FINAL REPORT OF A MISSION
CARRIED OUT IN LATVIA
FROM 31/05/2005 TO 03/06/2005
IN ORDER TO REVIEW
CONTROLS CONCERNING ANIMAL WELFARE

Please note that clarifications provided by the Latvian Authorities are given as footnotes, in bold, italic type, to the relevant part of the report.
EXECUTIVE SUMMARY

This report provides the outcome of a mission carried out by the Food and Veterinary Office (FVO) in Latvia between 31 May and 3 of June 2005.

The objective was to verify the application of Community law in the field of animal welfare. In order to achieve this objective, the legal and administrative measures in place regarding requirements for laying hens, pigs and at slaughterhouses were evaluated.

The report concludes that the CA has taken significant steps to meet EU animal welfare requirements by amending national legislation, producing guidelines and providing training to both officials and persons dealing with livestock. Although implementation has been adequate, there was insufficient action to ensure that the phasing out of old cage systems for laying hens is achieved within the set deadline and deficiencies in pig farms were not adequately followed-up. In relation to slaughterhouses, there was insufficient supervision in particular to ensure that deficient stunning equipment is not used and follow-up was inadequate.

The report makes a number of recommendations addressed to the Latvian competent authorities, aimed at rectifying the identified shortcomings.
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1. INTRODUCTION

The mission took place in Latvia from 31 May to 3 June 2005, as part of the planned mission programme of the Food and Veterinary office (FVO).

The inspection team comprised two inspectors from the FVO and an official from the Unit of Animal Health and Welfare of the Health and Consumer Protection General Directorate (DG SANCO), and was accompanied during the whole mission by representatives from the central competent authority (CCA), the Food and Veterinary Service (Pārtikas un veterinārais dienests) of the Ministry of Agriculture of Latvia.

An opening meeting was held on 31 May 2005 with the CCA. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission requested.

2. OBJECTIVES OF THE MISSION

The objective of the mission was to verify the application of Community law in the field of animal welfare. In pursuit of this objective, the following meetings were held and sites visited:

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<td>Competent authority</td>
<td>Central: 2 Opening and final meeting.</td>
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<td>Regional: 2 Riga and Valmiera District Veterinary Offices, where the organisation of the checks and follow up actions were discussed.</td>
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<td>Slaughterhouse</td>
<td>1 A slaughterhouse for red meat species selected by the inspection team.</td>
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<td>Laying hen farm</td>
<td>1 Selected by the inspection team, where hens were kept in unenriched cages.</td>
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<td>Pig farm</td>
<td>1 Selected by the inspection team. Although registered as a “complete cycle” farm, there were only breeding pigs on the unit visited.</td>
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3. BACKGROUND

This was the first FVO mission concerning animal welfare since the accession of Latvia to the EU. Prior to accession, the FVO carried out a mission during 2003 in the framework of accession preparations, in order to assist and monitor progress with the adoption of EU requirements on animal welfare. In response to this mission the Latvian CA provided a number of assurances related to animal welfare, in the form of an action plan.
Immediately prior to Latvia’s accession to the EU, Commission Decision 2004/433/EC\(^1\) granted derogations until 1 May 2007 to two establishments to sell eggs from cages which did not meet the minimum height in EU legislation. The eggs from such cages can be traded on the local market but not to other Member States.

A report of an FVO mission (DG(SANCO)/7174/2004: hereafter report 7174/2004) on the up-grading of red meat establishments indicated that single-electrode stunning equipment for cattle, which does not comply with Article 3 and Annex C(II)(3)(A) of Directive 93/119/EC\(^2\), was in use in two slaughterhouses visited in November 2004. This was despite a commitment from the CCA in their action plan that such devices would be removed from all slaughterhouses by the date of accession.

4. LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular\(^3\) Article 9 of Directives 99/74/EC\(^4\) and 91/630/EEC\(^5\), Article 14 of Council Directive 93/119/EC, Article 10 of Council Directive 91/628/EEC\(^6\) and Commission Decision 98/139/EC\(^7\).

5. MAIN FINDINGS

5.1. Competent authority

Structure and responsibilities

The Food and Veterinary Service is the CA responsible for animal health and welfare controls and for control over all food-processing establishments, under the supervision of the Ministry of Agriculture. The Food and


\(^3\) Legal acts quoted in this report refer, where applicable, to the last amended version.


Veterinary Service consists of a number of departments of which the Veterinary Surveillance Department, Animal Welfare Surveillance Division, is responsible for the implementation and enforcement of animal welfare on farm and during transport, while the Meat and Meat Products Surveillance Department is responsible for animal welfare in slaughterhouses. Two veterinarians are employed at the Animal Welfare Surveillance Division.

