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FINAL REPORT OF A SPECIFIC AUDIT

CARRIED OUT IN

SLOVENIA

FROM 16 TO 24 JUNE 2009

IN ORDER TO EVALUATE THE IMPLEMENTATION OF CONTROLS FOR ANIMAL
WELFARE ON FARMS, DURING TRANSPORT AND AT THE TIME OF SLAUGHTER

IN THE CONTEXT OF A GENERAL AUDIT

Executive Summary

This report describes the outcome of a specific audit carried out by the Food and Veterinary Office (FVO) in Slovenia, from 16 to 24 June 2009.

The objective of the mission was to verify that the 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 2007-7335 and 8038/2006.

The report concludes that the system for inspection for animal welfare on farms, during transport and slaughter was largely adequate and almost all recommendations from previous reports were addressed. However, the CA did not ensure that all cages brought into service after date of accession were enriched and all the deficiencies in laying hens holdings equipped with enriched cages were detected and corrected.

Although there is a system of checks in livestock vessels before departure, the CA did not grant certificates of approval for third country flag vessels, as required by Article 19(1) of Regulation 1/2005. In addition, the CA did not ensure a systematic verification that the required journey times are respected, contrary to Article 15.1 of regulation (EC) 1/2005.

Checks on the slaughterhouse visited were generally satisfactory and recommendations from previous report concerning poultry slaughterhouses were addressed.

The report makes a number of recommendations addressed to the Slovenian 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
CA	Competent Authority
CCA	Central Competent Authority
CV	Contracted Veterinarian
EFSA	European Food and Safety Agency
EU	European Union
FVO	Food and Veterinary Office
MANCP	Multi Annual National Control Plan
VARs	Veterinary Administration of the Republic of Slovenia (VARs) (<i>Veterinarska Uprava Republike Slovenije – VURS</i>)

1 INTRODUCTION

The specific audit took place in Slovenia from 16 to 24 June 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 Slovenia on 17 June. 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 Central Competent Authority (CCA), the Veterinary Administration of the Republic of Slovenia (VARŠ) (*Veterinarska Uprava Republike Slovenije – VURS*).

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 implementation of national measures aimed at the control of animal welfare on pig, calf and laying hen farms, during transport and at the time of slaughter. The effectiveness of actions taken in response to recommendations in previous FVO missions in the above areas was also evaluated.

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

Visits			Comments
Competent authority	Central	3	Opening and closing meetings. Meeting with transport contact point.
	Regional	3	Regional offices.
Farms/ assembly centres/ slaughterhouses etc			The sites were selected by the inspection team.
Farms		2	One laying hen and one pig farms
Transport		3	One assembly centre, one exit point port and the mobile unit.
Slaughterhouses		1	Red meat slaughterhouse

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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 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 Slovenia were carried out in 2007 and 2006. The results of which are described in reports DG(SANCO)/2007-7335 – MR Final and DG(SANCO)/ 8038/2006 – MR Final (hereafter referred to as reports 2007-7335 and 8038/2006 respectively). These reports are accessible at: http://ec.europa.eu/food/fvo/ir_search_en.cfm

Report 2007-7335 on welfare of animals on farms and during transport concluded that regarding farms, the system of inspections was generally well organised; and where more comprehensive documented procedures have been provided, these have been effective in achieving a satisfactory level of compliance. However, as controls of the pig sector are less developed and until recently, the larger farms were not included, this sector was lagging behind the laying hen sector in terms of compliance. In addition there are certain legal gaps in relation to both livestock sectors which weaken the ability of the CA to deliver a higher level of compliance with EU legislation. Concerning checks on consignments of live animals transiting Slovenia there is a good system of controls. Procedures, equipment and facilities were satisfactory to enable comprehensive checks to be carried out and for corrective measures to be taken. Finally, regarding the requirements of Regulation (EC) No 882/2004 such as documented procedures, verification procedures and internal audits although having been integrated into the controls of the various sectors, need to be further developed.

Report 8038/2006 on welfare of animals at slaughter concluded that the system set up by the CA ensured an overall satisfactory level of compliance with EU requirements for animal welfare at the time of slaughter and during killing, with the notable exception of the inadequate electrical stunning of poultry. There were also some weaknesses regarding supervision by the regional level, which was not always sufficient, and regarding recording and reporting of the controls performed, which has been too general to allow a meaningful evaluation of the results. However, this had been counterbalanced by the recent introduction of internal audits, which have resulted in documented procedures being more closely followed.

A detailed description of the Competent Authority (CA) can be found in DG(SANCO)/7706/2008 country profile of Slovenia (hereafter: country profile) which is accessible at: http://ec.europa.eu/food/fvo/country_profiles_en.cfm

5 FINDINGS AND CONCLUSIONS

5.1 ANIMAL WELFARE ON FARMS

5.1.1 *Farm inspections in general*

Legal requirements

Article 8(1) and Article 7(1) of Directives 2008/120/EC and 2008/119/EC require the CA to carry out inspections on a representative sample of the different rearing systems for pigs and calves respectively. Article 8(1) of Directive 1999/74/EC requires checks of laying hen farms. For checks performed until the end of 2007, Decision 2000/50/EC provided the framework for collating and reporting the results of inspections of farms with these species; from 2008 the framework is provided by Decision 2006/778/EC.

