council Directive 82/894/EEC. All outbreaks must be notified.

Article 4 (5) and Article 5 of Council Directive 90/426/EEC detail the prohibition orders expected in case of outbreaks of these diseases. In the case of Equine Infectious Anaemia (EIA), the prohibition is to last until infected animals have been slaughtered, and the remaining animals have shown a negative reaction to two tests carried out three months apart. In case of Equine Encephalomyelitis, the prohibition is of 6 months, from the date the equidae suffering from the disease are slaughtered.

Article 1 (4) of Commission Decision 2007/269/EC requires Romania to regularly report to the Commission and other Member States about the evolution of EIA and the measures implemented for its control.

5.3.2 Findings

According to the CA, Directive 90/426/EC has been transposed into Romanian legislation by Ministerial Order No. 30 of 2006 and Directive 64/432/EEC has been transposed by Ministerial order No. 61 of 2006.

The obligation of notification of diseases is contained in order No 79 of 2008. An accelerated eradication programme for EIA is legally binding through the Order 686 of 2003.

African Horse Sickness, Vesicular Stomatitis, East, West and Venezuelan Encephalomyelitis have never been reported in Romania. The last reported outbreak of glanders dates from 1960, and dourine from 1965.

Anthrax, Rabies and EIA are present in Romania. Rabid horses are identified every year. According to CA the accelerated eradication programme for EIA includes regular (twice a year until 2009) sampling of all equidae of more than six months. In the case of an outbreak, infected horses must be isolated and slaughtered within 10 days. The holding should be placed under movement restriction, until two clear tests performed six months apart.

The eradication programme for EIA is managed at the local level. Private veterinarians are in charge of sampling the equidae. Local OVs are in charge of the control of the infected holdings, performing an epidemiological enquiry and issuing the movement restriction orders. They forward data on the completion of the programme to the County authority.

Active surveillance is also performed for African Horse Sickness, Dourine, and Glanders; the total number of equidae investigated during the last years is given in table 3.

Table 3: number of official tests per disease (active surveillance)

Disease \ year	2006	2007	2008	Source: NSVFSA
EIA	1 000 000	1 000 000	1 000 000	
AHS	2 500	2 200	2 500	
Glanders (<i>serology or malleinisation</i>)	30 000	13 000	2 500	
Dourine	1 000	400	20	

A programme of surveillance of West Nile Fever (WNF) also includes sampling of equidae. More than 1,000 equidae were tested for antibodies against WNF over the last three years, in 20 different counties. According to

the scientist in charge of the programme for surveillance of WNF, the results showed that the disease is more widespread than originally thought, and seropositive horses have been identified in areas outside the Danube delta. However, the CA explained that this disease is not notifiable, and that no legislation applies to infected equidae.

No report has been made yet from the CA in Romania to the Commission and other MS, about the

evolution of EIA and the measures implemented for its control.

Data obtained from the NSVFSA showed that between 0.6 and 1.0 % of samples for EIA give positive results every year, with an apparent decline during the last three years. However, these data do not represent an estimation of the prevalence (as positive horses are not always slaughtered, and may not be retested in the subsequent campaigns), nor incidence (because the same horse may be tested twice to three times every year, first as part of surveillance and then for trade). The aggregate data on the evolution of EIA were checked by the mission team in one regional office, where they presented inconsistencies. No reliable data on the number of equidae which have been identified as positive, and are still alive, are available.

The legislation foresees that equidae infected with EIA must be microchipped, but no specific marking of infected equidae is foreseen. No field for animal health status is foreseen in the electronic database. Notification of the positive result in the horse passport is not enforced.

The NSVFSA indicated that an insufficient legal basis prevents them providing financial compensation to the owner of equidae slaughtered in the frame of the EIA eradication programme. As a result the compulsory slaughter of infected equidae is not enforced.

A representative of the NSVFSA indicated that in 2008 they identified a legal problem which gave rise to the diverting of compensation allowances from owners to dealers. The NSVFSA explained that proposals for legislative amendments were all turned down. Nevertheless the mission team noted that some Counties found a way to overcome the legal problem.

The lack of facilities is also a major constraint for the application of the slaughter. In one County, the closest slaughterhouse for equidae was located more than 700 km away.

Evidence of extensive testing was available at the places visited. The documentation related to actions taken in respect of infected holdings was missing for a number of holdings. It was explained that some declarations of infection dated back from the early 90's.