The Internal Audit Division of the Quality and Training Department is responsible for carrying out audits along the chain of command of the veterinary services. The Training Division is responsible for facilitating the implementation of a training programme for the official services of the CA, as well as for food establishment operators.

The Risk Analysis and Management Division is in charge of providing risk analysis in relation to animal health, identification and registration of herds. On-farm inspections (which include animal welfare and other purposes) are targeted on the basis of the results of the risk assessment.

Surveillance at district level is performed by veterinary inspectors from the 27 district offices of the Food and Veterinary Service, who carry out welfare inspections in holdings with live animals and in slaughterhouses. Daily veterinary supervision in slaughterhouses is performed by full-time contracted private veterinary practitioners (Meat Inspectors). Only the veterinary inspector has the legal powers to levy administrative fines for infringements.


Training and guidance

Since 2004 the Training Division of the CCA is in charge of the practical arrangements for training sessions provided to officials. Topics are proposed by the relevant Divisions, i.e. the Animal Welfare Surveillance Division concerning welfare on farm and the Meat and Meat Products Surveillance Unit regarding transport of animals to slaughterhouses and welfare at slaughter. Trainers and lecturers are also sourced from the aforementioned Divisions. Additionally, the Training Division from the CCA organises and advertises on their webpage training sessions on various veterinary topics, including animal welfare, which are accessible to everybody, including farmers. The Latvian Agricultural Advisory and Training Centre develops its own training programme, where officials from the CCA are invited as lecturers.

The following topics have been object of training to officials:

- General animal welfare requirements on farm; welfare requirements for pigs, calves and laying hens; interpretation of the requirements. Five seminars were arranged in different districts between October 2004 and March 2005.
Welfare requirements during slaughter and killing. A seminar was organised in February 2003 and a second, that included also principles of welfare during transport, was held in December 2004.

In September 2004 animal welfare was included in the framework of the mandatory training concerning surveillance in establishments producing food of animal origin and surveillance, authorisation and upgrading of establishments.

A one-week refresher course is obligatory every year for the veterinary inspectors from the districts, while for Meat Inspectors this obligation recurs every two years. Meat Inspectors received training on animal welfare legislation in 2003, however on the spot it was noted a lack of responsiveness (see section 5.9). The next refresher course is planned in autumn 2005. Private practitioners involved in official controls (including Meat Inspectors) meet once a month with the veterinary inspectors from the district offices, where they receive information on new legislation and can further discuss any issue they consider to be appropriate.

The CCA has developed a quality system that includes written procedures for conducting inspections, in the completion of inspection checklists and the issuing of administrative penalties. Checklists provide the inspectors with the references to the relevant legislative requirements. The guidelines for inspections on holdings with pigs and with laying hens were approved in February 2005.

5.2. Legislation

A review of certain requirements of animal welfare legislation pertinent to this mission demonstrated that these were correctly transposed.

5.3. Information provided to the pig and laying hen sectors

Training courses on welfare requirements are available to pig stockmen. Four sessions of these have been organised by the Ministry of Agriculture and another is planned in July 2005. In addition, the Latvian Agricultural Advisory and Training Centre provides training all over the country through its peripheral offices from regional to community (parish) levels. The CCA indicated that certain requirements such as restrictions on mutilations and the necessity to provide pigs with material for investigation and manipulation (Chapter I, points (4) and (8) of the Annex to Directive 91/630/EEC) were the most discussed by the sector.

Information was provided by the CA to the different livestock sectors by:

- Sending the appropriate animal welfare legislation to the farmers concerned. In the pig farm visited this had been distributed by the farmer to the staff employed.
- Inspectors discussing the issues during visits to laying hen farms in the period before accession.
- Providing a binding opinion as part of the procedure to obtain EU subsidies to refurbish holdings.
5.4. Inspection programme

Inspections on farm are comprehensive and include consideration of animal welfare, animal identification and registration, feed traceability, use of medicines and dairy hygiene, where applicable. Targets are set by national legal texts and inspection programmes are developed at district level taking into account the number and distribution of farms.

The results provided by Valmiera district office for 2004 were incomplete and it was not possible to evaluate whether the target had been met, while in Riga district almost all of the scheduled inspections had been carried out.

The programme of inspections applied in 2005 differed in the two districts. In Valmiera the programme followed until May 2005 was on the same basis as for 2004, and did not take into account the amended legal text, while in Riga inspections were based on the new 2005 Order.