Findings

The checks are recorded in the OV's check list then summarised and reported to the CCA by the monthly and annual reports, from 2008 these reports are electronically recorded. Results of inspections of farms are collated and reported as required by the framework provided in Decision 2006/778/EC.

The OV's of the regional offices carry out checks in accordance with the annual plan. In addition, as part of the annual visit by the CV's to all holdings, animal welfare is checked and the results reported directly in the VOLOS database, which is used by the OV's for targeting their own checks.

The MANCP give some details of how animal welfare checks were organised for checks performed until 2007. For year 2008 the CCA inspection programme indicates that the number of checks to perform in the regions were all laying hen farms, and between 1% and 2% of the farms with other livestock animals, depending of the region and the director of each regional office chooses the farms taking into account the number of animals in the farms and the results of controls of previous checks. For 2009 annual inspection programme indicated again all laying hen farms, in particular those with derogation until 1.1.2009, and for the first time targets of number of checks for pigs and calves are independent of other livestock animals, 1% of farms with more than one pig and 0.5% of calf farms are to be checked by the OV's. For both species the list of farms to be reviewed by each region is published in the intranet site according to the results of the risk analysis of checks performed in 2008.

- In one region, 17 checks in pig farms and 16 checks in calf farms of the 150 checks planned in the CCA inspection programme for 2008 for non laying hen farm livestock species had been performed. Therefore, the 2% target was not achieved. Concerning laying hens two checks of the 14 planned were performed, the 100% target was not achieved either.
- For year 2009, concerning pigs the planned checks are 35 farms (1% of the holdings) with more than 1 pig and regarding calves 28 farms (0.5% of the holdings). Breakdown by regional offices available in internal site listed for one region 41 high risk pig holdings for year 2009, from where the regional CA select 28 holdings (80% of 35) and from the list of 5626 holdings with more than one pig they select seven holdings (20% of 35) randomly.

Report 2007-7335 pointed out that certain requirements of Directive 91/630/EEC (now supersede by Directive 2008/120/EC) for total unobstructed floor area, for continuous solid floor, for concrete slatted floors, for access to manipulable material for sows and gilts and for individual pens for pigs

(points 1(b), 2, 5 and 8 of Article 3 of Directive 2008/120/EC) apply to holdings with more than 100 pigs, which have been newly built or rebuilt or brought into use for the first time from 1 January 2004. However, Directive 2008/120/EC does not exclude holdings with less than 100 pigs from these requirements. At the final meeting the CCA indicated that, these requirements of Directive 91/630, that the definition of the word intensive inserted in the national legislation is going to change in the new guidance for animal welfare of pigs, and instead of 100 pigs is going to be defined as farms with more than two pigs.

Conclusions

Report 2007-7335 concluded that checks by CVs provided a very basic level of surveillance of animal welfare requirements. However, during the mission the CCA indicated that they consider these checks as informative, and not as official controls.

Inspections cover each year a statistically representative sample of the different rearing systems used as required by Article 8(1) and Article 7(1) of Directives 2008/120/EC and 2008/119/EC and the results of inspections of farms are reported in line with Decision 2006/778/EC. However, for 2008, the targeted number of inspection was not achieved for one of the regions visited.

Although new guidance for animal welfare of pigs is being drafted to change the interpretation of the word intensive, the national legislation regarding certain applicable animal welfare requirements in pig farms with less than 100 pigs still remains unchanged and does not fully comply with Directive 2008/120/EC.

5.1.2 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. Article 1.4 of this Directive requires that Member States shall ensure that changes concerning registered data are notified to the competent authority without delay and that the register is updated immediately when such information is received.

Findings

It was noted that the CA addressed the recommendation of Report 2007-7335, establishments publicly available on the internet are correctly registered as now organic production systems are included, there is distinction made between keeper and owner, and the data for other farms had been updated. However, even though the CA indicated that now the public register is updated twice a year, on the cage farm visited the maximum capacity in the publicly available register was 15% more than the maximum capacity calculated by the OV during the visit, as when the farm was registered the maximum number of hens per cage taken into account was seven instead of six.

Conclusions

The CA addressed the recommendation of Report 2007-7335 as the register has the minimum data required for registration completed. However, it was not ensured that changes concerning registered data are notified to the competent authority without delay and that the register is updated immediately when such information is received.

5.1.3 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 and Article 5.2 requires that with effect from 1 January 2003, from 1 May 2004 accession date of Slovenia in the EU, unenriched cages may not be built or brought into service for the first time. In addition, Slovenia was granted with transitional measures for certain establishments (derogation from Council Directive 1999/74/EC as regards the height and the slope of cages until 31.12.2009).