For the cases where documentation was available, the notification of movement restrictions or the epidemiological enquiries included the identification of the infected equidae. The number of equidae present was usually recorded in the epidemiological enquiry report, but not their identities. Further visits may be performed to these holdings for the subsequent surveillance campaigns, but they were not used to evaluate the status of the holding (evolution of the disease within the holding, account for missing equidae).

In one office, no lifting of a declaration of infection and movement restrictions had been issued since the beginning of the campaign. In the other office, many holdings were cleared every year. The documentation of these clearances did not include a formal notification of lifting of movement restrictions to the owner.

No inspection was performed at the local or regional level on the implementation and supervision of the EIA eradication programme.

The NSVFSA has been notifying new outbreaks of EIA into the ADNS (Animal Disease Notification System) since 2006. The numbers of notified outbreaks were 22, 195, 128 for 2006, 2007 and 2008 respectively. For the first five months of 2009, 92 outbreaks have been notified. Older outbreaks where restriction was still in force have not been entered, and are not planned to be entered. Not all new outbreaks are entered, in particular when the county CA does not forward to the NSVFSA all details (including the location of the outbreak).

5.3.3 *Conclusions*

Strict legislation for eradication of EIA is in place. Although the extensive annual testing campaign should give a good picture of the situation in the field, accurate data is not available on the number of horses infected with EIA in Romania. As there has not been sufficient verification, the reliability of the figures related to the coverage of these campaigns may be questioned.

The absence of specific marking or recording of infected equidae, the absence of proper registration and movement control of equidae present in infected holdings, and the possibility of holdings being under movement restrictions for several years due to the lack of enforcement of slaughter of infected equidae, means that the campaigns as applied will not lead to eradication of the disease and there is a significant risk of horses moving off infected holdings.

The number of outbreaks reported to ADNS represents only a fraction of the current outbreaks in the country.

The fact that the CCA does not consider West Nile Fever as an encephalomyelitis and has no legislation for equidae in this respect, is of concern in a context where preliminary indications show that equidae are significantly exposed to the virus.

5.4 LABORATORIES

5.4.1 *Legal basis*

Article 12 of Regulation (EC) No 884/2004 requires laboratories performing analyses for official controls to operate and be accredited following the ISO 17025 standard; article 18 of Regulation (EC) No 2076/2005 foresees a transitional period until the end of 2009, allowing the CA to designate a laboratory which is not accredited, as long as it has demonstrated that it has initiated the accreditation procedure, and provides the CA with satisfactory guarantees that quality control schemes for the official analyses are in place.

Article 1 of Decision 2007/269/EC requires all equidae coming from Romania to be subjected to a Coggins test within 30 days prior to dispatch.

5.4.2 *Findings*

The National Reference Laboratory (NRL) is the only laboratory performing analyses for African Horse Sickness, Dourine and West Nile Fever. It participates in meetings and ring trials organised by the Community Reference Laboratory for African Horse Sickness.

The NRL and all county laboratories are approved for official tests for EIA and glanders, both for the programmes and for tests prior to trade. The CCA explained that the pre-trade Coggins tests were restricted to two laboratories, due to the request of a receiving Member State. However, this was no longer practiced, and the pre-trade tests checked by the mission team were performed in the laboratory of the county where the AC were located.

The method for diagnosis of EIA is not standardised across the laboratories. The scope of accreditation of the NRL according to ISO 17025 includes the Coggins test. The NRL participated in various international inter-laboratory proficiency tests (three in the last three years), with good results on the last two occasions.

Whereas the NRL and the two County laboratories visited were using only Coggins, some laboratories use the ELISA test as a screening test, before in all cases declaring a case after confirmation with the Coggins test.

The NRL is responsible for checking each batch of EIA test kits. The NRL also organises an annual ring test for EIA, sending ten samples. If the laboratory gives fewer than seven correct answers, the result is considered insufficient, and a new series of tests is conducted, after retraining of the staff, organised during annual training sessions. Out of the 41 regional laboratories, 22 had excellent results for the ring tests over the last three years; four presented incorrect results more than once year, with one not classifying the ten samples correctly for any of the tests; this laboratory uses ELISA test in its routine testing.

Not all county laboratories are accredited. One of the laboratories visited was not accredited; the other was accredited, but the scope of the accreditation did not include the Coggins test.

