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FINAL REPORT OF AN AUDIT  
CARRIED OUT IN  
HUNGARY  
FROM 05 TO 09 SEPTEMBER 2011  
IN ORDER TO EVALUATE THE IMPLEMENTATION OF CONTROLS FOR ANIMAL  
WELFARE ON FARMS AND DURING TRANSPORT

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

### *Executive Summary*

This report describes the outcome of a Food and Veterinary Office (FVO) audit which took place in Hungary from 5 to 9 September 2011. Measures to implement EU requirements for animal welfare on farms and during transport were audited, in particular to evaluate actions taken in response to previous FVO recommendations.

The audit concludes that progress has been made in addressing all of the relevant recommendations from previous FVO audits. There is a high frequency of farm checks according to level of risk, with larger intensive farms and certain practices targeted, including foie gras production and removal of feathers from geese. Deficiencies are registered and corrective actions taken. Although measures have been taken to bring about a higher level of supervision, this has not yet been sufficient to ensure that certain deficiencies are reported and acted on, and that similar corrective actions are obtained in the different counties.

Regarding the laying hen sector, progress continues to be made towards phasing out unenriched cages by 2012. The data for the country as a whole, which dates from March 2011, indicates that 58% of production sites, accounting for 60% of birds, have birds in unenriched cages. The CCA is planning to update this information and, following changes to the legal framework for sanctions, to adopt a policy to deal with any non-compliant establishment after 31.12.2011.

Regarding checks on transport, although guidance has been provided and certain requirements were well controlled there was insufficient attention paid to headspace for animals and regarding journey times, both at the planning stage or after the journey had been completed. Procedures for authorisation of transporters and approval of vehicles do not yet comprehensively cover all the requirements of Regulation EC 1/2005. The reported results of transport checks are not fully trustworthy and indicate the effectiveness of checks on certain issues is not being adequately verified.

The report makes a number of recommendations to the Hungarian authorities, aimed at rectifying the shortcomings identified and enhancing the implementing and control measures in place.

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#### ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

<b>Abbreviation</b>	<b>Explanation</b>
CA	Competent Authority
CCA	Central Competent Authority
DG SANCO	Health and Consumer Directorate General
EU	European Union
FVO	Food and Veterinary Office
IT	Information Technology
NGO	Non Governmental Organisation
OV	Official Veterinarian

## 1 INTRODUCTION

This audit took place in Hungary from 5<sup>th</sup> to 9<sup>th</sup> September 2011 as part of the FVO's planned audit programme. The audit team comprised two FVO auditors and a National Expert and was accompanied throughout the audit by a representative of the Central Competent Authority.

## 2 OBJECTIVES

The objective of the audit was to check how official controls, as laid down in Regulation (EC) No 882/2004, are implemented:

- To assess the effectiveness of actions taken in response to recommendations in previous FVO reports (8050-2006; 7331-2007 and 2008-7767).
- The implementation of national measures aimed at the control of animal welfare on broiler, geese and foie gras farms.

In pursuit of these objectives, the audit team saw a range of checks carried out and looked at documents relating to previous checks. The following meetings were held and sites visited:

Visits			Comments
Competent Authority	Central	2	Opening and final meeting
	County	2	Jász-Nagykun-Szolnok and Békés County
Control sites	Farms	2	Geese farms (one foie gras production, the other feather collection)
		1	Broiler farm selected by the CA.
		1	Pig farm selected by the audit team.
	Assembly centre	1	Sheep for transport to Italy from Jász-Nagykun-Szolnok.
	Roadside check	1	Békés County
	Transporter's premises	1	One truck approved for long distance transport selected by the CA in Pest County.

## 3 LEGAL BASIS

The audit was carried out under the general provisions of Union legislation, in particular Article 9 of Directive 1999/74/EC, Article 10 of Directive 2008/120/EC, Article 7 of Directive 98/58/EC, Article 28 of Regulation (EC) No 1/2005 and Article 45 of Regulation (EC) No 882/2004. A full list of the EU legal instruments referred to in this report is provided in the Annex and refers, where applicable, to the last amended version.

## 4 BACKGROUND

The previous audit in Hungary concerning welfare of animals on farm and during transport was carried out in 2008. The audit report 2008-7767 is published on the website of the Directorate-General for Health and Consumers: [http://ec.europa.eu/food/fvo/ir\\_search\\_en.cfm](http://ec.europa.eu/food/fvo/ir_search_en.cfm)

This report concluded that the CA have not developed a risk based approach. There continues to be laying hen farms which are using non-compliant cages and the CCA is not aware of the extent of this problem.

