



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Directorate F - Food and Veterinary Office

Ares(2015)1140563

DG(SANCO) 2014-7078 - MR FINAL

FINAL REPORT OF AN AUDIT

CARRIED OUT IN

THE NETHERLANDS

FROM 16 TO 26 SEPTEMBER 2014

IN ORDER TO EVALUATE THE ANIMAL WELFARE CONTROLS IN PLACE AT
SLAUGHTER AND DURING RELATED OPERATIONS

Executive Summary

This report describes the outcome of a Food and Veterinary Office audit in the Netherlands from 16 to 26 September 2014 to evaluate the effectiveness of controls in ensuring animals are spared any avoidable pain, distress or suffering during their killing and related operations, as required by Regulation (EC) No 1099/2009. Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

The report concludes that in general animals being slaughtered are spared avoidable pain, distress or suffering and that operators safeguard animal welfare, although their documentation -procedures and animal welfare records- is still incomplete. Electric parameters of water bath stunners used for poultry are applied according to the requirements of the Regulation and the system for the provision of certificates of competence gives a good assurance of the operators' competence for the activities indicated on the certificate. The main animal welfare problems relate to ineffective controls on stocking densities in lairages and to inadequate verification, in large red meat slaughterhouses, of electrical parameters when old stunning equipment is used. The delay in the production of guides to good practice for small operators of red meat slaughterhouses is not aiding these operators in producing standard operating procedures that encompass all the requirements of the Regulation.

Documented procedures for official controls are in general sufficient to cover inspections of all the requirements of the Regulation but do not support adequately the official veterinarian's task of verifying that operators and animal welfare officers fulfil their obligations regarding records and procedures. The new electronic tools being developed for official controls and the benefits these bring for supervision are likely to improve the performance of these controls over the long term. Weaknesses in the current checks are being addressed through yearly systematic inspections which are effectively detecting non-compliances and adding assurances to the effectiveness of the official control system.

In addition, the comprehensive and integrated system for control and enforcement on the fitness of animals arriving at slaughterhouses is effective and the system for the monitoring of welfare indicators in poultry slaughterhouses is in general fit for purpose but follow-up investigations could be enhanced with better use of records.

The report makes a number of recommendations to the authorities of the Netherlands to address the deficiencies noted.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
AWO	Animal welfare officer
BO	Business operator
CA	Competent Authority
CCA	Central Competent Authority
EU	European Union
FVO	Food and Veterinary Office
IBDier	Intervention Bureau Animals
NVWA	Netherlands Food and Product Safety Authority (<i>Nederlandse Voedsel en Waren Autoriteit</i>)
OV	Official veterinarian
SOP	Standard operating procedure

1 INTRODUCTION

This audit took place in the Netherlands from 16 to 27 September 2014 as part of the planned audit programme of the Food and Veterinary Office (FVO).

An opening meeting was held with the competent authorities (CAs) of the Netherlands on 16 September 2014. At this meeting, the objectives of, and itinerary for, the audit were confirmed by the mission team. The audit team comprised two auditors from the FVO and a national expert from Ireland. The team was accompanied throughout the audit by representatives of the Ministry of Economic Affairs and the Netherlands Food and Consumer Product Safety Authority (NVWA) which are the competent authorities within the scope of this audit.

2 OBJECTIVES

The main objective of the audit was to evaluate the effectiveness of official controls on business operators to ensure animals are spared any avoidable pain, distress, or suffering during their killing and related operations, in particular:

- The assurances given by official controls regarding the business operators' compliance with applicable requirements of Regulation (EC) No 1099/2009 and the business operators' level of compliance
- Whether official controls on animal welfare at the time of killing, carried out in accordance with Regulation (EC) No 882/2004, are suitable to ensure the effective implementation of Regulation (EC) No 1099/2009; and
- The Member State's and Competent Authorities' compliance with specific requirements of Regulation (EC) No 1099/2009, such as guides to good practice, scientific support and certificates of competence and the effectiveness of the implementation of those requirements.

In addition to the main objective, and as the official controls in slaughterhouses contribute to controls on animal welfare on farms and welfare during transport, the audit also evaluated whether:

- Indications of poor welfare conditions of chickens kept for the production of meat are being detected at slaughterhouse level and subsequently reported and acted on as required by Article 3 and Annex III of Directive 2007/43/EC; and
- Only animals which are fit for transport are sent to slaughterhouses, as required by Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005, and whether this is supported by the implementation of procedures in Regulation (EC) No 853/2004 Annex III Section I Chapter VI, which facilitates the killing of "emergency slaughter" animals on farm and their carcasses sent to the slaughterhouse.

