GENERAL REPORT ON A SERIES OF MISSIONS TO THE MEMBER STATES REGARDING CONTROL OF STAGING POINTS

Written comments were made by the Italian authorities on 7 September 2001 and by the Swedish authorities on 7 September 2001, in response to a draft of this general report. Please note that certain of these comments have been included in the text of this final report in bold, italic type or as a footnote in italic type.
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1. INTRODUCTION

Between October 1999 and February 2001, the Food and Veterinary Office (FVO) carried out missions to seven MSs to evaluate the controls of animal welfare during transport, in particular, the operation of staging points (see tables 1 and 2 in Annex).

Staging points have been established and approved in eight Member States (MSs) on the basis of Council Regulation (EC) No. 1255/97. It is at these staging points that the obligatory break for animals on long distance transport takes place.

All Member States (MSs) had been previously visited between 1995 and 1998 in relation to the control of animal welfare during transport (Council Directive 91/628/EEC). There were no staging points under official control during this first series of missions, Council Regulation (EC) No. 1255/97 entered into force on 1 January 1999. The objective of the recent series of missions was to evaluate controls at staging points and to assess progress with the implementation of Council Directive 91/628/EEC. An evaluation of the controls operated at sites other than staging points visited during these missions, such as ports, markets, assembly centres and slaughterhouses is not the subject of this general report.

This report provides a summary of the situation at the time the missions took place, in seven out of the eight MSs in which staging points have been established. The planned mission to The Netherlands, which would have been the last MS to be visited with approved staging points, has been postponed due to outbreaks of Foot and Mouth Disease (FMD) in this country. This MS will be visited in this regard when the animal health situation returns to normal.

2. FVO PROCEDURES

Two FVO inspectors and one Member State expert made up each mission team. It was not possible on every occasion to evaluate directly the inspections carried out by veterinarians from the Competent Authority (CA), since there were no animals present in many of the staging points during the missions (see table 2 in Annex). On these occasions, the mission team carried out an inspection of the premises, interviewed the responsible veterinarian and examined records in order to evaluate the controls operated.

Following each mission, recommendations were made in the individual mission report to the CA concerned. Almost all CAs responded in writing to the draft report. This response was incorporated into the final version of the report, which was published on the DG SANCO website. The CA comments were also published in their entirety on the website. In response to the recommendations in these reports,

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3 http://europa.eu.int/comm/food/fs/aw/aw_vete_en.html
most CAs subsequently provided written guarantees to the FVO concerning the correction of deficiencies (see Annex 2). In certain cases, the CA indicated that approval of the staging point had been suspended. The Commission Services have also responded to certain recommendations made in these individual reports.

3. **GENERAL FINDINGS**

3.1. **Use of staging points**

In the majority of MSs visited, there had been limited use made of the approved staging points.

- In the **UK**, although there were approved staging points, they had never operated under the requirements of Council Regulation 1255/97. Typically consignments of sheep left the UK before 14 hours had elapsed, i.e. before a rest period is required (Chapter VII of the Annex of Council Directive 91/628/EEC). Route plans approved in the UK indicated that the animals would be rested in staging points in Belgium, France or The Netherlands.

- One staging point seen in **Belgium** was used regularly by certain consignments from the UK to make an 8 hour mid-journey rest. It was, however, principally used to provide 24 hour rest periods for consignments from the UK and Ireland.

- Three **French** staging points were used to provide 12 hour rest periods for consignments of bovine animals from Ireland. These staging points were several hours from the port of arrival in France and not therefore in the immediate vicinity of the port as required by point 7(b) of Chapter VII of Council Directive 91/628/EEC. On the day one staging point was visited, 40% of consignments from Ireland did not stop as had been indicated on the accompanying route plans.

- In **Italy and Spain**, records in two of the staging points visited indicated that regular use was made of these staging points by consignments of cattle and sheep transiting these countries. However, other consignments, which had transited both countries, sometimes without using a staging point, had exceeded the maximum journey times laid down (Chapter VII of the Annex of Council Directive 91/628/EEC).

3.2. **Structure and management**

The majority of staging points, which were in operation, were premises modified for this purpose and were often located near sites where other activities involving live animals took place, such as the lairages of Border Inspection Posts (BIPs) or assembly centres. The operators of the staging points also ran the other sites. The derogation for assembly centres to operate as staging points was foreseen by Article 4 of Council Regulation (EC) No.