Findings

The inspection team noted that, in response to a recommendation in report 2007-7335, the provision of Directive 1999/74/EC concerning the definition of usable area has been correctly transposed in Slovenian legislation, as the reference to battery cages has been deleted from this definition.

At the time of Accession of Slovenia to the European Union a transitional period as regards height and slope of cages had been granted until 31 December 2009 to a certain number of farms. The CCA provided an overview of this list of 37 farms with non-compliant cages, from the information provided it was noted that 57% of the farms were out of operation. The inspection team noted that procedures were in place to ensure that only compliant cages are in use after the given deadline, as the CCA sent a letter to producers to complete the necessary upgrading or to end the use of these cages by 31.12.2009. The farms with these cages were included in the plan of inspections for year 2009.

Concerning type of production system in the country, the CCA indicated that in the country 75% (56% of the hens) of the establishments are cage systems (out of this 75%, only 2.6 % are enriched).

During the visit to one region, files of the checks carried out in the region were reviewed. The annual report of checks performed in 2007 revealed that freedom of movement was found to be an issue and follow up visits were performed in 2008. The last three years programme in the region was to inspect all 14 premises in 2007, in 2008 those with deficiencies had followed up visits and finally in 2009 all premises will be inspected, in particular the ones with derogation. It was noted that in 2007 the checks planned were performed in all laying hen farms of the region and in 2008 their follow up checks.

- The mission team verified that in response to the previous mission report, the CA has issued recommendations and guidelines for OV's involved in official controls on hen farms.
- The review of the reports of the checks of four farms from 2007 indicated the detection of non-compliances in unenriched cages, such as lack of provision of at least 550 cm² of cage area for each laying hen, floors of cages no constructed so as to support adequately each of the forward-facing claws and lack of claw shortening devices, contrary points (1),(5) and (6) of Article 5.1 of Directive 1999/74/EC respectively.
- It was noted that these inspection files contained minute reports, that decisions to rectify deficiencies were issued with adequate deadlines for their rectification, that after follow up visits all non compliances were rectified in two farms, that in one farm enriched cages were installed and the owner of one farm was fined with €417, which was paid. The CA indicated that most notifications are received quickly if owner pays directly; however, if the collection of fine is through the tax system the feedback is slow and not always received.

It was noted that the CA addressed the recommendation in Report 2007-7335 concerning the introduction of requirements of Article 6 of Directive 1999/74/EC for enriched cages on the check

list and complementary instructions. To follow up this issue, the inspection team asked the CCA to indicate a farm with enriched cages with hens in laying period, the farm visited was selected in one region. The mission team noted that:

- All the cages of this farm were brought into service for the first time in July 2004, almost three months after the date of Accession. These cages were suitable to become enriched but, except partially two, none of these cages have been furnished with perches, litter and nests in order to transform them into enriched cages compliant with Article 6 of Directive 1999/74/EC.
- The introduction of unenriched cages after the date of Accession had not been detected by the CA, a representative from the CCA commented that this problem was very likely to be linked with a delayed delivery of the relevant instructions to the competent Regional Office.
- During the visit the OV adequately checked the capacity of each individual cage, the average of the number of hens per cage and the number of cages in the building at the time of the visit. For the unenriched cages the OV adequately concluded that the length of the feeder was the limiting factor, and detected several cages with one extra hen, whereas many were empty. Concerning the two enriched cages in the farm, the OV adequately identified the total usable area as the limiting factor for the stocking density; he had noticed that one of the two cages contained one extra hen and that at least 750 cm² of cage area per hen were not provided, contrary to Article 6.1(a) of Directive 1999/74/EC. However, the OV did not detect that the lack of litter, contrary to Article 6.1(c) of Directive 1999/74/EC, and that the nesting area did not include the wire mesh, contrary to Article 2.2(b) of Directive 1999/74/EC.

Conclusions

The recommendations of the previous mission report (DG(SANCO)/ 2007/7335) regarding the laying hen sector have been addressed.

Although most deficiencies had been detected and follow up visits were carried out so that deficiencies were corrected within the given deadline, training was not sufficient to ensure that inspectors can effectively perform all aspects of official farm inspections in enriched cages laying hen premises and it was not ensured that all cages introduced after date of accession were enriched type.

5.1.4 Inspection 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

It was noted that on July 2008 the CCA updated and improved the check list indicated in report 2007-7335 which listed most of the EU requirements and provided references to the national legislation. However, a guidance document on the requirements included in the check list (equivalent to that provided for checks of laying hen holdings) to assist OV in the identification of non-compliances is still at a draft stage. Several non-compliances not detected by the OV confirmed the need of this guidance. For example, it was noted that:

- Iron chains were accepted by the OV as meeting the requirements for manipulable materials as in point 4 Chapter I of the Annex to Directive 2008/120/EC. Concerning the provisions for sufficient quantity of bulky or high fibre food as well as high-energy food to all dry

pregnant sows and gilts, as required by Article 3(7) of Directive Directive 2008/120/EC, the absence of a CCA guidance did not allow the OV to give an objective judgement on possible non compliances.

