



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Directorate F - Food and Veterinary Office

DG(SANTE) 2015-7210 - MR

FINAL REPORT OF AN AUDIT
CARRIED OUT IN
BELGIUM
ON 14 APRIL 2015
IN ORDER TO
EVALUATE A PROPOSAL FOR A NEW BIP BRUSSELS (CHARLEROI) AIRPORT

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

The report describes the outcome of an audit carried out by the Food and Veterinary Office in Belgium on 14 April 2015, in order to evaluate the suitability and readiness of the facilities proposed for a BIP in the Brussels Charleroi airport for the category O(14) (dogs, cats, ferrets and insects).

The proposed BIP will be integrated into the existing national import control system. Allocation of tasks, responsibilities and duties, training and instructions will support the correct implementation of the official import controls. The absence of an agreement with Customs to ensure that goods will be presented for veterinary checks increases the possibility of a consignment entering without veterinary checks.

At the time of the audit, facilities were ready to use but several shortcomings were noted with regard to the approval categories of animals proposed by the competent authority. On this basis, the audit concludes that the proposed BIP has not suitable facilities for the adequate handling and housing carnivores (dogs, cats and ferrets). The BIP complies with the requirements to be listed in Commission Decision 2009/821/EC for the category for live animals O(14) (insects only).

The report makes two recommendations addressed to the competent authorities of Belgium aimed at rectifying the identified shortcomings and/or further enhancing the control measures in place.

Table of Contents

1	Introduction	1
2	Objectives and scope	1
3	Legal Basis	1
4	Background	1
5	Findings and Conclusions	2
5.1	Organisation of the future controls	2
5.2	BIP facilities and equipment	3
6	Overall Conclusions	5
7	Closing Meeting	5
8	Recommendations	5

ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
Approval categories	Categories of live animals for the receipt of which BIPs are approved in accordance with Commission Decision 2009/821/EC, as follows: O: other animals (including zoo animals), (14): a limited number of species are permitted, as defined by the competent national authority.
BIP	Border inspection post
CVED	Common veterinary entry document
Customs	National Customs authority
FASFC	The Federal Agency for the Safety of the Food Chain, the Belgian central competent authority for the purpose of this audit
FVO	Food and Veterinary Office
TRACES	Trade control and expert system

1 INTRODUCTION

This audit took place in Belgium on 14 April 2015 and was carried out by two auditors from the Food and Veterinary Office (FVO). The audit was undertaken at the request of the Belgian central competent authority, the Federal Agency for the Safety of the Food Chain (FASFC) as an addition to the FVO's planned audit programme. During the audit, the FVO auditors were accompanied by the representatives from the FASFC.

An opening meeting was held with the representatives from central and local competent authorities, Customs and the airport operator. At this meeting, the FVO auditors confirmed the objectives and the scope of the audit and gathered additional information required for the satisfactory completion of the audit.

2 OBJECTIVES AND SCOPE

The objective of the audit was to assess the suitability and readiness of the facilities proposed by the FASFC for a border inspection post (BIP) in the airport Brussels Charleroi, with the aim to provide a recommendation with respect to its listing in Commission Decision 2009/821/EC.

The audit scope covered the facilities and equipment and the planned implementation of the import control system at the proposed BIP with respect to the requested approval.

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular:

- Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;
- Article 4 of Commission Decision 2009/821/EC.

A full list of the legal instruments referred to in this report is provided in Annex I and refers, where applicable, to the last amended version.

4 BACKGROUND

The last audit concerning the system of import controls took place in September 2011, the results of which are described in DG(SANCO) 2011-8920 MR Final and are available on the Internet at: http://ec.europa.eu/food/fvo/audit_reports/details.cfm?rep_id=2863

The central competent authority requested the evaluation of the proposed BIP in Brussels (Charleroi) airport for approval for the live animals category O(14), specifically dogs, cats, ferrets and insects.

5 FINDINGS AND CONCLUSIONS

5.1 ORGANISATION OF THE FUTURE CONTROLS

Legal requirements

Articles 4, 6, 8 and 10 of, and Annex II to Regulation (EC) 882/2004; Article 3 of, and Annex A to Council Directive 91/496/EEC; Article 3(3) of Commission Decision 2004/292/EC; Article 18 of Council Directive 92/65/EC; Article 1 of Commission Regulation (EC) 282/2004.