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4 Assembly centres as defined in Article 2(o) of Council Directive 64/432/EEC
1255/97, on the basis that separation of the facilities was ensured. The Commission indicated that conditions laid down in Article 4 of the Regulation in relation to staging points in assembly centres could be used *mutatis mutandis* in the case of BIPs.

All the staging points had been approved prior to each mission.

- Detailed guidance had been provided by the CCA in **Belgium and the UK**, to staging point operators and inspecting veterinarians on the procedures required in order to achieve compliance with the legislation concerning staging points. The UK guidance states that in addition to approval being the subject of annual review, premises will be subject to inspections no less frequently than twice monthly.

- In the other MSs visited, either minimal or no instructions had been issued to the veterinarians who would carry out the approval and monitor compliance. Representatives of the CA on these occasions frequently mentioned that the responsible veterinarians had access to and were familiar with the legislation, which formed the basis for these inspections.

- In **Italy** a representative of the CA explained that the approval of one of the staging points seen had been provisional, and that the operator had been given a period of time to carry out refurbishments. Otherwise, it was stated it would not be financially viable to set up a staging point.

Structural deficiencies of varying significance were detected by the mission team in almost all the staging points visited. On all occasions when deficiencies were pointed out by the mission team, the CAs have indicated that corrective action would be taken, including, on several occasions, suspension of the approval to operate. Problems with animal health and welfare were detected particularly in the following areas:

### 3.2.1. Provision of care

Three staging points were seen in operation during the missions in **Belgium, France and Italy**. In the other MSs there were no animals present in the staging points during the visits.

- An examination for fitness was performed by veterinarians during the visits to staging points in **Belgium and Italy**. Veterinarians in both MSs decided that certain animals should not be permitted to continue their journey due to severe lameness or debility. However, the CA veterinarians did allow certain other unfit animals, notably slightly lame sheep, to continue their journey. **Article 3 of Council Directive 91/628/EEC states that no animal shall be transported unless it is fit for the intended journey**.

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5 The **Italian CA** point out in their written comments that 3(1)(b) of Council Directive 91/628/EEC permits the transport of animals that are slightly injured or ill, provided it does not cause unnecessary suffering and see no irregularity with allowing such animals to be transported over long distances.
– Accommodation for sick or injured animals had been designated and subsequently approved by the CA at each of the staging points visited. However, in one staging point in Austria and another in Italy, the mission team considered this accommodation inappropriate for the purpose.

– Access to water was limited for horses at an Italian staging point. The drinking trough in a pen, in which horses had completed a 24 hour stay, was completely dry. A recommendation was made to the CA in the report of this mission to correct this deficiency. The CA have subsequently indicated that assessments will be carried out to determine the best way of providing water for horses during long distance transport.

3.2.2. **Structural features**

In certain staging points the facilities were not, or could not, be properly cleansed and disinfected.

– In one staging point in **Germany**, the unloading area had an earthen floor. Following the FVO visit, the German CA informed the FVO that this deficiency would be addressed.

– In one staging point in **Spain**, although the entire area for accommodating animals was bedded, the floor underneath was earthen, with the result that it would not be possible to carry out proper cleansing and disinfection. The staging point’s official approval was withdrawn by the CA following the FVO visit.

– In one staging point in **Italy** the drains were clogged with dirt and old bedding material. Following the FVO visit, the Italian CA informed the FVO that this deficiency would be addressed.

In almost all MSs visited, wood, which could not be easily cleansed and disinfected, formed an integral part of the buildings. Several CAs claimed that provided wood was appropriately treated it was possible to ensure that it could be properly cleansed and disinfected.

In almost all MSs there were staging points where there were no suitable ramps for loading and unloading animals, as required by point 1 of part B of Annex I of Council Regulation (EC) No. 1255/97. Some ramps, which were considered to fulfil this requirement by the responsible veterinarian, had a damaged surface, which could cause animals injury. Representatives of the CAs concerned explained on several different occasions that they had not implemented the requirement for staging points to have a ramp since all vehicles using staging points were fitted with one.