At local level, particularly in Valmiera district, the results of inspections indicated that the most problematic holdings in terms of animal welfare non-compliances were the small subsistence farms with mixed species, which represent the majority in the country. However, the conclusion of the Risk Assessment Division of the CCA was that it is the bigger farms rather than the subsistence ones which pose a greater risk for animal welfare. It is on this basis that a new national draft programme proposes that at least one inspection each year is made of: holdings with more than 20 fattening pigs, holdings with breeding pigs and holdings with laying hens.

5.5. Laying hens

In Riga, which was the only district visited with laying hen farms, the following observations were made.

Farms are subject to an inspection to verify that animal welfare standards are met, before they are registered (Directive 2002/4/EC) and allowed to operate. However the registration of the farms does not follow the scheme laid down in Directive 2002/4/EC, as:

- Although the CA has ensured that eggs marketed under Decision 2004/433/EC are marked differently from eggs which can be sold to other Member States, buildings with non-compliant cages have been given a different six figure code from buildings on the same site which

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8 In their response to the draft report the Latvian Authorities noted that Valmiera district has completed the inspection program based on the previous Order and from July 2005 carries out inspection program according to Order No 26, 23.02.2005

9 In their response to the draft report the Latvian Authorities noted that risk analysis is not based only on animal welfare and that infectious diseases, feeding stuff and veterinary medicines, herd identification and registration are also taken into account.

have compliant cages. This does not follow the approach in Directive 2002/4/EC, where the same six figure code should be used for each production site and further characters added for the identification of separate buildings (Directive 2002/4/EC, Annex 2.3).

- Eggs from non-compliant cages have the pre-fix “3”, which should indicate that the eggs are from cages which meet the requirement of Directive 1999/74/EC (Directive 2002/4/EC, Annex 2.1).

In March 2004 the company owing one farm operating with a transitional period sent the CCA a plan for the gradual upgrading of the buildings. The plan foresees the necessary refurbishment being completed by 31.12.2007, which is after the deadline in Decision 2004/433/EC. To date, the CCA has not provided an opinion on the plan and informed the FVO mission team that production in non-upgraded buildings on this farm would not be permitted after 1.5.2007 and that they did not consider it necessary to reply to submissions which indicated that this deadline would not be met.

Certain deficiencies on farms without transitional period have not yet been corrected. Out of four such farms in Riga district, one has achieved full compliance, while the other three have corrected some deficiencies, but others remained outstanding. An example of this was an overstocking problem on the farm visited, which had arisen due to extenuating circumstances. All such deficiencies were continuing within the deadline set by the CA for ultimate correction.

5.6. Pigs

Inspections carried out in holdings with pigs provided different pictures in the two districts visited:

- In Valmiera in 2004, deficiencies detected in specialised pig farms were related to hygiene, identification and the use of medicines but not linked to animal welfare and in the first five months of 2005 the only farm where animal welfare problems had been identified was a subsistence farm.

- In Riga in 2004 various animal welfare deficiencies such as inadequate ventilation, bad state of repair of the pens, insufficient space for the boars, early weaning and non compliant castration practices had been detected.

Deadlines for corrective actions had been set for the farms with deficiencies in 2004; however, in most cases the follow-up inspections were performed in May 2005, which was long after expiry of the deadlines imposed for correction of such deficiencies.

In relation to on-going refurbishments in the farm visited, it was noted that:
Pens were provided for groups of sows. The shoulder length stalls, which divided the feeding area, were not considered to obstruct the available floor area (Directive 91/630/EEC Article 3 (2)(a))\textsuperscript{11}.

No material for investigation and manipulation activities was provided (Directive 91/630/EEC Annex, Chapter I, Point 4). Although this is stressed in the CA guidelines, it had not been noted in previous inspection reports, nor was it highlighted by the veterinary inspectors during the visit.

5.7. Reporting

Inspection reports have been structured to contain the information required by the Annex to Decision 2000/50/EC\textsuperscript{12} for the communication of results to the Commission. However this format was adopted in February 2005 and monthly communication from the districts to the central level started in April 2005.

5.8. Animal welfare during transport

The procedure for the registration of transporters includes the obligation for a written undertaking to comply with the requirements of Directive 91/628/EEC (Article 5(A)(1)(a)(ii) of Directive 91/628/EEC), the approval of the vehicles and mandatory training for staff. These last two requirements go further than Directive 91/628/EEC and already comply with EU requirements applicable from 5.1.2007\textsuperscript{13}.