Procedures for the authorisation of transporters were generally sufficient, with the exception of those for verifying records of serious infringements of animal welfare legislation and contingency plans in cases of emergencies. Lack of an appropriate electronic database for authorised transporters and approved vehicles do not enable their rapid identification. Checks on transport were generally better organised and led to higher rates of detection of deficiencies in one county than another. Insufficient actions had been taken to ensure journey logs were returned and assess whether journey times were respected.

## **5 FINDINGS AND CONCLUSIONS**

### **5.1 PROGRAMME FOR FARM INSPECTIONS**

In response to a recommendation in report 2008-7767 the CA explained that a new central instruction on the use of risk analysis in relation to animal welfare was sent to the counties directorates. They also drew the attention of the county animal welfare inspectors to the need to perform the prescribed number of checks, including annual checks on all laying hen farms with more than 350 hens . Decree No 32/1999 (III. 31.) was amended so that the checks of animal welfare requirements concerning animals kept for farming purposes are performed on the basis of risk assessment.

#### *5.1.1 Laying hen farms*

##### **Legal requirements**

Article 8 of Directive 1999/74/EC requires that the CA has to carry out checks to monitor compliance with the requirements of this Directive.

##### **Findings**

- All laying hen farms with unenriched cages had been inspected last year in the counties visited. The inspection rate of other systems of keeping laying hens was also high but less than 100%.

#### *5.1.2 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.

##### **Findings**

- Large scale farms were inspected and a range of deficiencies detected. Although it is not always indicated in the conclusion of the report that there is an issue to follow up (e.g. overstocked weaners), during the visit to such a farm the audit team saw that this problem had been corrected.
- Group housing of sows (mandatory from 1 January 2013) was seen on the farm visited and also indicated in reports reviewed at county level. The CCA indicated that they would be in a position to provide data on the extent to which group housing of sows was used by the

whole pig sector as requested by other Commission services by the end of September 2011. They indicated that pig farms in Hungary would not have difficulty in meeting the requirements which will come into force in 2013 as the dry sow stall was not a usual part of their husbandry systems.

- Straw was readily available on the farm visited and was provided as manipulable material for all categories of pigs. Routine tail-docking was still considered to be unavoidable, even though a breeder farm supplying this farm did not carry out tail-docking.
- Completed checklists from other farms in Jász-Nagykun-Szolnok county indicated that it was not considered necessary to supply such material if it was not compatible with slurry system.
- In Békés county evidence was shown to the audit team of one case where routine tail-docking was not accepted. The District level reiterated to the FBO the need to comply with legal requirements and requested justifications and according to the CA a reduction in the numbers tail docked was achieved.

Other issues from the visit to the pig farm were:

- A low level of light in most of the pig accommodation had not been commented on by the Official Veterinarian.
- The CA does not provide any measuring devices to determine ammonia level and light intensity.
- No action was taken regarding a moribund pig which should have been culled, and the keepers did not consider it appropriate for this to be carried out. Article 3 of Directive 98/58/EC requires that animals are not caused any unnecessary suffering.

#### *5.1.3 Broiler farms*

### **Legal requirements**

Article 7(1) of Council Directive 2007/43/EC requires the CA to carry out non-discriminatory inspections on an adequate proportion of animals within each Member State to verify compliance with the requirements of this Directive.

### **Findings**

- Directive 2007/43/EC has been transposed into Hungarian legislation by Annex 7 to Decree 32/1999.
- Training for broiler keepers has been approved by the County level, who co-operate with the Poultry Board in delivering this training.
- Large broiler farms are included in annual inspections. On site, the District veterinarian checked that the requirements were met and, together with the audit team, picked up several deficiencies:
  - Near the end of the production cycle, the light programme did not comply with requirements since for several flocks it prescribed less than six hours of darkness per day for longer than 3 days before slaughter.
  - Although the farm had stocking densities higher than 33 km/m<sup>2</sup> it did not include information on the daily, and cumulative daily, mortality rates on the documentation accompanying the flocks to the slaughterhouse.
  - Although indicated in the checklist, there was not sufficient explanation in the

instructions to ensure that these points were adequately covered.

- The District veterinarian had to rely on the operator for equipment to measure environmental parameters.

#### 5.1.4 Geese kept for foie gras

### Legal requirements

Directive 98/58/EC and Council of Europe recommendation concerning domestic geese (*Anser anser f. domesticus*, *Anser cygnoides f. Domesticus*) and their crossbreeds<sup>1</sup>.