3.2.3. **Animal Health requirements**

In **Germany, France and Austria**, the owners of certain staging points also operated assembly centres. In **Germany and Italy** certain staging points were located within the animal accommodation complex at certain Border Inspection Posts (BIPs).
– In **Austria**, there was insufficient separation between the staging point and the assembly centre (paragraph 2 of Article 4 of Council Regulation (EC) No. 1255/97). Following the mission, the Austrian CA indicated that the staging point’s approval had been withdrawn.

– In **Germany and Italy**⁶ there was potential for animals arriving at the BIP to come into contact with those of a different health status in the staging point. The CAs of both MSs concerned indicated that steps would be taken to ensure that appropriate separation was respected.

The veterinarians responsible for several different staging points in three MSs (**Belgium, Germany and Italy**), were either unaware of the requirement for staging points to be completely cleared of animals for 24 hours after 6 days' use (point 4 of Annex I of Council Regulation (EC) No. 1255/97), or had not recorded this when it was carried out (point 7 of Annex IC of Council Regulation (EC) No. 1255/97).

In **Belgium and France**, a private veterinarian was contracted to carry out checks of health certificates, route plans and the identity of animals. There was no evidence of a conflict of interests regarding private practice and the performance of this work.

### 3.2.4. Records

At eight staging points in 5 MSs (**Austria, Belgium, France, Germany, and Italy**), the CA had failed to ensure that adequate records, as required by point 7 of Annex IC of Council Regulation (EC) No. 1255/97, had been kept.

– In **Italy**, at one of the staging points visited, no records had been kept. This staging point was, however, located in the complex of a BIP and some of the required information could have been extracted from other records maintained on this site.

– In the staging point in **Austria**, various sources, not all of which were maintained by the staging point operator, had to be consulted to obtain the required information.

In the other staging points in the other MSs, there had been a failure to record certain data. The failure to record the necessary details of consignments transiting the staging points would make it difficult to trace animals that had transited these staging points. Very few dead animals or animals unfit for further transport had been recorded.

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⁶ In their comments of 7.9.01 on a draft version of this general report, the Italian Central Competent Authority pointed out that this finding did not feature in report DG(SANCO)/1105/2000. It actually featured in the report of another FVO mission to Italy concerning Border Inspection Posts (DG(SANCO)/1264/2000), which took place between 25 September to 6 October 2000. In response to this report the Italian CCA informed the FVO that the staging points in the BIP concerned were only authorised for animals from third countries.
4. CONCLUSIONS

4.1. Standards of control

All staging points were under the control of an official veterinarian, but the extent of the control varied. This ranged from a failure to ensure that some minor deficiencies had been corrected to failing to ensure that provisions, with serious consequences for animal health and welfare, were met.

The different standards of control both between and within Member States may be explained by the lack of instructions concerning the organisation of these controls in the majority of Member States visited. In most MSs, at the time of the missions, there were no instructions defining “Under the control of an official veterinarian” (paragraph 2(b) of Article 3 of Council Regulation (EC) No. 1255/97). “Regular inspection” (paragraph 2 (d) of Article 3 of Council Regulation (EC) No. 1255/97) was defined as “no less frequently than twice monthly” in guidance produced by the CCA in the UK.

4.2. Animal welfare

Animal welfare was compromised in certain staging points by:

- The failure by certain veterinarians to exclude from further transport animals, which were unfit for the intended journey. This conclusion is based on the actions of two veterinarians in two staging points. In five MSs there were no animals present in the staging points visited at the time the mission took place.

- The failure to provide proper access to water, in particular for horses, at certain staging points.

- The failure to check route plans on several occasions.

Although the last indent is not the sole responsibility of the veterinarian at the staging point, it is a key point of control for ensuring that animals on long distance journeys are transported within the maximum journey times laid down (Chapter VII of the Annex of Council Directive 91/628, as amended). The failure to check that animals destined for staging points actually arrive, as indicated on the route plan, has also led to a failure to ensure that journey times are respected.

4.3. Animal health

The provisions for maintaining the animal health status needs to be strictly respected at staging points, so that animals avoid coming into contact with animals of a lower health status or with pathogens left by previous consignments. This was particularly a risk where:

- There was insufficient separation between the staging point and other enterprises in the immediate vicinity, where live animals were kept.

- The facilities were not, or could not, be properly cleansed and disinfected.
– There was a failure to keep complete records of animal movements.