The Standard Operating Procedures (SOPs) available in the accredited laboratories indicated that the tests must be read every 24 hours, until 72 hours. However, the daily readings were not recorded in any laboratory visited. Most of the laboratory result sheets checked by the mission team recorded the onset date and final reading date. Even for those where dates were missing, the final results were always issued at least three days after reception of the samples. In the regional laboratories, the final reading was performed after 96 or 120 hours (depending on the day of the week for the onset of the test). This deviation was not foreseen in the SOPs, and will alter the sensitivity and specificity of the test.

The anonymity of samples was not ensured at any analytical step in the laboratories, where the purpose and origin of the samples were displayed. No instruction or procedure was in place in any visited laboratory to check that samples at arrival comply with requirements laid down in national legislation (regarding the temperature and delay for sending to laboratory).

5.4.3 Conclusions

Significant efforts have been made to ensure consistent high standard, but these did not include the requirement of the method to be uniform and accredited. The lack of uniform method for diagnostic may affect the consistency of the diagnostic capabilities. Suggestion of such variation was not properly investigated.

The correct test was used for all equidae tested for ICT. The quality systems put in place and their implementation in all laboratories presented some deficiencies, from the reception to the implementation of the test, which may also affect the overall performance.

5.5 AUTHORISATION OF TRANSPORTERS

5.5.1 Legal basis

Articles 10 and 11 of Regulation (EC) No 1/2005 require that the CA grant authorisations to transporters and Article 18 of Regulation (EC) No 1/2005 requires that the means of transport by road are approved.

5.5.2 Findings

The NSVFSA has put in place procedures for authorisation of transporters and approval of means of transport. Certificates of the approval for means of transport are issued following the checks performed by the county OVs.

In response to a recommendation in report 7339/2007 the CCA stated that the central database of authorised transporters is kept at the central level and the register of authorised transporters and approved means of transport is available on the CA's intranet site; however, this does not enable the certificates of approval of the means of transport to be rapidly identified by the competent authorities in all Member States, contrary to Article 18.3 of Regulation (EC) No 1/2005.

A long journey transporter's authorisation file examined by the mission team contained the required documents, including the contingency plan in the event of emergency, as required by Article 11.1(b) (iv) of Regulation (EC) No 1/2005, with the exception of the information by the transporter on previous infringements of the legislation regarding protection of animals, contrary to Article 10.1(c) (iv) of Regulation (EC) No 1/2005 .

5.5.3 Conclusions

Although the procedures for authorisation had been put in place, these are still not complete to fulfil all requirements of the relevant EU legislation. The Intranet database for authorised transporters does not ensure rapid identification of approved means of transport when operating in other Member States.

5.6 CONTROLS ON ASSEMBLY CENTRES AND CERTIFICATION

5.6.1 Legal basis

Article 7 of Directive 90/426/EEC requires the equidae to be transported from the holding of origin either directly or via an approved assembly centre as defined in Article 2.2. (o) of Directive 64/432/EEC.

Conditions for approval, operation and official supervision of such assembly centres are detailed in Article 9 of Directive 64/432/EEC. They should meet structural requirements, and only admit animals properly identified, and accompanied by health documents or appropriate certificates, keep a register of movements. They must be issued an approval number, be subject to regular inspections on the conditions for approval, and their approval may be suspended or withdrawn.

Article 8 of Directive 90/426/EEC requires the equidae to be accompanied by a health certificate.

The equidae must be examined within 48 hours of embarkation and show no clinical sign of disease, must not be intended for slaughter under a national program of disease eradication, not come from a holding subject to animal health prohibition, be fit for transport, and not have been in contact with equidae suffering from infectious or contagious disease in the 15 days prior to the certification.

Article 4.2 of Directive 90/426/EEC indicates that this last point must be (in particular) supported by declarations by the owner or breeder.

The rules for certification from an Assembly centres are detailed in Directive 64/432/EEC, including the fact that the certification shall be on the basis of an official document completed by the official veterinarian of the holding of origin (article 5).

Article 1, 1 of Decision 2007/269/EC requires in addition that equidae from Romania be subjected to a Coggins test for EIA within 30 days prior to dispatch, with a negative result, which must be entered in the identification document.

Article 8 and 9 of Council Directive 90/425/EEC detail the rules to be applied when, during a check carried out at the place of destination of consignment of live animals, the CA of the MS establish the presence of agents responsible for a disease referred on Directive 82/894/EEC.