### Findings

- Hungary has adopted detailed rules concerning the production of foie gras (Annex 4 to FVM Decree 32/1999 of 31 March 1999 of the Minister for Agriculture and Rural Development). This legislation accepts the use of slatted floors in pens for keeping geese, whereas the Council of Europe recommendation (Article 12, 4) indicates that adequate litter should be available.
- Article 25 of the Council of Europe recommendation requires countries producing *foie gras* to encourage research on the welfare aspects and on alternative methods which do not include gavage. The CA provided one paper from 2009 which summarised the production and industry and legal standards. The 2009 paper referred indicated that no alternatives to gavage are possible, citing a reference from 1999. Another paper from 2008 was in response to accusations from an NGO regarding the humaneness of *foie gras* production. Here a Hungarian professor had examined anatomically and histologically, as well as behaviourally, the impact on the birds and concluded that there were no obvious abnormal changes to the oesophagus resulting from the procedure.
- The CA has targeted inspections on these farms in the last years, as they are considered high risk for animal welfare. Official controls covered the following aspects of force feeding: size of geese at the start of force feeding, stocking rate of pens, calibration of equipment and suitability of rubber feeding tubes used.
- Geese were well handled and calmly restrained, although some geese struggled during feeding and also attempted to escape the pen on release<sup>2</sup>. The District veterinarian confirmed that only birds that were fully fit were introduced to the force feeding regime; unfit birds were segregated in an outside pen. The mortality rate during the force feeding period of 14 days was between 3-5% for previous flocks irrespective of the outside climatic conditions, which is vastly higher than for a similar flock on an ad lib feeding regime.
- Drinking water was provided in a trough but not to a depth that would satisfy the Council of Europe recommendation (article 11, 2), which states that geese should be able to dip their heads under water; in addition geese were in pens with plastic slatted floors during the force feeding period.

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1 The Recommendation concerning domestic Geese (adopted by the T-AP on 22 June 1999); [http://wayback.archive-it.org/1365/20090213220501/http://www.coe.int/T/E/Legal\\_affairs/Legal\\_co-operation/Biological\\_safety,\\_use\\_of\\_animals/Farming/](http://wayback.archive-it.org/1365/20090213220501/http://www.coe.int/T/E/Legal_affairs/Legal_co-operation/Biological_safety,_use_of_animals/Farming/)

2 *In their response to the draft report the Competent Authority stated that the geese were force fed at the very first time during the inspection, and the presence of the inspectors might has been also a disturbing factor for the animals. The farm owner and the official veterinarian told that the animals got use to the force feeding within days, and then they are waiting for the time of feeding.*



### 5.1.5 Geese kept for feather removal

#### Legal requirements

Directive 98/58/EC and Council of Europe recommendation concerning domestic geese (*Anser anser f. domesticus*, *Anser cygnoides f. Domesticus*) and their crossbreeds.

#### Findings

- Hungary has adopted detailed rules concerning feather removal, Annex 5 to Decree No. 32/1999 of 31 March 1999 of the Minister for Agriculture and Rural Development
- Again the CA had targeted inspections on these farms in the last years, as they are considered high risk for animal welfare. There is official veterinary supervision at least once a year (i.e. at one of the three feather collections).
- The CA had organised training and a multiple choice test on animal welfare issues for all those involved in the collection of feathers from live geese.
- Article 23.3 of the Council of Europe recommendation indicates that feathers, including down shall not be plucked from live birds. The CCA indicated that they had sought a derogation from this requirement and had received a reply indicating that this could be carried out provided the Hungarian rules for this procedure were followed.
- The operator carefully controlled the conditions for feather removal: leaving a period of 6 weeks between collections for this flock of over 6,000 birds; weather conditions were assessed plus a trial sample of 10-12 birds were tested on the day previous to any prospective feather removal to assess the readiness of the birds for feather collection. A self assessment on procedures was completed by the company and this was checked as part of the official controls.
- A company supervisor reported that the main issue was to draw workers attention to holding birds by the neck, but that this occurred infrequently. This was also seen to be the case during the visit.
- Injured or not fully fit birds were separated from the flock before birds were gathered for feather removal. Birds were handled in an appropriate way and did not react aversely to people although this was the third collection from this flock. Down feathers from the upper and lower parts of the body were removed; feathers from the neck, wings or tail were not removed. After release a small number of birds were seen to freeze momentarily and there was an increased prevalence of wing flapping in birds post feather collection. There were no signs of any injuries and only a small amount of blood spots were seen on a few birds. Preventative antiseptic was available to be applied at the time of release for any such cases.
- Birds were in a free range housing system and so adequate litter was not an issue, the only issue contrary to Council of Europe recommendations was again that water was not provided in a way so that geese could dip their heads underneath.