Regarding controls on animal transportation, a target for inspection of 5% of consignments has been set by the CCA.

5.9. Animal welfare within slaughterhouses

The FVO inspection team identified three main issues in relation to welfare of animals at slaughter.

The first issue concerns the continued use of the single-electrode system for stunning cattle although it does not comply with Directive 93/119/EC and commitments had been received from the CCA after accession that such devices were no longer in use.

\textsuperscript{11} In their response to the draft report the Latvian Authorities noted that the area was measured in newly built empty pens, taking into account the information provided by the owner regarding the number of pigs he meant to introduce. To prevent non-conformities this number will be reduced by one.


In the slaughterhouse visited, despite a warning order to comply by 1.6.2004, the use of such devices had continued until end-February 2005. The representatives of the CA explained that the deadline had been extended by almost a year because of repeated delays in delivering and installing the new equipment (a new box for restraining cattle and a pneumatic captive-bolt stunner).

Controls in a second slaughterhouse which had been found to be deficient in report 7174/2004 and which had been the subject of pre-mission correspondence with the CCA, were reviewed. In reply to the recommendations in report 7174/2004, the CCA indicated that slaughtering of cattle was suspended until the unsuitable stunning method had been replaced. An extraordinary check by the CCA of the establishment in December 2004 found that the practice was continuing and a warning order was issued giving two days to replace the equipment. However, no changes had been made at a follow-up inspection in February 2005. On 10 May 2005 the slaughterhouse management informed the CA by letter that in order to refurbish part of the establishment the slaughter of cattle and pigs was suspended from 15 May to 10 June 2005.

The CCA indicated that after this case the system for approving establishments was amended, so that a representative from the CCA is included in the committee for the approval. Five establishments had already been inspected according to this new procedure prior approval.

The second issue is the lack of involvement of the Meat Inspectors in animal welfare supervision. Although this task is part of their duties, in the abattoir visited the Meat Inspector was not involved in animal welfare supervision and did not intervene when problems arose during the visit (e.g. improper use of electric goads) and when asked was not aware of important welfare requirements. In the documentation reviewed, there was no evidence that animal welfare problems in both slaughterhouses had been reported by the Meat Inspectors, although these had been repeatedly identified by the veterinary inspector from the district.

A third issue is in relation to inadequate actions taken to correct deficiencies in general. In addition to the lack of adequate sanctions for the use of unsuitable stunning devices, other welfare shortcomings were detected during the visit. Some of them had been already noted by the veterinary inspector from the district and, apart from repeated warning orders which were not respected, no further action had been taken:

- The lairages where animals were housed were not well-maintained, fittings were rusty, with uneven flooring surfaces (also highlighted previously by the veterinary inspector) and insufficient light was available for inspection (Directive 93/119/EC, Annex A(II)(7)).

- Although more than 12 hours passed between unloading and slaughter of a consignment of cattle, there was no feed available (Directive 93/119/EC, Annex A(II)(9)).
Electric prods were used on parts other than the muscles of the hindquarters and in addition animals had no room ahead in which to move (Directive 93/119/EC, Annex A(II)(3)). This had been highlighted by the veterinary inspector in a previous inspection report.

At the time of the visit the main device for stunning was out of order since the previous week, therefore stunning was performed using the spare captive-bolt stunner. No other backup equipment was available.

6. CONCLUSIONS

6.1. Competent Authority

(1) The structure and the resources at all levels of the CA are adequate and the development of internal quality controls (including written inspection procedures) provides a basis to ensure uniformity in the performance of inspections.

(2) Although training courses are widely available, these have been insufficient to ensure an adequate surveillance of animal welfare issues, particularly in slaughterhouses.

(3) Overall guidance is adequate.

6.2. Legislation

(1) On the basis of the review of certain requirements, the relevant legislation appears to be transposed.

6.3. Information provided to the pig and laying hen sector

(1) Information to both sectors was adequate. In addition, farmers applying for EU subsidies are obliged to consult the CA prior to receiving approval for financial assistance to carry out such refurbishments.

(2) The availability of training and information for pig stockpersons comply with the obligations laid down in Article 5a of Directive 91/630/EEC.

6.4. Inspection programme

(1) Due to the delay in implementing the inspection programme for 2005 it is unlikely that the stated inspection target will be achieved in Valmiera district.

(2) The risk analysis, on which the inspection programme is based, is in a developmental phase. The new draft national programme does not take into account the smaller farms which pose the greatest risk for animal welfare.
6.5.  Laying hens

(1) By inspecting farms prior to allowing them to operate, there is a good system of assurance that animal welfare standards are met.