- Regarding noise, although the CA indicated that the noise level was not previously measured, the previous inspection check list indicated that it was lower than 85bBA (as required by point 1 of Chapter I of Annex I of Directive 2008/120/EC).
- The review of the 2008 inspection files of several pig farms in one region indicated that, although in most cases adequate actions to correct deficiencies have been taken, in a pig farm the OV gave a seven months deadline to solve the tethering of sows.

However the above mentioned, the OV performed a satisfactory inspection in the farm visited, such as when regarding space allowance, the area occupied by the feeder had been correctly excluded in the calculation and the OV concluded that the pens for most categories of pigs provided sufficient space.

Conclusions

Although check lists for farm inspection are in place, a guidance document for pig holdings, necessary to ensure that all the requirements are effectively assessed equivalent to that provided for checks of laying hen holdings did not allow the OV to correctly identify non compliances.

The inspection activities were generally satisfactorily documented and in the case of non-compliances, satisfactory corrective actions were planned and performed. However, unsatisfactory deadlines to correct sow tethering were given.

It was noted that the CCA has addressed what was pointed out in report 2007-7335, that a new system for recording and reporting inspections of the results of OV checks are in a form that could be analysed and be used, amongst other things, to implement Commission Decision 2006/778/EC. However, the issue concerning the availability of adequate manipulable material (point 4 Chapter I of the Annex to Directive 2008/120/EC) was still outstanding since the previous mission report.

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, provided that the means of transport have been inspected and found in compliance with the requirements of Chapter II and VI of Annex I to this Regulation. Article 19 of Regulation (EC) 1/2005 lays down the requirements to grant certificates of approval of livestock vessels.

Approval recorded of vehicles as required by Article 18.3 of Regulation (EC) No 1/2005 and of livestock vessels as required by Article 19(4) of Regulation (EC) No 1/2005.

Name and authorisation number of transporters publicly available, as required by Article 13.4 of Regulation (EC) No 1/2005.

Findings

- Before the mission the publicly available list of transporters and means of transport was incomplete for some regions, as regards inclusion of vehicles plates and indication of type of approval (1 or 2). A CCA representative indicated that currently some regional CA did not fully inform the CCA to update the list and also that the amendments have to be done manually, these problems will be soon resolved with the foreseen improvement in the database that will permit direct access to the regions, (as it is currently the case for farms checks). It was noted that corrective action was recently taken and as a result this list was recently completed.
- Concerning drivers' certificate of competence, the CA explained that from year 2005 drivers were trained and examined on the requirements of Regulation 1/2005. Drivers examined before 2005 had to do a refreshment course to get the new certificate of competence, as their old certificates are no longer valid. Trainings for drivers and attendants are organised twice a year by the Association of Veterinarians of the Public and Administrative Service; training and application forms are available on the internet; once the test has been successfully passed, the driver is issued a certificate. It was noted that the regional CAs have a system to check the lack of record of serious infringements of Community legislation and/or national legislation on the protection of animals in the three years preceding the date of the application in the national database for infringements and offences.
- Concerning the approval of the means of transport for long journeys (Type 2), the OV's of the mobile unit check the vehicle and issue a report, on which basis the approval is issued by the competent Regional CA. Vehicles for less than eight hours do not need a check for the approval but they are randomly checked during loading and unloading. Point 9 of Article 6 of Regulation 1/2005 requires that from 1 January 2009 all means of transport for long journey by road shall use a navigation system as referred to in Annex I, Chapter VI, paragraph 4.2. However, in the case of several Slovenian vehicles approved before this date (and therefore were not obliged to install this system) it was not ensured that they have it at present. In the case of Croatian transporters that are registered in Slovenia the mobile unit, responsible for their registration, sent a letter to the Croatian CA asking for their installation by 15 July 2009.

In one port the competent authority has inspected the livestock vessels and found them to comply with the requirements of Section 1 of Chapter IV of Annex I regarding the construction and equipment for livestock vessels. However, the CA indicated that did not issue certificate of approval for the ships operating in that port, because all these ships were third country flag and in their opinion Regulation (EC) 1/2005 is not binding regarding approval of these vessels. In addition, they indicated that International agreements with third countries are very vague and not applicable.

Conclusions

There is satisfactory a system for granting authorisations to transporters, as required by Articles 10 and 11 of Regulation (EC) No 1/2005, and a process/procedure for review of approvals by which approvals have been withdrawn. However, the CA did not ensure that all means of transport for long journey by road are equipped with a navigation system from 1 January 2009 as referred to in Annex I, Chapter VI, paragraph 4.2.

The publicly available list of transporters and means of transport has been recently amended and completed. The improvements of the database will allow a regular update of the list by direct access by the regions .