#### Conclusions on farm inspections

There is a high frequency of farm checks according to level of risk, with larger intensive farms and certain practices targeted; however the CA lack equipment to measure environmental parameters and cannot sufficiently assess certain requirements as a result.

Regarding pigs there are differing approaches to routine tail docking where sometimes this is accepted. There are insufficient measures for euthanasia in place to prevent the unnecessary suffering of severely debilitated pigs. The group housing of pregnant sows is already well

established in Hungary.

Regarding broiler farms the light programme does not comply with the requirement for a minimum darkness period and the necessary data on mortality rates is not sent to the slaughterhouse.

Regarding geese farms, neither farming method provided water in such a way that the birds could get their heads underneath the water and in the final period of *foie gras* production birds did not have access to a littered area, both of which are contrary to the Council of Europe recommendation.

The process of feather removal inevitably leads to some plucking of feathers, but this was carried out according to Hungarian legislation. Official controls and the auto-controls by the operator did ensure that the removal of feathers was timed so that plucking of feathers and stress due to handling was minimised.

Regarding *foie gras*, a limited amount of research has been carried out in Hungary on welfare aspects and this was in response to accusations by an NGO. Official controls covered the critical points in force feeding and procedures had been taken to try to minimise harming the birds; however the production seen did give rise to unacceptably high mortality levels in the force feeding period.

## 5.2 REQUIREMENTS OF DIRECTIVE 1999/74/EC IN RESPECT OF CAGE SYSTEMS

In response to a recommendation on the above issue in report 2008-7767, the CCA indicated that letters had been sent to every owner and keeper of laying hens in unenriched cages to inform them of the 2012 deadline. A joint check was carried out by the county animal welfare inspector and the district official veterinarians; practical training on measuring the parameters of the cages was provided. Every laying hen farm with unenriched cages was checked, especially the parameters of the cages and the problematic farms identified. The CCA requested the County CA to obtain declarations that they would comply with requirements regarding cage systems after 2011.

### Legal Requirements

Article 5.2 of Directive 1999/74/EC requires Member States to ensure that rearing of laying hens in unenriched cages is prohibited with effect from 1 January 2012.

### Findings

- The most recent figures on progress with phasing out unenriched cages are from March 2011 and indicate that three hundred and fifty four establishments, i.e. 60% of birds (58% of production sites), have birds in unenriched cages.
- County level have discussed with laying hen owners about their plans for 2012 and have indicated that subsidies are available to make the necessary conversion (60% from the farm and 40% subsidy up to a maximum of 200 million Forint per establishment) and if changes are not made the establishment will have to close.
- Although CCA had asked counties to obtain declarations from farmers that they would comply by 2012, no such declarations were available in either county and in Békés the CA indicated that this had been done verbally. The CCA indicated that the intention was to gather information and a written declaration was not a mandatory requirement.
- Reports indicated that certain keepers were reconstructing old cages so that they would meet the dimensions of an enriched cage, while other keepers had purchased new cages but which had not yet been fully furnished. One county had imposed the maximum fine of 150,000 forints (~ €550) for operating enrichable cages; i.e. Enriched type cages but without the necessary furnishings. However the CCA indicated that installing such cages was a step in

the right direction and did not necessarily merit a sanction as the CA expect these cages to be fully enriched by 2013.

- The CCA indicated that they are seeking to amend the procedures for sanctions in relation to animal welfare offences and would consider this as well as an update of the situation with phasing out unenriched cages before deciding the policy to address any non-compliance in 2012.

### **Conclusion on compliance in the laying hen sector**

The laying hen sector continues to make progress towards phasing out unenriched cages and the county CAs have a good knowledge of the situation in their area. The CCA has made this issue a priority and plans to develop an enforcement strategy before 2012.

## **5.3 TRANSPORT**

### *5.3.1 Authorisation of transporters*

To address a recommendation on this issue from report 2008-7767, the CCA discussed it in a conference for county animal welfare veterinarians on 15 October 2008. The memorandum of this conference indicated that the CA were to obtain contingency plans from each transporter authorised for long distance transport. The transporter is also to provide an official declaration that they or their representatives have no record of serious infringements of EU legislation and/or national legislation on the protection of animals in the three years preceding the date of the application.

### **Legal Requirements**

Article 10 of Regulation (EC) No 1/2005 lays down the requirements for authorising transporters carrying out journeys of 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 records 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.

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.