Findings

1. The BIP will be under responsibility of the local veterinary authority, which will be the competent authority responsible as defined in Article 4 of Regulation (EC) 882/2004. One full-time and three part-time official veterinarians are allocated to the controls at the proposed BIP. This was evaluated as a sufficient number of staff for the start of operations at the BIP.
2. The full-time official has received training on the implementation of official controls. The competent authority provided information on planned training covering import controls. Practical training sessions will be organised in other BIPs in 2015 for all the officials. This is in line with the requirement for the competent authority to ensure training for staff, as laid down in Article 6 of Regulation (EC) 882/2004.
3. The BIP will be included in the national network of BIPs and staff will receive the instructions, guidance and updated legislation from the central competent authority, in accordance with Article 8 of Regulation (EC) 882/2004.
4. An internal procedure between veterinary and Customs authorities and the airport operator to ensure the presentation of consignments of live animals for veterinary controls is not yet in place, contrary to the requirements of Article 3 of Directive 91/496/EEC.
5. TRACES is expected to be used as in the rest of the Belgian BIPs as soon as the BIP is listed in Commission Decision 2009/821/EC and the special TRACES code is created. As in the other Belgian BIPs, the use of TRACES in the proposed BIP is expected to be in line with Article 3(3) of Decision 2004/292/EC.
6. The competent authorities confirmed that the operators will use TRACES to notify the arrival of the consignments to the BIP by using part I of the CVED, as required by Article 1 of Regulation (EC) 282/2004.
7. The animals of non-harmonised species will be imported under specific permits. This procedure will allow the competent authority to verify that the consignments are pre-notified in accordance with Article 18 of Directive 92/65/EC.

8. The activity of the new BIP will be included in the system of internal audits, in accordance with Article 10(1) of Regulation (EC) 882/2004.

Conclusion on organisation and implementation of official controls

9. Designation of competences, allocation of tasks, training and sufficient staff available to perform controls will contribute to ensure the correct implementation of the controls in the BIP, once it starts its activity.
10. The documented procedures and instructions in place are sufficient for BIP staff to perform the controls correctly and consistently once the consignments are notified. However, an internal procedure to ensure that consignments will be presented for veterinary checks is not in place, which increases the possibility of a consignment entering without veterinary checks.

5.2 BIP FACILITIES AND EQUIPMENT

Legal requirements

Articles 4, 10 and Annex II of Regulation (EC) 882/2004; Article 6(2)(a) and (b) of, and Annex A to Council Directive 91/496/EEC; Articles 3 and 4 of Commission Decision 97/794/EC; Regulation (EC) 1/2005.

Findings

11. The proposed BIP is located in the Customs area of the point of entry into the EU, in accordance with the requirements laid down by Article 6(2)(a) and (b) of Directive 91/496/EEC. The facilities of the proposed BIP belong to the private operator who will be responsible for their maintenance under the recommendations of the official BIP staff.
12. The BIP has sufficiently large premises at the disposal of staff responsible for carrying out veterinary checks as required by point 4 of Annex A to Directive 91/496/EEC.
13. The unloading area is adequate for the animal species expected, as required by point 2 of Annex A to Directive 91/496/EEC.
14. The inspection room is suitable for different species of animals. However, it is not equipped with the necessary tools that would allow staff to perform identity and physical checks (e.g. refrigerator for storing samples, equipment to restrain, equipment to check their identification i.e. microchip readers), contrary to the requirements laid down in Articles 3 and 4 of Decision 97/794/EC.
15. The representative of the company operating the facilities demonstrated awareness of the factors influencing animal welfare and the best measures to guarantee the safety and welfare of the animals during handling (feeding and watering of animals) and, when necessary, housing. The contracts for the feeding and watering of animals are signed

with the private operator in accordance with the requirements of point 8 of Annex A to Directive 91/496/EEC.

16. The existing isolation spaces (kennels) to detain a typical consignment of the species expected are located outside the BIP facilities, near the tarmac. The distance between the kennels and the runway of the airport is insufficient to mitigate adequately the noise levels. The kennels are not suitable for puppies, small dogs, cats or ferrets: they do not provide lighting, ventilation and/or temperature control. Overall, the isolation facilities proposed cannot ensure that the environmental conditions are adequate to avoid distress to the animals, contrary to the requirements of Regulation (EC) 1/2005.
17. Contracts and procedures are in place, as required by points 8 and 10 of Annex A to Directive 91/496/EEC, as follows:
 - for cleaning and disinfection of the facilities of the BIP,
 - laboratories where the samples have to be sent,
 - disposal of carcasses/dead animals, and
 - additional veterinary surgeon services.