The CA of the port has set in place a system of checks in livestock vessels based in the technical requirements of Regulation 1/2005. However, the CA did not grant certificates of approval for third country flag vessels, as required by Article 19(1) of Regulation 1/2005, neither asked the organiser for proof of approval in another issued in another Member State.

5.2.2 *Checks on departure*

Legal requirements

Article 15.1 requires that the CA shall carry out appropriate checks at any stage of the long journey to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.

Article 15.2 in the case of long journeys between Member States and with third countries, the checks at the place of departure for fitness for transport, as referred to in Chapter I of Annex I, shall be performed before the loading.

Article 15.4 of Regulation (EC) No 1/2005 requires that the records of the movements of the means of transport by road obtained from navigation system may be used for carrying out these checks where appropriate.

Article 14 of Regulation (EC) No 1/2005 requires the CA at places of departure, to check, amongst other things prior to long distance transport, the validity of the transporter's authorisation and approval of the means of transport.

Findings

- In the assembly centre visited checks for fitness for transport, as referred to in Chapter I of Annex I of Regulation 1/2005, were performed before the loading as a result two cattle were judged as unfit for transport (one due to inadequate identification and the other for physiological weaknesses). However, even though CCA instructions and check list indicated that animals with horns and without horns shall be handled and transported separately, cattle with horns and without horns were not transported separately, contrary to point 1.12(e) of Chapter III of the Annex I to Regulation (EC) No 1/2005.
- The assembly centre visited had been approved by the regional CA. The inspection team noted that the maintenance of the facilities for the animals was adequate and the lairages were overall clean, there was plenty of straw and hay available.
- The mission team carried out a review of the records of assembly centres in one Region, where two assembly centres were in operation. Official controls by the Regional CA had recently started in June 2009 in one of the two approved assembly centres and no non compliances had been identified. However, the check list used during the inspection did not include animal welfare issues; CCA officials stated that this check list is being amended in order to include the assessment of animal welfare requirements.
- The lorry seen in the assembly centre visited was a Slovenian vehicle recently approved for long journeys in May 2009. It was noted that it complied with the requirements of Regulation 1/2005 including the satellite navigation system, and all the devices were in good working order. However, the records of satellite navigation system were not used neither completed journey logs were returned, to ensure that the journey times were respected, as

required by Article 15.1 and 15.4 of Regulation 1/2005

Conclusions

Satisfactory official controls are carried out by the CA at place of departure. However, animals with horns and without horns were not transported separately, the documented procedures for the regional checks did not include specific animal welfare issues and it was not ensured that the journey times were respected.

5.2.3 Checks on point of exit

Legal requirements

Article 21 of Regulation (EC) No 1/2005 requires that where animals are presented at exit points the CA shall check that the animals are transported in compliance with this Regulation.

Article 7(2) of Regulation (EC) 1/2005 requires that no person shall transport by sea, domestic farm animals from a Community port unless the livestock vessel has been inspected and approved under Article 19(1), which requires the competent authority to grant a certificate of approval.

Article 20 of Regulation (EC) No 1/2005 requires the livestock vessel inspection on loading and unloading. Chapter IV of Annex 1 of Regulation 1/2005, lays down additional provisions for livestock vessels.

Findings

The inspection team visited a control post where cattle and sheep are rested prior to sea transport. No animals or means of transport were present during the visit, only documentary checks were performed by the inspection team.

From the information provided by the CA, since June 2008 six sea transport consignments of live animals had sailed from the port to several third countries in North Africa and Middle East, in four different third country flag livestock vessels. 104 road transport consignments with 4193 cattle and one consignment with 264 sheep arrived at the port from several Member States.

- Concerning fitness of animals for transport, physical check is performed on truck on arrival with a check list produced by the CCA. From a review of the documentation filed in port office the mission team verified that the CA had detected several non compliances, such as overstocking, transport of unfit animals and dead animals on arrival, in three consecutive consignments of sheep from Spain. The CA took action and eventually, a fine to the transporter and to the driver was imposed by the CCA.
- At national level, the OV issues a Decision after checking each vessel and produce minutes, this decision is signed by the OV and the captain of the vessel. Each vessel is physically inspected based in Article 20 of Regulation 1/2005 before the loading of animals. All livestock vessels inspected found to comply with the requirements of Chapter IV of Annex I to Regulation 1/2005 regarding the construction and equipment for livestock vessels.

Conclusions

Official controls at exit points in order to verify compliance with the requirements of Article 21 of Regulation (EC) No 1/2005 concerning staff, road vehicles and checks on animals are effectively carried out by the CA and has put in place a system of checks in livestock vessels to verify compliance with the requirements of Art 20 and Chapter IV of Annex 1 of Regulation 1/2005.

5.2.4 *Checks of journey logs*

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.

Article 15.1 of Regulation (EC) 1/2005 requires that the competent authority shall carry out at any stage of the long journey appropriate checks on a random or targeted basis to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.