4.4. Overall level of compliance

In all MSs, the CA responded positively to the mission team's findings by either initiating corrective action, or withdrawing the approval of the staging point. However, this does indicate an insufficient level of supervision by the CA prior to the missions to ensure that Council Regulation (EC) No. 1255/97 was respected.

5. RECOMMENDATIONS

5.1. Recommendations to Competent Authorities

The majority of CAs have provided their response to the recommendations made to each Competent Authority, which were made in the individual reports of each mission, and these are summarised in Annex 2. The following recommendations regarding the necessary administrative provisions (Article 21 of Council Directive 91/628/EEC) are addressed to all MSs:

5.1.1. Approval of staging points should only be given after it has been ensured that the facilities and operation of a staging point are such that all the requirements of Council Regulation (EC) No. 1255/97 can be respected.

5.1.2. All staging points should be operated under adequate control from an official veterinarian. Guidance should be provided to official veterinarians regarding the frequency of inspections (paragraph 2(b) of Article 3 of Council Regulation (EC) No. 1255/97), and the procedures to be followed. In particular, the checks should ensure that hygienic requirements are respected and that all animals are fit for the intended journey (Article 5 of Council Regulation (EC) No. 1255/97).

5.1.3. To ensure that journey times are respected, communication should be increased between MSs on the number of consignments which arrive, and the level of compliance of route plans checked at staging points (Article 6 of Council Regulation 1255/97).

5.2. Recommendations to the Commission Services

The Commission Services should consider amending Council Directive 91/628/EEC:

5.2.1. To further elaborate on the requirements for “mutual assistance” (Article 18), so that there is a two-way exchange of information on the results of controls carried out. In particular, to require verification of the level of compliance to be provided to the Member States of departure.
5.2.2. To strengthen Article 5 (2)(d) to require an analysis of returned route plans and, further to Article 5(2)(c), to consider ways of integrating checks of the route plan within the ANIMO system.

5.2.3. To provide a clear interpretation of “immediate vicinity” (point 7 (b) of Chapter VII of the Annex), where animals are unloaded from a RoRo ferry.

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7 In their comments of 7 September 2001, the Swedish Competent Authority indicated that in order to make it easier to trace consignments of animals, the names and addresses of staging points should be notified in the ANIMO message. They also indicated their support for the above recommendations.
ANNEX 1  
MISSION SERIES CONCERNING STAGING POINTS

Table 1: Missions to Member States where staging points have been established.

<table>
<thead>
<tr>
<th>Member State</th>
<th>Dates of mission</th>
<th>Report reference number.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>5 to 8 October 1999</td>
<td>DG (SANCO) 1169/1999</td>
</tr>
<tr>
<td>France</td>
<td>2 to 5 November 1999</td>
<td>DG (SANCO) 1166/1999</td>
</tr>
<tr>
<td>Spain</td>
<td>29 May to 2 June 2000</td>
<td>DG (SANCO) 1104/2000</td>
</tr>
<tr>
<td>Austria</td>
<td>19 June to 23 June 2000</td>
<td>DG (SANCO) 1099/2000</td>
</tr>
<tr>
<td>Belgium</td>
<td>25 to 29 September 2000</td>
<td>DG (SANCO) 1103/2000</td>
</tr>
<tr>
<td>Italy</td>
<td>6 to 10 November 2000</td>
<td>DG (SANCO) 1105/2000</td>
</tr>
<tr>
<td>UK</td>
<td>12 to 16 February 2001</td>
<td>DG (SANCO) 3245/2001</td>
</tr>
</tbody>
</table>

Table 2: Use of the staging points visited.

<table>
<thead>
<tr>
<th>Member States visited with staging points 8</th>
<th>Number of staging points visited (% of all staging points in the MS)</th>
<th>Number of consignments per year</th>
<th>Number of staging points operational at time of visit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>4 (36%)</td>
<td>&lt;100</td>
<td>0</td>
</tr>
<tr>
<td>France</td>
<td>6 (15%)</td>
<td>&gt;100</td>
<td>1</td>
</tr>
<tr>
<td>Spain</td>
<td>2 (100%)</td>
<td>&gt;100</td>
<td>0</td>
</tr>
<tr>
<td>Austria</td>
<td>1 (100%)</td>
<td>&lt;100</td>
<td>0</td>
</tr>
<tr>
<td>Belgium</td>
<td>2 (50%)</td>
<td>&gt;1000</td>
<td>1</td>
</tr>
<tr>
<td>Italy</td>
<td>3 (50%)</td>
<td>&gt;1000</td>
<td>1</td>
</tr>
<tr>
<td>UK 9</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

8 There were no staging points in Denmark, Finland, Greece, Ireland, Portugal or Sweden at the time these missions were carried out.