Section III of Annex II to Regulation (EC) No 853/2004 requires the operator of the slaughterhouses to receive, together with the equidae for slaughter, the relevant food chain information contained in the records kept at the holding of provenance in accordance with Regulation (EC) No 854/2004.

5.6.2 Findings

5.6.2.1 Approval

A procedure for a national approval of assembly centres (President Order No. 62/2007 from 7 March 2007) includes an assessment by the County OV responsible for inspecting the AC to check that it complies with the requirements. After this the approval document for the AC can be given.

The list of approved ACs for ICT has been transmitted to the Commission. The list available at the Commission contains all ACs operating.

The approval document is issued on a standard template and the legal base for the approval of ACs is Regulation (EC) No 1/2005. No reference is made to the relevant animal health legislation (Directive 90/426/EEC and 64/432/EEC) which lays down the animal health requirements which should be fulfilled in ACs approved for ICT of equidae. In addition, Directive 90/426/EEC requires ACs to be approved, but the template used by the CA refers to authorization of the assembly centre.

Approval documents of the ACs visited included blue-prints of the sites. The structural requirements were checked in the ACs visited in Bihor County. The centre was isolated, and presented a fair structure, but needing upgrading and maintenance in order to allow correct cleaning and disinfection. The isolation box was not suitable for isolation; no isolation box was identified on the blueprint of the approval file. The cleaning and disinfection equipment was not suitable for the purpose. The cleaning of the centre was insufficient, contrary to Article 11 of Directive 64/432/EEC.

In Bihor County the CA indicated in their reply to the pre-mission questionnaire that two out of four approved ACs are in operation and two had been issued with a temporary approval suspension order due to the non-compliances detected during the checks by the OVs. At the opening meeting the mission team was informed that two weeks before the mission another AC was issued with temporary approval suspension order, due to major non-compliances with requirements and for the second AC a deadline for correction of deficiencies had been set. All ACs were visited in 2008 and no major deficiencies had been detected during those visits.

For one AC in Bihor County the temporary approval suspension order was issued on 5 March 2009 and 24 horses had been present on that day in the stables. These horses left on 1 April and after this no animals should have been present in the AC. However, the results from the blood testing in the County laboratory showed that on 10 April 49 blood samples from this assembly centre had been

tested on EIA and another consignment had been sent to ICT on 14 April. This was also confirmed by the county OV, who signed the ICT certificate for horses that had entered the AC after its suspension, contrary to Article 7 of Directive 90/426/EEC.

5.6.2.2 *Operation of sites*

The operator of the ACs, with the assistance of a contracted private veterinarian, checks the equidae at arrival; a local OV performs the visit before certification and shipment of the equidae. Movement registers were present in both ACs visited.

In one AC the private veterinarian explained that some equidae arrived without microchips, in which case he would inject a microchip (that he obtained from NIARZ) at the AC. In the other AC, the veterinarian stated that all equidae arrived already microchipped. However, most equidae, coming in various batches from different counties were identified with the same series of non-official microchips, for which the OV had the bar-codes stickers, suggesting a very recent microchipping, unlikely to be from the places of origin, and not official.

None of the equidae arriving at the ACs visited were accompanied by a passport.

In both ACs, the OV was issuing identification documents for the equidae in an unofficial format and for which they have no authority.

In one AC the equidae were coming from neighbouring local markets, owners or dealers. A paper signed by a local veterinarian indicated that they were free from clinical sign. No history of movement, no guarantee of the status of the holding of origin, no information of the possible contacts, and no indication of the equidae having been subject to the EIA testing in the framework of the eradication campaign, was available. The CCA stated that no particular animal health legislation or controls applies to dealers or markets. One dealer was visited: no register of movement of equidae was available and it was impossible to identify the origin of the equidae that he had sent to the AC for ICT.

In the other AC, equidae were coming from other Counties. Health certificates from the place of origin were available for most of the incoming equidae. No clear link was made in some of the health documents with the identity of the animals. These certificates are issued by private veterinarians; they state that the animals come from a holding which is not under restriction, that they were healthy and that they were subject to legal health tests, vaccination or treatment; but they do not give indication of the last EIA test, or the possible contacts with other equidae.

Most of these certificates, supposed to be drafted at the place of origin and checked on arrival at the AC, were actually dated several days after the arrival of the equidae at the AC. On the other documents, the dates had been altered. The County CA did not understand the relevance of this finding, considering that the private veterinarian was signing these certificates as an official veterinarian, and therefore there was no reason to doubt their validity.