Article 15.4 of Regulation (EC) 1/2005 requires that the records of the movements of the means of transport by road obtained from navigation system may be used for carrying out these checks where appropriate.

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, unless the navigation systems referred to in Article 6(9) were used.

Article 6(9) of Regulation (EC) 1/2005 requires that transporters of long road journeys shall use a navigation system as referred to in Annex I, Chapter VI, paragraph 4.2, as from 1 January 2009 for all means of transport by road.

Audit findings:

Concerning assessment of traveling time the CCA indicated that no training or instructions have been issued at central level. However, it was noted that the CA of the places of departure met adequately assessed the journey times. However, the inspection team noted that journey logs were not systematically returned to the place of departure and that the records of the movements of the means of transport by road obtained from navigation system were not used for carrying out these checks where appropriate.

- The review of the documentation of a consignment of bovines from one region indicated that the OV approved a journey log which did not fully comply with the requirements of Regulation 1/2005. Copy of completed journey log section 4 was not available.
- The review of the documentation of several long journey consignments of bovines sent to Italy from one region in 2008 and 2009 indicated that copy of the Section 4 had not been returned by the Italian transporters, verbal action taken by the CA was not effective.
- In the port the OV filled in and signed Section 3 of the journey logs, copies were kept.

Conclusions

Although the CA of the place of departure met carried out appropriate checks to verify that the journey log submitted by the organiser is realistic, as required by Article 14.1(a)(ii) of Regulation (EC) No 1/2005, there are not guidance or instructions from central level on how to carry out this checks.

In addition, the CA did not ensure a systematic verification that the required journey times are respected, contrary to Article 15.1 of Regulation (EC) 1/2005, as in most cases the completed journey log was not returned nor the records of the movements of the means of transport by road obtained from navigation system were used for carrying out these checks where appropriate.

5.2.5 Road side checks

Legal requirements

Article 15.1 of Regulation (EC) 1/2005 requires that the competent authority shall carry out at any stage of the long journey appropriate checks on a random or targeted basis to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I.

Findings

Report 2007-7335 concluded that a good system of controls has been implemented for checking the requirements of Regulation (EC) No 1/2005 on consignments of live animals transiting Slovenia. The mobile unit has implemented procedures and made use of available equipment and facilities to carry out a comprehensive check of the requirements. This report also indicated that during the check performed on a vehicle the OV's performed a methodical check, detected the main deficiencies and checked that the documentation required by Regulation (EC) No 1/2005

The mission team learned that with the new motorway the traffic is redirected and vehicles do not stop any longer in the check point. Therefore, the CA is planning to increase the number of road checks, so trucks have to be stopped in a different manner, sometimes with the Police. There is a plan to install special control posts, in addition to the present post, meetings already held with the different authorities to discuss their needs for conducting checks. However, there are no precise dates and timing for the installation of such posts, the CA hopes to have at least two or three additional posts. The CA indicated that currently in their motorways there is no place where trucks can be safely stopped in order to conduct a road side checks, as stopping vehicles on the motorway can be very dangerous.

The review of the documentation regarding the checks performed by the mobile unit during the last month and a half indicate d that the competent authority carried out comprehensive checks of the requirements of Regulation 1/2005.

The 2009 checks of the mobile unit are planed after a risk analyses on the most common infringements found in 2008:

- 71 equidae consignments were checked and infringements were found in 30, such as lack of partitions, no watering of animals as planned, no respect of expected rest intervals and incorrect stocking density. In most of the cases, the responsibility was on the transporter and the CA responsible of the checks at departure.
- Concerning cattle, most common infringements were the lack of watering in the foreseen intervals, in particular regarding provision of liquids to unweaned calves the vehicles were not suitable for this and neither was possible during the rest period of at least one hour after nine hours of travel. Other deficiencies generally found were overstocking and not possible print out of the temperature.
- Concerning small ruminants, generally found deficiencies were insufficient height and overstocking. For pigs were watering system not working and vehicles not meeting the requirements for means of transport type 2.

Conclusions

The previous good system of controls for checking the requirements of Regulation (EC) No 1/2005 on consignments of live animals transiting Slovenia is still in place and has improved, as among other factor checks are now planned on a risk basis. However, the available equipment and facilities to carry out a comprehensive check of the requirements are not adapted to the new working environment to achieve the stop of the targeted consignments .

5.2.6 *Checks at destination*

Legal requirements

Regulation (EC) 854/2004, Annex I, Chapter II C requires the official veterinarian to verify compliance with Community rules on animal welfare during transport as well as rules concerning welfare at slaughter.

Findings

In the slaughterhouse visited, at least twice a year full checks are made on vehicles, transporters and drivers, using the check list "during transport checks". It was noted that the check of a type I transport vehicle that the check list is common for type I and II vehicles, as a result the OV was confused to what requirements apply to the type I vehicle inspected, as requirements for type II vehicles, such as temperature recording, provision of water and feed. In addition figures for the slope of the unloading ramp were given. However, there was no indication if refers to grades or to percentages and the OV indicated that no instructions were given on how to calculate the slope.