### **Findings**

- The CCA are aware that there are different procedures in the different counties for authorising transporters and intend to review this.
- In Pest county the transporter fills in a shortened version of the approval checklist as part of his application, which is a useful procedure.
- There is no system in place which can allow the CA to verify if the declaration regarding previous infringements submitted by the applicant is legitimate.
- One contingency plan was available at the transporter's office visited. This consisted of a list of names and phone numbers to be contacted in the event of emergencies. This transporter indicated that contingencies were needed in relation to exports to Turkey as on occasion he had to purchase water at the border in order to water the animals while waiting to clear customs.

- No such documents had been obtained in Jász-Nagykun-Szolnok county. No contingency plans could be provided in Békés but county level stated that it was part of the authorisation procedure but did not keep a copy.
- One transporter's authorisation in Békés county, which was still indicated in the national database and in TRACES, was no longer included in the list of transporters maintained by the County. Article 13(4) of Regulation (EC) No 1/2005 requires the transporter's name and authorisation number to be made publicly available during the period of validity of the authorisation.
- A small number of consignments of calves are transported by air from Hungary to Israel. No transporter authorisation has been given to the airline to transport bovine animals although such companies would be required by Article 10 of Regulation (EC) No 1/2005 to be authorised as a transporter<sup>3</sup>.

### **Conclusion on authorisation**

Although certain actions have been taken to address the previous recommendation, the procedures for the authorisation of transporters, including certain airlines, are still not sufficiently comprehensive to meet the requirements of Regulation (EC) No 1/2005.

#### *5.3.1.1 Vehicle approval*

Vehicle approval is also a part of the procedures for authorising a transporter, but was not the subject of a recommendation in the previous report.

### **Legal requirements**

Article 18 of Regulation (EC) No 1/2005 requires the competent authority to grant a certificate of approval for means of transport by road used 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.

### **Findings**

- A checklist which lists the legal requirements was provided for carrying out approval of vehicles for long distance transport; however a method to assess the ventilation requirements was not adequately explained. It was indicated that it was necessary to look at the manufacturers' instructions, but there was no procedure explaining how to make this technical assessment, such as for the arrangement of blowing and extracting fans on the vehicle seen. It also did not indicate how to assess the effect of the presence of covers on the fans.
- The audit team did not consider the bite operated nipple drinkers appropriate for bovine animals or sheep, although these had been approved for sheep, cattle and goats.

### **Conclusion on approval of vehicles**

Procedures for the approval of means of transport are not sufficiently comprehensive to ensure that all the requirements of Regulation (EC) No 1/2005 are assessed.

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<sup>3</sup> *In their response to the draft report the Competent Authority noted that the origin of the animals can not be identified according to the photocopy presented by the FVO inspectors, and Hungary did not get any official letter on the subject. On the other hand, the transport was an export to Israel and the animals exited the territory of the EU as they were loaded on the aircraft. The CA also stated that the rules of IATA are stricter than the requirements of Regulation No 1/2005, and are of higher priority for the sake of the flight safety.*

### 5.3.2 Programme of transport inspections

Article 27(1) of Regulation (EC) No 1/2005 requires the competent authority to check that the requirements of this Regulation have been complied with by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of animals transported each year within the Member State and may be carried out at the same time as checks for other purposes.

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) No 1/2005 requires the competent authority to 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 the same regulation states 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.

### Findings

- In Jász-Nagykun-Szolnok the system of control was based on 100% checks at departure and checks of a proportion of arrivals at farms or slaughterhouses (1012 checks at destination in 2010). In total 10,083 checks were carried out in Jász-Nagykun-Szolnok in 2010 with no deficiencies reported.
- In Békés several incidents in the last year had been picked up through their system of road side checks. These mainly concerned small numbers of animals. The largest consignment was the transport of 25 cows/heifers from the Netherlands where four of the animals had been tied up too tightly. Another case involved the transport of pigs and cattle in the same truck without any separation of the different sized animals. Purely animal welfare infringements were followed by a warning letter; the illegal movement of animals which had also been detected through roadside checks had resulted in a fine.
- The County CA co-ordinate roadside checks with the Police. The audit team attended one road side check where a well organised procedure was professionally carried out and well structured protocol followed. The CCA indicated that some national campaigns are organised particularly at Easter time to target lamb trade to Italy.
- Regarding the vehicles seen during the audit, although the first truck was in a good state of maintenance there was still one damaged partition. This injurious fitting was corrected immediately.
- A second truck, which was loading sheep at the assembly centre visited, had many more problems. In particular the inside of the roof, and the upper surface of the subsequent deck, were dented and damaged in many places as a result of animals being given too little headspace on previous journeys. The sheep that were loaded onto four decks at the time of the visit were also given insufficient headspace. There were also a number of injurious projections from the door and from a fan cover, which was temporarily repaired after this was pointed out by the audit team.
- The driver of the truck at the assembly centre, who had been certified as competent by the Italian CA, was unable to indicate to the audit team which part of the truck temperature monitoring data referred to.