(2) Although the CA is able to distinguish between eggs restricted to the local market (Decision 2004/433/EC) and those which can enter intra-community trade, the use of a completely different six figure code to register different buildings on the same site, does not follow the approach in Directive 2002/4/EC, where further characters can be used to distinguish between buildings.

(3) The CCA has not taken sufficient measures to ensure that farms operating under Decision 2004/433/EC will have made all the necessary changes by the legal deadline.

(4) The level of surveillance and the setting of deadlines by the CA should ensure that other farms meet all EU requirements.

6.6.  Pigs

(1) Follow-up inspections to verify correction of identified deficiencies were in most cases delayed.

(2) Implementation of the more recent amendments to Directive 91/630/EEC is variable. On-going refurbishments indicate that progress is being made on one of the principle objectives of EU legislation, the group housing of sows. However, despite CA instructions indicating that a check of manipulable material for pigs should be made, this is overlooked by the inspectors (Directive 91/630/EEC, Chapter I, Annex (4)).

6.7.  Reporting

(1) Inspection reports have been structured to contain the information required by the to Decision 2000/50/EC, however data for the period 1.5.2004 to 28.2.2005 could be missing or incomplete as this system of reporting has only been operating since the latter date.

6.8.  Animal welfare during transport

(1) Certain requirements for the registration of transporters go further than Directive 91/628/EEC and already comply with the requirements of Regulation (EC) No. 1/2005 which will be applicable from 5 January 2007.

6.9.  Animal welfare within slaughterhouses

(1) Measures to correct non-compliant stunning methods have been protracted and inefficient, with direct involvement of the central level being necessary to effect change. Such devices continued to be used even after the CCA had guaranteed that they were no longer in use. The revised system for approving establishments with direct
involvement of the CCA should better ensure that such commitments are implemented.

(2) Meat Inspectors did not ensure that welfare requirements are respected. There has been insufficient supervision by district and central levels on this task. In addition to that, training has not been sufficient on its own to guarantee meaningful controls.

(3) Although in certain slaughterhouses serious animal welfare deficiencies had been repeatedly identified, follow-up action was insufficient to effect proper corrective action. This was due to insufficient involvement of the CCA, in coordination with the district level, to resolve the reported deficiencies.

6.10. **Overall conclusion**

The CA has taken significant steps to meet EU animal welfare requirements, by amending national legislation, producing guidelines and providing training to both officials and persons dealing with livestock. Overall implementation was adequate. However, there was insufficient action to ensure that the phasing out of old cage systems for laying hens is achieved within the set deadline and deficiencies in pig farms were not adequately followed-up. In relation to slaughterhouses, there was insufficient supervision in particular to ensure that deficient stunning equipment is not used and follow-up was inadequate.

7. **CLOSING MEETING**

A closing meeting was held on 3 June 2005 with the CCA. At this meeting the main findings and conclusions of the mission were presented by the inspection team. The CCA did not express any major disagreement with the findings and conclusions presented, and provided further clarification in particular regarding guidelines and target of inspections.

8. **RECOMMENDATIONS**

**To the competent authorities of Latvia**

The Competent Authorities are requested to present a plan of actions to address the following recommendations. This should include a timetable for the completion of these actions and should be done within 25 working days of receipt of the final mission report.

(1) Taking account of the various national legal texts, to ensure that a more consistent approach is adopted by the districts on the development of their inspection programmes (Article 7 of Directive 91/630/EEC and Article 8 of Directive 1999/74/EC).

(2) In relation to laying hens farms, take measures to ensure that:

   (a) Consideration is given to the use of further characters in the identification number with the purpose of distinguishing single flocks kept in separated buildings of the same

(b) Farms with a transitional period complete the necessary upgrading by 1.5.2007 (Decision 2004/433/EC).

(3) In relation to checks of holdings with pigs:

(a) Follow-up visits are prioritised and carried out in a timely manner.

(b) Take measures to ensure pigs have permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities (Directive 91/630/EEC, Annex, Chapter I(4)).

(4) In relation to slaughterhouses:

(a) Provide confirmation that commitments previously given, to replace the system for stunning cattle with methods which fulfil Article 3 and Annex C(II)(3)(A) of Directive 93/119/EC in each of the slaughterhouses where single-electrodes were used, have been fully implemented.

(b) Take further measures to ensure that adequate supervision is performed from all levels (Articles 6 and 7 of Directive 93/119/EEC).

(c) Take further measures to ensure that there is appropriate follow-up action to resolve reported deficiencies.