- It was noted that the lairage capacity was adequate for the maximum number of animals for typical deliveries in the slaughterhouse, have a sufficient number of pens for adequate lairaging and the size of the lairage facilities ensured that the welfare of animals is respected. There were procedures and equipment for emergency slaughter.
- Regarding transport of cattle from the Check republic in a type II vehicle. Copies of intra community certificates and section 3 of the journey log, were kept in the slaughterhouse. It was noted that this section 3 was just only signed and stamped by the OV but not filled in. The OV indicated that the CCA has not produced instructions or guidance on how and what to check in the journey logs.

The review of documentation of a red meat slaughterhouse indicated that official controls on transport are not recorded separately only 1 inspection report for a means of transport was available. This report of May 2008 was laid down using the old version of check list for the assessment of the conditions of the transport of animals during transport and trade, no non-compliances were detected.

Concerning ante mortem inspection the review of several records concerning the ante mortem inspection for February-June 2009 in the red meat slaughterhouse visited revealed that daily records were kept concerning the results of the ante mortem inspection with few exceptions, such as a emergency slaughter not recorded on the log book of the ante mortem inspection and its date of slaughter not correctly recorded on the post-mortem inspection form, these records were well kept.

Regarding fitness for transport report 8038/2006 pointed out that the figures at national level indicated an increasing trend away from the live transport of casualty cattle and towards the transport of carcasses of such animals to slaughterhouses instead. The figures provided for years 2007 and 2008 during the current mission generally confirm this increasing trend away. Sick/injured animals animals are either slaughtered at the farm or transported alive to the slaughterhouse, under an accompanying certificate issued by a CV for emergency slaughter at the farm or for the transport

of live sick animals.

- Documents concerning three emergency slaughter of bovines in year 2009, these animals were slaughtered at the farm because they were considered unfit for transport and arrived at the slaughterhouse accompanied by a certificate issued by a CV.
- Documents concerning two sick animals that had been transported alive to the slaughterhouse in 2008 and 2009, the one of March 2008 was for a cow with an uterine rupture occurred during the attempt to give birth to a calf which could not be delivered. This animal was a pregnant female for whom 90 % or more of the expected gestation period has already passed was considered fit for transport, contrary to point 2(c) of Chapter I to Annex I of Regulation 1/2005. The OV in the slaughterhouse did not detect this non-compliance and no corrective action was taken.
- Representatives from the CCA agreed that this animal should not have been considered fit for transport. They indicated that in the training provided references are given to Regulation 1/2005 and the National legislation which lays down an unfit animal for transport is the animal that can not move by itself. The CA indicated that there is no document from CCA on any guidance issued by any institution on fitness for transport. The CCA also explained that training to CVs was provided after this date and in the final meeting they highlighted that this was an isolated case that should be considered combined with favourable trend away.

During the visit to one regional office the interview with the OV responsible of the poultry slaughterhouse and the documents provided, it was noted that checks on arrival and unloading included inspection of vehicles, checks on transporters approval and drivers, time travelled and stocking densities, deficiencies found were timely corrected. However, the OV indicated after question from the inspection team that the CCA check list is basic and that does not cover the specific requirements for transport of poultry.

Conclusions

Checks on arrival and unloading are generally well documented and adequately performed. However, the check list for controls of vehicles in arrivals was inadequate and incomplete, and no instructions were provided regarding how and what to check in the journey logs.

Although there is a good system in place to ensure that only fit animals are transported, it is jeopardised by the lack of guidance and the lack of action by one OV in case of inadequate fitness for transport attestation by the CV, but counterbalanced by the further training provided and the favourable trend away from the live transport of casualty cattle towards the transport of carcasses of such animals to the slaughterhouses instead.

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.

Point II, 3(B)1 of Annex C of Directive 93/119/EC, requires that the strength and duration of the current used in waterbath stunners will be determined by the competent authority so as to ensure that the animal is immediately rendered unconscious and remains so until death.

Findings

In a red meat slaughterhouse visited the programme of checks is set by the OV and approved by the regional director taking into account the CCA annually programme of checks. Controls could have a daily, weekly, monthly and occasional frequency.

In response to a recommendation from report 8038/2006 regarding that documented procedures are provided for all controls implementing Directive 93/119/EC, as required by Article 8(1) of Regulation (EC) No 882/2004, the CA response with a new standardised format for recording the results of checks in poultry slaughterhouses and new instructions for inspections of these slaughterhouses, details for unloading, signs of effective stunning and action in the event of breakdown of water bath stunner are included.

In response to a recommendation in report 8038/2006 concerning to put in place adequate controls to ascertain compliance with requirements in slaughterhouses, such as the stunning of poultry, as required by Article 8 of Directive 93/119/EC, the CA response with the reports of the verifications carried out by the CCA after adoption of the instructions.