The CA indicated that the maximum duration of stay of equidae in AC is six days, in line with the requirement of Article of Directive 64/432/EEC. The movement registers in the ACs visited showed that this is not enforced, the equidae being allowed to stay much longer periods. One AC counted also one resident horse. No authorisation or instructions from the CA was available on the possibility for the AC to keep a resident horse. This horse was not officially identified (no passport), and no record was kept on site of the history of its tests for EIA. The private veterinarian produced a copy of a test results for this horse, but the original of the test result could not be found at the laboratory.

The pre-trade test for EIA is usually performed in the AC. In one AC, the private veterinarian stated

that when he had a doubt about the origin of the equidae, he would perform a test before authorising the animal to enter the AC. According the CA, no positive result was ever obtained in an AC. The ACs visited did not practice an "all-in / all-out" policy, and equidae being tested and cleared could be kept at the same time with other equidae not yet tested.

5.6.2.3 *Certification*

As a rule, equidae that enter ICT in Romania pass through an AC.

The local OV who is coming for the checks prior to certification is also in charge of entering the data into TRACES. Most of the notifications were correctly filled, and contain the identification of the equidae. One local OV was not indicating that the equidae were in accordance with Commission Decision 2007/269/EC. Generally, in addition to the certificates, the OV issues identification forms, and sends a copy of the laboratory test results for the equidae.

The identification forms seen by the mission team included a section IX (treatment with veterinary medical products), which was filled at the AC. No information on this aspect was available from the holdings of origin. No food chain information for equidae for slaughter was available from the holdings of origin.

No instructions or guidelines are available for the local OV for the checks and actions to be taken for them to be satisfied and certify the equidae.

The CCA receives complaints from other MS, and send them to the County CA for follow-up. Most complaints are about identification problems. Two complaints were received for animal health reason. One was about a horse found positive to glanders at the MS of destination. The CCA indicated that this case was investigated and closed after agreement that the result was a false positive. However, despite repeated requests by the mission team, no documentation of the closure of the case was provided. Another case concerned a horse tested positive for EIA in the MS of destination. The investigation included a re-test of the sample, that had been kept by the County laboratory, by the same County laboratory. The result was confirmed negative. No other action was taken.

5.6.2.4 *Official control of the site*

The CCA developed in January 2008 a SOP for the inspection of ACs. The County CA decides of the frequency of inspections.

Based on this SOP, the CA in one County developed a check-list. However, until a week before the mission, this check-list was not in use, and the inspectors were using instead various models developed for quarantine stations for export. These models did not include the checks of identification at reception of the animals. The new check-list was used to inspect the AC visited by the mission team. Neither the check-list nor the SOP describes the identification expected for horses. The inspectors reported what they found, but did not evaluate whether this was acceptable or not. No conclusions were drawn from the inspection. The obvious inconsistencies in the dates of the incoming health attestations were not identified by the inspectors.

5.6.3 *Conclusions*

Approval procedures for ACs are insufficient because they include animal welfare requirements, but

they do not take into account the animal health requirements for ICT.

All equidae are tested in the ACs for EIA, ensuring compliance with the Community requirements on this point. However, as they are not tested at the same time, equidae of different health status are kept together.

The health guarantees accompanying the equidae arriving at the AC are incomplete or not reliable. The traceability of the equidae before entering the AC cannot be established in most cases.

Not only do the OV's not enforce the identification rules for equidae, in order to ensure that the equidae are identified in accordance with Community rules and registered in such a way that the holding of origin can be traced, but they issue unofficial identification.

The official controls of the ACs are formally in place, but largely ineffective, as the systematic non-conformities regarding identification and health guarantees were not detected. The certification of equidae from an AC which was suspended indicated the incapacity of the CA to enforce its own decisions.

The certificates or documents available at arrival do not give enough guarantees for the veterinarian at the AC to sign the ICT certificate.

5.7 CHECKS BEFORE DEPARTURE

5.7.1 Legal basis

Point 8 of Annex II of 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. This allows the CA to check if the journey times described in Chapter V.1 of the Annex I to Regulation (EC) No 1/2005 are respected.

Article 14.1.c of Regulation (EC) No 1/2005 requires that the CA at the place of departure carries out appropriate checks to verify that the journey logs submitted are realistic and indicates compliance with this Regulation.