- The Official Veterinarian at the assembly centre was experienced and had a good systematic approach; checking approval documents, the functioning of the ventilation equipment, the fitness of animals and space allowance provided. Plentiful amounts of bedding were also provided. Other important requirements such as planned rest stops and verification of journey times were overlooked, as inadequately planned journey logs had been approved for previous consignments from this assembly centre.
- All journey logs requested by the audit team were provided. The majority of consignments were either sheep to Italy or cattle to Turkey.
- Although there is a CA procedure for verifying journey times, the majority of returned journey logs had major deficiencies at the planning stage but still had been approved. Declarations had also been made by transporters in section 4 that all conditions had been met during the journey but had signed this at the start of the journey.
- A large amount of incoherent data was recorded and had not been picked up by the CA. Many journeys to Italy stopped at the Italian/Slovenian border but unfeasible journey times were indicated for journeys to the south of Italy, including Sicily where no ferry crossing was indicated.
- Some journeys to Turkey indicated that the animals stayed on the truck for four days; however it has to be borne in mind that the excess transport time was outside the jurisdiction of the EU.
- Satellite navigation system data for one transporter in Pest county indicated that it took 14 hours to clear customs at the Turkish border and this transporter indicated that this was typical for this route.
- Jász-Nagykun-Szolnok county had obtained satellite navigation system data for one transporter who was being investigated by another county. This data did not indicate the opening and closing of the loading flap of the vehicle, which is required by point 4.1 of Chapter VI of Annex I to Regulation (EC) No 1/2005. The journey log corresponding to this journey which was provided later by the CA did not equate with the data regarding the travel times of the vehicle.
- Although the CA do check that vehicles are equipped with temperature monitoring equipment, there is no procedure to request the data produced, as indicated in point 3 of Annex I to Regulation (EC) No 1/2005, to verify if the maximum and minimum temperatures are subsequently respected during transport.

### **Conclusions on transport inspections**

Although certain requirements were well controlled insufficient attention was paid to the headspace for animals on board vehicles and CA procedures for verifying journey times had not been followed. Limited use has been made of satellite navigation system data to verify journey times and this data did not always correspond to that required by Regulation (EC) No 1/2005. Equally procedures do not indicate when to make use of temperature recordings to verify if the requirements for maximum and minimum temperatures are respected

Roadside checks were well organised and indicate a higher detection rate of deficiencies than the system of 100% checks at places of departure. Despite the high number of checks carried out, the extremely low level of deficiencies reported does not reflect the picture obtained by the audit team regarding the level of compliance by the livestock transport sector.

## 5.4 CORRECTIVE ACTIONS TAKEN WHEN DEFICIENCIES ARE DETECTED

In response to a recommendation in report 8050/2006, the CCA indicated that repeat checks are made after the deadline given for corrective action. They reiterated the legislation in force and that this point was also foreseen as one of the issues to be discussed during the national welfare conference.

### Legal requirements

Article 8 (3) (b) of Regulation (EC) No 882/2004 requires competent authorities to ensure that corrective action is taken when needed.

Article 55 of Regulation (EC) No 882/2004 states that Member States shall lay down the rules on sanctions applicable to infringements relating to the protection of animal welfare and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

### Findings

- The governmental decree on penalties for animal welfare infringements is in the process of being amended. Changes have been approved by the Government on 31 August 2011 and these amendments will be before the Parliament in September 2011. A further amendment will be needed to the rules for keeping animals, so that a link is established between the decree on Penalties and the requirements for keeping the different species of farm animal. According to the CCA this will make the sanction system stricter and more objective. It will allow factors such as the number of animals affected and whether it is a recurrent case to be considered when establishing the level of the fine.
- According to the report from the CCA (Commission Decision No. 778/2006) for 2010 the rate of non-compliances which required immediate action for administrative or criminal penalties are: 1% of laying hen farms and 2.5% of pig farms, for all non-compliances. However the audit team found some inconsistent data in relation to the data which had been presented.
- The CCA said county level sets the level of fines but Békés county informed the audit team that the district level was competent for establishing the level of fines imposed. Recent cases where the current maximum fine of 150,000 HUF (~€550) had been imposed were for unenriched cages which were brought into service for the first time and also where enriched cages were in place but nest litter, and perches were missing. In one of the counties visited the latter infringement was not sanctioned.
- In Békés several of the pig farms which were found to be in a poor state of repair subsequently ceased operations which the CA explained was due to the low profitability in the pig sector at this time.
- Reports indicated that other incidents were solved by the deadline.
- Following a complaint from another Member State regarding problems with the drinking system and the temperature registration system a transporter's authorisation and vehicle approval were withdrawn. This transporter had failed to show the vehicle for inspection as requested. The contact point had informed the contact point in the other Member State of this outcome and the publicly available list of transporters had been updated in this regard.