The CCA provided an overview of the result of the inspections performed in the poultry slaughterhouses and their assessment of the progress made was positive in all poultry slaughterhouses of the country. They indicate actions taken by CA, verification of the situation in all the poultry slaughterhouses starting in January 2007, reports of verifications, check list for poultry slaughterhouses based on reports the report of verification and updated guidelines for control of animal welfare during stunning and slaughter.

The review of the documentation of a poultry slaughterhouse revealed that:

- Regarding waterbath stunners effectiveness checks, the CCA carried out a check on 17.1.2007 by specialised OV, who assessed that the main problem regarding ineffective stunning was concerning the unequal size status of the flocks, the corrective action was new hatchery and production selection. Another problem was to found less conductivity than expected, its corrective measures included addition of NaCl and watering of shackles. Additional corrective actions were the installation curtains and blue light to reduce bird's excitement and installation of electric tongues manual stunner as backup to ensure the stunning of all birds also in case of waterbath breakdown.
- The OV updated the documented procedures in place as indicated by CCA, addressing the recommendation of Report 8038/2006 to the peculiarities of the slaughterhouse and stunning device, such as display value adapted to weight of birds. Electrical parameters were amended and adapted to each bird size. The other three poultry slaughterhouses in the country were also checked. The assessment of the CCA is that multiple factors do not make fully useful the CCA electrical parameters, which were a copy of the EFSA recommendations, and they indicated that further research and legislation is necessary.
- The OV working plan to ensure an effective stunning included the daily and periodical OV controls, working instructions to operator, with operator and stunning check list included in the plan operational HACCP supervised by the OV checks.

- Finally, a electric breakdown test was carried out jointly with the CCA, to test how the CCA instructions should be practically implemented in the slaughterhouse.

Conclusions

Checks on the slaughterhouse visited were generally satisfactory and recommendations from previous report concerning poultry slaughterhouses were addressed and the CCA set electrical parameters for stunning of poultry. However, the assessment of the CCA indicated that the multiple factors that intervene do not make fully useful these CCA electrical parameters, which were a copy of the EFSA recommendations, and they indicated that further research and legislation is necessary.

6 OVERALL CONCLUSIONS

The system for inspection for animal welfare on farms, during transport and slaughter was largely adequate and almost all recommendations from previous reports were addressed. However, the CA did not ensure that all cages brought into service after date of accession were enriched and all the deficiencies in laying hens holdings equipped with enriched cages were detected and corrected.

Although there is a system of checks in livestock vessels before departure, the CA did not grant certificates of approval for third country flag vessels, as required by Article 19(1) of Regulation 1/2005. In addition, the CA did not ensure a systematic verification that the required journey times are respected, contrary to Article 15.1 of regulation (EC) 1/2005.

Checks on the slaughterhouse visited were generally satisfactory and recommendations from previous report concerning poultry slaughterhouses were addressed.

7 CLOSING MEETING

A closing meeting was held on 24 June 2009 with the CCA, the VARS of Slovenia. 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 the issues discussed.

8 RECOMMENDATIONS

It is recommended that the Competent Authority:

N°.	Recommendation
1.	Take measures to ensure that the requirements of points 1(b), 2, 5 and 8 of Article 3 of Directive 2008/120/EC are transposed in the national legislation without excluding holdings regarding the number of pigs.
2.	Take measures to ensure that the information recorded in the register of holdings with laying hens is accurate so that when changes occur the register is updated immediately as required by Article 1(4) of Directive 2002/4/EC.
3.	Take measures to ensure that inspections in enriched cages laying hen premises check

N°.	Recommendation
	all the requirements of Articles 2 and 6 of Directive 1999/74/EC.
4.	Take measures to ensure that unenriched cages introduced after date of accession are not built or brought into service for the first time, as required by Article 5.2 of Directive 1999/74/EC.
5.	Take measures to ensure that documented procedures contain sufficient information and instructions for staff carrying out official controls, as required by Article 8.1 of Regulation (EC) No 882/2004, so that the requirements of Directives 2008/120/EC on pig farms and Regulation (EC) No 1/2005 on transport are respected.
6.	Take measures to ensure that all means of transport for long journey by road are equipped with a navigation system from 1 January 2009 as referred to in Annex I, Chapter VI, paragraph 4(2) of Regulation (EC) No 1/2005.
7.	Take measures to ensure that third country flag livestock vessels are approved, as required by Article 19(1) of Regulation 1/2005.
8.	Take measures to ensure that controls of journey logs are carried out, as required by Article 14.1(a) (ii) and point 8 of Annex II to Regulation (EC) No 1/2005, to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I, as required by Article 15 of Regulation (EC) 1/2005.

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

http://ec.europa.eu/food/fvo/ap/ap_si_2009-8241.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. 7-13	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. 5-13	Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the

Legal Reference	Official Journal	Title
		protection of pigs