Article 27 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.

5.7.2 Findings

In response to a recommendation from report 7339/2007 that the use of journey logs meets the requirements of Annex II of Regulation (EC) No 1/2005, the CCA provided guidance, which include information regarding the proper completion of journey logs and additional training to the OV's from each county.

The journey logs were sent to the CA two days before departure of the consignments by the organiser of the transport. However, before stamping them, the OV's did not detect deficiencies, such as no journey times indicated or unrealistic journey times. Several journey logs had been stamped without being properly and entirely completed, contrary to Annex II, 3.b of Regulation (EC) No 1/2005.

In Bihor County in the AC visited 16 journey logs out of 776 consignments in 2008 had been

returned shortly before the mission. The County OV did not check them and did not detect inconsistencies despite several being detected by the mission team (only a few journey logs had been returned to the CA at the place of departure, contrary to paragraph 3 of point 8 of the Annex II of Regulation (EC) No 1/2005 and they were incomplete with sections missing and no time of arrival indicated). In the documentation from the other two temporary suspended ACs it was evident that, in one of them no journey logs had been returned in 2008 and 2009, while in the other four journey logs out of 58 consignments had been returned. Returned journey logs were not inspected by the OVs to assess if the planned arrangements were realistic and no actions had been taken by the County CA to ensure the return of journey logs.

In Arad County in the AC visited, five consignments had been dispatched in 2009 and no journey logs had been returned. For 2008 the OV indicated that about half of the journey logs had been returned, but he did not know how many consignments were dispatched. Later a figure of 20 consignments dispatched in 2008 was provided, but the OV failed to provide a single returned journey log to the mission team for inspection.

Consignments had been dispatched from the assembly centre in Arad County with an intermediate stop in Hungary to load additional animals, but this was not indicated on journey log and the travelling times were not calculated accordingly. The OV stated that the journey from the intermediate loading place is calculated as a new journey and the entire journey had not been considered as one journey, contrary to Article 2 (j) of Regulation (EC) No 1/2005.

An example of an unrealistic journey time, contrary to point 1. a. (ii) of Article 14 of Regulation (EC) No 1/2005, was seen on one of the few journey logs returned, where the planned journey time to Italy indicated 23 hours; however, when the consignment had been checked in Italy by the OV, 20 hours of the journey already elapsed with additional 850 km to go. The CA at the AC of departure had filed this journey log without any action taken.

In response to a recommendation from report 7339/2007 that vehicles meet the required EU standards, the CCA replied that the partitions used to create individual stalls for horses, as required by Annex I, Chapter VI, 1.1.6 of Regulation (EC) No 1/2005, now comply with the requirements and are made of solid material and that the watering devices on the truck complies with Annex I, Chapter VI, 2.2 of Regulation (EC) No 1/2005. No means of transport had been seen at the assembly centres by the mission team.

Although no means of transport had been seen by the mission team, it was noted that:

- From the report seen at one AC of the check performed on 20 February 2009 by the Italian Competent Authority on a truck transporting horses from Romania, it was evident that the partitions were not suitable to form individual stalls for horses and that only two watering pouches had been present on the truck, which are not sufficient to provide water to 23 horses in the timeframe indicated on the journey log.
- In one AC the district OV responsible for on the spot check at the place at departure stated that the partitions were made of tarpaulin, which would made them unsuitable to create individual stalls, as they did not meet the requirements of point 1.4 of Chapter II of Annex I to Regulation (EC) No 1/2005 and of points 1.6 to 1.8 of Chapter VI of Annex I to Regulation (EC) No 1/2005
- The OVs met were aware of how to calculate space allowances for different categories of horses, as defined in Annex I, Chapter VII A of Regulation (EC) No 1/2005. One OV mentioned that there are usually five to six adult horses present on the consignment and that the rest are horses of less than 24 month of age. Annex I, Chapter VII A of Regulation (EC) No 1/2005 provides for lower space allowances (1.2 m²) for horses of less than 24 month of age than for adult ones (1.75m²). The fact that a large number of horses arrives at the ACs without the identification certificates and that these are issued by the OV at the ACs (where

the age of the horse is also determined - usually the birth date start with 1 January of year, which means that it is not accurately established) the County OV's could not ensure that the age of the horse indicated on the identification document was always correct and that adequate space allowances were calculated.