### Conclusion on corrective actions

When deficiencies are detected the issues are corrected or in a frequent number of cases farmers

have stopped production.

## **5.5 THE SYSTEM OF SUPERVISION**

In response to a recommendation in report 8050/2006, the CA indicated that they had taken some measures to improve the quality of the inspections: including joint inspections carried out by the county CA together with the Official Veterinarians, changes to the format for reporting, review of the results of controls undertaken by each inspector.

### **Legal requirements**

Article 4 (4) of Regulation (EC) No 882/2004 requires competent authorities to ensure the impartiality, quality and consistency of official controls at all levels.

Article 8 (3) of Regulation (EC) No 882/2004 requires that competent authorities verify the effectiveness of official controls that they carry out.

### **Findings**

- There were no joint inspections in Jász-Nagykun-Szolnok county in the last year.
- Reporting to central level on farm checks is well structured but certain points on the checklist are causing problems when categorised for the purposes of the report. Non-compliances were categorised in the wrong way on several occasions and there was a gross error in the number of free range farms indicated by one county. One county visited did not fill in the actions taken following the detection of deficiencies. The CCA was aware of incoherent data in these reports and is working on a pilot IT project to address these issues.
- Reporting of results of transport checks has followed the voluntary model provided by the Commission Services, but comparing the low level of deficiencies reported with the findings of this audit, there has been insufficient supervision of the effectiveness of checks and the level of compliance in this sector.

### **Conclusions on supervision**

The CCA has made progress in developing both systems of reporting and drawing up action plans to address the commonest deficiencies. Although additional reporting errors were highlighted by the audit team regarding the results of farm inspections, the CCA was aware of inconsistencies in this reporting system and is already taking steps to address this issue. Reporting of conditions during transport were not completely trustworthy and indicate that supervision has not been sufficient to identify the issues which are not being adequately controlled.

## **5.6 AUDITS OF THE SYSTEM OF INSPECTION**

In response to a recommendation on the above issue (recommendation two of report 8050/2006), the CCA indicated that internal audits on the tasks of county and district offices had also included aspects relating to animal welfare.

### **Legal requirements**

Article 4 (6) of Regulation (EC) No 882/2004 requires that competent authorities carry out internal audits, or have external audits carried out. These must be subject to scrutiny and carried out in a transparent manner.

### **Findings**

- One internal audit from December 2008 was provided which had examined whether



instructions for animal welfare checks were followed. Recommendations were made to improve the administrative procedures involved. The CCA indicated that 3 out of 19 counties have been the subject of such internal audits which included the organisation and implementation of animal welfare controls.

- Although not considered an internal audit as laid down in Regulation (EC) No 882/2004, internal checks were also carried out by the CCA in two counties during 2010, where central level supervised the control of four laying hen farms with cage systems.

## **Conclusions**

Internal audits have been carried out as required by Regulation (EC) No 882/2004.

### **6 OVERALL CONCLUSIONS**

Progress has been made in addressing all of the relevant recommendations from previous FVO audits. There is a high frequency of farm checks according to level of risk, with larger intensive farms and certain practices targeted, including foie gras production and removal of feathers from geese. Deficiencies are registered and corrective actions taken. Although measures have been taken to bring about a higher level of supervision, this has not yet been sufficient to ensure that certain deficiencies are reported and acted on, and that similar corrective actions are obtained in the different counties.

Regarding the laying hen sector, progress continues to be made towards phasing out unenriched cages by 2012. The data for the country as a whole, which dates from March 2011, indicates that 58% of production sites, accounting for 60% of birds, have birds in unenriched cages. The CCA is planning to update this information and, following changes to the legal framework for sanctions, to adopt a policy to deal with any non-compliant establishment after 31.12.2011.