9 The approved staging points in the UK, had never operated under the provisions of Council Regulation 1255/97.
<table>
<thead>
<tr>
<th>Member States visited</th>
<th>Recommendation made in individual report of the mission concerning staging points.</th>
<th>Response to recommendations made in individual reports as at 27.7.01.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Limit the use of staging points in BIPs to animals coming from third countries.</td>
<td>The CA sought clarification on spatial/temporal separation for staging points in BIPs.</td>
</tr>
<tr>
<td>DG (SANCO) 1169/1999</td>
<td>Provide information to the Commission on other uses of staging points.</td>
<td>The CA indicated that follow-up action was taken regarding hygienic standards, fitness checks and control of journey times.</td>
</tr>
<tr>
<td></td>
<td>Ensure that the use of staging points in assembly centres is exclusively for this purpose during the period concerned.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Take measures to ensure that hygienic standards maintained.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Take measures to ensure that the designated veterinarian carries out fitness examination.</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Suspend the approval of one staging point visited.</td>
<td>The CA withdrew approval of one staging point, which had serious structural deficiencies.</td>
</tr>
<tr>
<td>DG (SANCO) 1166/1999</td>
<td>Inform the Commission on other uses of staging points.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inform the Commission which Ports have installations to provide 12 hour rest.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ensure that the use of staging points in assembly centres is exclusively for this purpose during the period concerned.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Take measures to ensure that hygienic standards maintained.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Take measures to ensure that register maintained and route plans controlled.</td>
<td></td>
</tr>
</tbody>
</table>

10 The Commission subsequently indicated that conditions laid down in Article 4 of the Regulation in relation to staging points in assembly centres could be used mutatis mutandis in the case of border inspection posts. This issue will be examined in the framework of the revision of Directive 91/628/EEC.
<table>
<thead>
<tr>
<th>Country</th>
<th>DG (SANCO) No.</th>
<th>Action</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain</td>
<td>DG (SANCO) 1104/2000</td>
<td>Ensure that all staging points comply.</td>
<td>CA withdrew approval of one staging point, which had serious structural deficiencies. Subsequently informed the FVO that this staging point has been re-approved following rectification of the deficiencies.</td>
</tr>
<tr>
<td>Austria</td>
<td>DG (SANCO) 1099/2000</td>
<td>Suspend approval of the staging point visited until the deficiencies are corrected and in particular that clear separation of the activities at the collection centre and the staging point is achieved. While this staging point is suspended, the competent authority must ensure that alternative arrangements are made, where necessary, for consignments of animals to be rested, fed and watered. CA withdrew approval of staging point which was operated within an assembly centre. The CA has subsequently informed the FVO that animals can be accommodated at the veterinary medicine faculty in the University of Vienna in case of emergency.</td>
<td></td>
</tr>
<tr>
<td>Belgium</td>
<td>DG (SANCO) 1103/2000</td>
<td>Ensure that the register maintained at the staging point meets all the requirements of Council Regulation (EC) No. 1255/97. CA indicated that checks confirm that a complete register is now being maintained. In addition, the CA has provided instructions regarding fitness of animals and regarding the period for which the staging point must remain empty.</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>DG (SANCO) 1105/2000</td>
<td>Facilities at staging points should meet all the requirements of Council Regulation (EC) No. 1255/97 and the register of the staging point maintained as laid down in this Regulation. CA has indicated in its response to draft report that actions will be taken to improve compliance. Further instructions have been issued to the relevant services asking them to pay attention to: the fitness of the animals in relation to the journey being undertaken; the loading density; the means of ventilation; the equipment for watering animals and the verification of route plans.</td>
<td></td>
</tr>
<tr>
<td>UK</td>
<td>DG (SANCO) 3245/2001</td>
<td>The approved staging points in the UK had never operated under the provisions of Council Regulation 1255/97. No recommendations given.</td>
<td>N/A</td>
</tr>
</tbody>
</table>