There is no contract for pest control in the area where the kennels are located, outside the building (see finding 16).

18. FASFC conducts annual inspections of BIPs¹ and issues a report to the local authorities responsible for them. The reports cover documentation, training, procedures and may include recommendations, and require action plans with deadlines, in accordance with Article 8 of Regulation (EC) 882/2004. The newly approved BIP will be included in the established system of supervision visits.
19. Before the FVO audit, two supervisory visits took place, in line with the requirements of Article 6(2)(c) of Directive 91/496/EEC:
 - The first one was a joint visit by central and local veterinary authorities in December 2014. The report identified a number of deficiencies (e.g. cleaning and disinfection programme, facilities).
 - The second visit was carried out by the local veterinary authority in February 2015. The report did not include recommendations.

These inspection visits covered the facilities of the BIP. The housing facilities for the animals described in finding 16 were not included in the assessment (the question in the checklist covering housing facilities was replied to as being non-applicable).

¹ In its comments to the draft report, the competent authority noted that the inspection plan currently provides for two BIPs to be inspected per year.

Conclusion on BIP facilities and equipment

20. The facilities proposed cannot ensure that standards for animal welfare can be maintained for dogs, cats or ferrets, where there is a need for housing. The BIP facilities are adequate for receiving and checking consignments of insects.

6 OVERALL CONCLUSIONS

The proposed BIP will be integrated into the existing national import control system. Allocation of tasks, responsibilities and duties, training and instructions will support the correct implementation of the official import controls. The absence of an agreement with Customs to ensure that goods will be presented for veterinary checks increases the possibility of a consignment entering without veterinary checks.

At the time of the audit, facilities were ready to use but several shortcomings were noted with regard to the approval categories of animals proposed by the competent authority. On this basis, the audit concludes that the proposed BIP has not suitable facilities for the adequate handling and housing carnivores (dogs, cats and ferrets). The BIP complies with the requirements to be listed in Commission Decision 2009/821/EC for the category for live animals O(14) (insects only).

7 CLOSING MEETING

A closing meeting was held on the same day with representatives from the central and local competent authority, Customs and the airport operator. At this meeting, the main findings and the preliminary conclusions of the audit were presented by the audit team. The authorities did not express disagreement and pointed out their interest in getting the BIP Brussels (Charleroi) approved for insects only.

8 RECOMMENDATIONS

The competent authority is invited to provide details of the actions taken and planned aimed addressing the recommendations set out below, including deadlines for their completion ('action plan'), within 25 working days of receipt of the translated draft audit report.

No.	Recommendation
1.	<p>To develop a procedure in line with the requirements laid down in Article 3 of Council Directive 91/496/EEC, in order to ensure that all consignments are presented for the veterinary controls at the BIP.</p> <p><i>Recommendation based on conclusion 10.</i></p> <p><i>Associated finding 4.</i></p>

No.	Recommendation
2.	<p>To ensure that, if the competent authority intends to maintain the initial request, facilities and equipment in the BIP are sufficient and appropriate for each species covered by the approval, as required by Annex A to Council Directive 91/496/EEC.</p> <p><i>Recommendation based on conclusion 20.</i></p> <p><i>Associated findings 14, 16 and 17.</i></p>

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=2015-7210

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. 91/496/EEC	OJ L 268, 24.9.1991, p. 56-68	Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC
Dir. 92/65/EEC	OJ L 268, 14.9.1992, p. 54-72	Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC
Dec. 2004/292/EC	OJ L 94, 31.3.2004, p. 63-64	2004/292/EC: Commission Decision of 30 March 2004 on the introduction of the Traces system and amending Decision 92/486/EEC
Dec. 2009/821/EC	OJ L 296, 12.11.2009, p.1	2009/821/EC: Commission Decision 2009/821/EC of 28 September 2009 drawing up a list of approved border inspection posts, laying down certain rules on the inspections carried out by Commission veterinary experts and laying down the veterinary units in Traces

Dec. 97/794/EC	OJ L 323, 26.11.1997, p. 31-36	97/794/EC: Commission Decision of 12 November 1997 laying down certain detailed rules for the application of Council Directive 91/496/EEC as regards veterinary checks on live animals to be imported from third countries
Reg. 282/2004	OJ L 49, 19.2.2004, p. 11-24	Commission Regulation (EC) No 282/2004 of 18 February 2004 introducing a document for the declaration of, and veterinary checks on, animals from third countries entering the Community