- A report sent to a CCA of the check performed on 20 October 2008 by the Austrian Competent Authority showed that the space allowances had not been respected, contrary to Annex I, Chapter VII A of Regulation (EC) No 1/2005, as among other deficiencies detected on the consignment checked, 21 horses had been loaded on truck instead of 20 as certified by the OV in Arad County.

5.7.3 Conclusions

Despite the recommendation from 2007 that the use of journey logs should meet the requirements of Annex II of Regulation (EC) No 1/2005, the situation in the field regarding implementation by the county CA of the procedures put in place by the CCA had not improved since 2007.

5.8 VERIFICATION PROCEDURES

5.8.1 Legal basis

Article 8 of Regulation (EC) No 882/2004 requires that competent authorities have procedures in place to verify the effectiveness of official controls and to ensure the effectiveness of corrective action.

5.8.2 Findings

In response to a recommendation in report 7339/2007 (same recommendation as already in a pre-accession mission report from 2005) which required that the effectiveness of official controls is verified, as required by Article 8.3(a) of Regulation (EC) No 882/2004, the CCA indicated that the results of controls, carried out in 2008, in field of animal welfare, were reported quarterly to the central level. In addition, the OV's from the NSVFSA occasionally accompanied the county OV's during their checks.

Supervisory joint inspections (NSVFSA, County CA and local OV) had been carried out in 2008 in both assembly centres visited by the mission team. They concentrated on structural issues of the ACs and did not identify several procedural inconsistencies regarding movement, identification and certification of equidae and animal welfare requirements.

5.8.3 Conclusions

Supervisory procedures failed to detect that provisions regarding movement, identification, certification and animal welfare, including those acquired during training and described in documented procedures, were not effectively carried out in practice by the county CA.

5.9 ENFORCEMENT MEASURES

5.9.1 Legal basis

Article 54 of Regulation (EC) No 882/2004 requires a competent authority which identifies non-compliance to take appropriate action to ensure that the operator remedies the situation. Article 55 of Regulation (EC) No 882/2004 and Article 25 of Regulation (EC) No 1/2005 requires that Member States lay down the rules on sanctions applicable to infringements and shall take all measures to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

5.9.2 Findings

In response to a recommendation from a report 7339/2007 regarding effective, proportionate and dissuasive sanctions the CCA stated that the regulation for sanctions had been amended and now include the sanctions for infringements of Regulation (EC) No 1/2005.

The mission team noted that a fine of 1500 RON (approx. € 375) was applied in 2007 after a check of the AC in Arad County, which has approximately 40 to 45 consignments per year. As the operator paid the fine within the 48 hours, it was reduced to 200 RON (approx. € 50). The CCA stated that the same AC has also been fined in 2008 (600 Ron, approx. € 150) but the county level was not able to present any documents to support this.

5.9.3 Conclusions

Imposing sanctions remain a low priority for the CA on these issues as only one case resulted in a fine and the CA were unable to demonstrate that further legal measures had been taken. The fine was relatively low when compared with the amount of trade from this AC.

6 OVERALL CONCLUSIONS

Legislation for identification and movement control of equidae is poorly applied and not enforced. Official data do not match with the field situation.

Strict legislation for eradication of Equine Infectious Anemia is in place and is partially applied (testing campaigns, declaration of infected holdings), but is not sufficiently controlled or enforced. Equidae are not killed or slaughtered as compensation funds are not available or not distributed, but also because of lack of slaughtering facilities. They are not marked in such a way that they can be identified. Movement restrictions of infected holdings are not controlled.

Equidae enter intra-Community trade through assembly centres, where they are all tested for equine infectious anaemia while, but not all at the same time, thus mixing equidae of different health status. The significance of this finding is enhanced by the facts that this disease is endemic, infected equidae are not marked or slaughtered, movement restrictions of infected holdings are not controlled, and the identity and health status of the equidae arriving at the assembly centre cannot be established in most instances.

The identification of equidae in assembly centres, using an alternative unofficial system, the insufficient supporting evidence regarding the health status of the equidae from the holdings of origin, and the certification from the assembly centre which is officially suspended, call

into question the credibility of the controls and the ability of the Competent Authority at all levels to enforce the legislation.