Regarding checks on transport, although guidance has been provided and certain requirements were well controlled there was insufficient attention paid to headspace for animals and regarding journey times, both at the planning stage or after the journey had been completed. Procedures for authorisation of transporters and approval of vehicles do not yet comprehensively cover all the requirements of Regulation EC 1/2005. The reported results of transport checks are not fully trustworthy and indicate the effectiveness of checks on certain issues is not being adequately verified.

### **7 CLOSING MEETING**

A closing meeting was held on 9 September 2011 with the CCA. At this meeting, the main findings and preliminary conclusions of the audit were presented by the audit team. The representatives of the CCA indicated that they would like further clarification on the use of templates provided by the Commission services for reports concerning animal welfare during transport. They indicated that they would take measures to address the findings of the audit, in particular the authorisation of transporters and that through the pilot project already underway for reporting the results of farm checks that they would ensure that this data was more coherent. Regarding the phasing out of unenriched cages for laying hens, the CCA indicated that it was their intention to gather further information, and for the counties to support efforts by the farmers to plan for the future.

### **8 RECOMMENDATIONS**

It is recommended that the Competent Authority of Hungary, within one month after receipt of the report, provide an action plan to address the following recommendations:

N°.	Recommendation
1.	Documented procedures for checks of pig farms include the need for methods of euthanasia to prevent any unnecessary suffering as required by Article 3 of Directive 98/58/EC.
2.	Documented procedures for checks of pig farms indicate that management and environmental changes are made before tail-docking is allowed to be carried out as indicated in Chapter I, point 8 second paragraph of Annex I of Directive 2008/120/EC.
3.	Documented procedures, as required by Article 8 (1) of Regulation (EC) No 822/2004, for carrying out checks of broiler farms clearly indicate the periods for which a minimum darkness period is required (Annex I, 7 of Directive 2007/43/EC).
4.	Documented procedures, as required by Article 8 (1) of Regulation (EC) No 822/2004, for carrying out checks of broiler farms clearly indicate the necessary data on mortality rates which has to be sent to the slaughterhouse (Annex III, 1 of Directive 2007/43/EC).
5.	Provide equipment so that measurements of the necessary environmental parameters can be made as required in Article 10 (h) of Regulation (EC) No 822/2004 .
6.	Geese should be allowed to get their heads under water and have access to a littered area as indicated in Articles 11 and 12 of the recommendations of the Council of Europe concerning domestic geese.
7.	To encourage further research on the welfare aspects of foie gras production and on alternative methods which do not include gavage, as indicated in Article 25 of the recommendations of the Council of Europe concerning domestic geese .
8.	To further assess the level of compliance with the requirement in Article 5 of Directive 1999/74/EC to phase out unenriched cages by 1.1.2012 and develop an enforcement strategy accordingly.
9.	Checks on transport as required by Article 15 (1) of Regulation (EC) No 1/2005 are carried out to verify journey times and that procedures are put in place to seek to make greater use of satellite navigation system data for this purpose and that this data complies with point 4.1 of Chapter VI of Annex I to Regulation (EC) No 1/2005.
10.	Checks on a risk basis, as required by Article 3 of Regulation (EC) No 822/2004, and on an adequate proportion of animals transported, as required by Article 27 of Regulation (EC) No 1/2005, include a request for data on temperature recording, and that the maximum and minimum indicated in point 3 of Annex I to Regulation (EC) No 1/2005 are duly verified.

N°.	Recommendation
11.	Procedures for checks, as required by Article 27 of Regulation (EC) No 1/2005, draw attention to the need for sufficient space inside the animals' compartment and at each of its levels to ensure that there is adequate ventilation above the animals when they are in a naturally standing position, without on any account hindering their natural movement, as required by 1.2 of Chapter II of Annex I to Regulation (EC) No 1/2005.
12.	Further develop procedures for the authorisation of transporters, including airlines, so that these comprehensively cover the requirements of Articles 10 and 11 of Regulation (EC) No 1/2005.
13.	Further develop procedures for the approval of vehicles so that they include suitable instructions and guidance to assess the requirements of points 2.2., 3.1. and 3.2. of Chapter VI of Annex I to Regulation (EC) No 1/2005.
14.	Further measures are taken to verify the effectiveness of controls, as required by Article 8 (3) of Regulation (EC) No 822/2004, so that deficiencies are accurately detected, reported and acted on.

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

[http://ec.europa.eu/food/fvo/rep\\_details\\_en.cfm?rep\\_inspection\\_ref=2011-6045](http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2011-6045)

## 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. 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
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. 2007/43/EC	OJ L 182, 12.7.2007, p. 19-28	Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production
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 protection of pigs