Although measures on animal welfare have been taken by the Central Competent Authority in the form of training and instruction provided since the previous mission in 2007, the Competent Authority at the county level failed to enforce the relevant EU legislation. Non-compliances in the sector, which were already identified in the previous mission, continue to exist and have not been adequately addressed by the authorities. As a result, equidae continue to be transported on long journeys in a way which does not meet the requirements of Council Regulation (EC) No 1/2005.

7 CLOSING MEETING

A closing meeting was held in Bucharest on 29 May 2009 with representatives NSVFSA and NAIRZ, in the course of which the mission's main findings and preliminary conclusions were presented by the inspection team to the CCA.

The CCA took note of the findings and preliminary conclusions and provided some factual corrections of findings and some additional information requested by the mission team. The CCA gave verbal assurances that the shortcomings pointed out by the mission team during the mission will be addressed.

8 RECOMMENDATIONS

Nº.	Recommendation
1.	To provide sufficient legal power to the designated competent authorities to allow proper implementation of the animal health legislation for equidae, as required by Regulation (EC) No 884/2004.
2.	To ensure that the system for identification and movement registration of equidae can be effectively applied in the field, with sufficient staff and resources dedicated to it, in accordance with the requirements of Article 3 and 4 of Directive 90/426/EEC .
3.	To ensure effective co-operation, as required by Article 4 of Regulation (EC) No 884/2004, between NSVFSA and NAIRZ, so that there is effective control and enforcement of the rules for identification and movement registration of equidae.
4.	To review the application of the programme for eradication of EIA, in order to ensure a proper traceability of infected equidae and holdings; to ensure the proper documentation, notification and application of movement restrictions in accordance with Article 4.5 of Directive 90/426/EEC.
5.	To review the legal requirements for West Nile Fever in equidae, in order to ensure that outbreaks are properly identified and notified, and movement restrictions applied in

N°.	Recommendation
	conformity with requirements of Article 4. 5 of Directive 90/426/EEC regarding equine encephalomyelitis.
6.	To review the procedures and supervision of assembly centres, in order to ensure that only animals officially and correctly identified, and accompanied by appropriate and duly substantiated health certificates, are admitted in the ACs, as required by Article 11 of Directive 64/432/EEC.
7.	To correct the deficiencies related to the procedures or quality systems, identified in the laboratories performing official tests for EIA.
8.	Ensure that the official controls are carried out regularly and on a risk basis in according to Article 3.1 of Regulation (EC) No 882/2004.
9.	Approved means of transport are recorded in an electronic database in a manner enabling them to be rapidly identified by the competent authorities in all Member States, as required by to Article 18.3 of Regulation (EC) No 1/2005 and that records of transporters' previous infringements of the legislation regarding protection of animals is assessed, as required by Article 10.1(c)(iv) of Regulation (EC) No 1/2005.
10.	The procedures regarding checks of journey logs before long journey complies with Article 14.1 of Regulation (EC) No 1/2005, particularly regarding the verification if the journey logs are realistic and that the use of journey logs meets the requirements of Annex II of Regulation (EC) No 1/2005.
11.	The effectiveness of official controls is verified, as required by Article 8.3(a) of Regulation (EC) No 882/2004, particularly in relation to procedures related to inspections of animal welfare of horses during transport.

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

http://ec.europa.eu/food/fvo/ap/ap_ro_2009-8256.pdf

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 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
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
Dir. 90/426/EEC	OJ L 224, 18.8.1990, p. 42-54	Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae
Dir. 90/425/EEC	OJ L 224, 18.8.1990, p. 29-41	Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra- Community trade in certain live animals and products with a view to the completion of the internal market
Reg. 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Dec. 2000/68/EC	OJ L 23, 28.1.2000, p. 72-75	2000/68/EC: Commission Decision of 22 December 1999 amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production
Dir. 82/894/EEC	OJ L 378, 31.12.1982, p. 58-62	Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community
Dir. 64/432/EEC	OJ 121, 29.7.1964, p. 1977-2012	Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine

Legal Reference	Official Journal	Title
Reg. 2076/2005	OJ L 338, 22.12.2005, p. 83-88	Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Reg. 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
Reg. 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
Dec. 93/623/EEC	OJ L 298, 3.12.1993, p. 45-55	93/623/EEC: Commission Decision of 20 October 1993 establishing the identification document (passport) accompanying registered equidae
Dec. 2007/269/EC	OJ L 115, 3.5.2007, p. 18-19	2007/269/EC: Commission Decision of 23 April 2007 on protective measures with regard to equine infectious anaemia in Romania