Furthermore the audit sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

In pursuit of the objectives, the following sites were visited:

Meetings with Competent Authorities			Comments
Competent authority	Central	2	Opening and closing meetings
	Other	2	Butchers Trade Association (<i>Slagers Vak Opleiding</i>) office in Houten and IBDier office in Zwolle
Slaughterhouses		8	Two poultry and six red meat slaughterhouses

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.

EU legal acts quoted in this report are provided in Annex 1 and refer, where applicable, to the last amended version.

4 BACKGROUND

Regulation (EC) No 1099/2009 (hereafter “the Regulation”) applies from 1 January 2013 in all EU Member States and repeals the previous EU legislation Council Directive 93/119/EC, which was applicable in all Member States from 1995. The Regulation lays down rules for the killing of animals bred or kept for the production of food, wool, skin, fur or other products as well as the killing of animals for the purpose of depopulation and for related operations.

The Regulation requires a stronger system of Business Operator (BO) supervision than was previously the case, in particular regarding the layout, construction and equipment of slaughterhouses, handling and restraining of animals and stunning and slaughter. An animal welfare officer (AWO) is required to supervise operations and report directly to the BO. The manufacturers and/or retailers of restraining and stunning equipment must provide operating and maintenance instructions with all equipment sold. CAs are required to ensure that appropriate courses leading to Certificates of Competence are available to relevant slaughterhouse staff and that guides to good practice are available to operators.

5 FINDINGS AND CONCLUSIONS

Annex 2 to this report provides details of the specific legislation relevant to each of the sections below.

5.1 FRAMEWORK FOR CONTROLS

1. The central competent authority (CCA) indicated that since the date Regulation (EC) No 1099/2009 applied on 1.1.2013, its enforcement was possible in the Netherlands due to the publication of several legislative acts setting general, detailed and technical rules for the implementation of the Regulation.

5.1.1 Competent authorities involved

2. The organisation of the CA is described in the country profile, which is available at:
http://ec.europa.eu/food/fvo/controlsystems_en.cfm?co_id=NL
3. The NVWA divisions with responsibilities on animal welfare are Veterinary & Import and Agriculture & Nature.
4. Regarding designation of CAs, the CCA has delegated the certificates of competence for all the slaughterhouse operations indicated in Article 7(2) of the Regulation to an external body. The CCA indicated that there isn't a body responsible for certificates of competence for fur farmers since under national legislation all fur farms will have to close down by 2024 and all fur farmers have a certificate equivalent to the certificate of competence (see also paragraph 57).
5. Concerning coordination between and within CAs, the OV's report infringements to the Intervention Bureau Animals (IBDier). This can send warning letters, impose fines and request OV's working in other areas to carry out further investigations (e.g. inspections on farms).

5.1.2 Scientific support and guides to good practice

6. An independent scientific support body has been appointed to provide the CCA and BOs with the necessary expertise in the areas indicated in Article 20 of the Regulation. This body is actively involved in activities including research for new slaughtering techniques, the production of guides for the killing of fur animals (see also Section 5.3.2.2) and the evaluation of guides to good practice.
7. The CCA has indicated that it was consulted in the production of three guides to good practice which are being prepared by BO's organisations. Guides to good practice are put on trial for one year before being validated by the CCA.
8. A guide to good practice for poultry has been recently disseminated. A guide to good practice for small red meat slaughterhouses is almost ready to be used and another one for medium size slaughterhouses is under development. BOs of small and medium sized red meat slaughterhouses met during the audit indicated that their Standard Operating Procedures (SOPs) will be based on these guides to good practice. These guides have been drawn up in consultation with representatives of non governmental organisations and CAs, as required by Article 13 of the Regulation.

5.1.3 Provision of certificates of competence

9. The CCA has delegated to a separate body the organisation of the training courses and the final examination for the issuance of the certificate of competence for the activities indicated in Article 7(2) of the Regulation, as envisaged by Article 21 of the Regulation.
10. Training courses are divided into modules (poultry, red meat, AWO) and composed of a theoretical session and practical evaluation. Certificates of competence were issued for participants passing the practical evaluation.

11. When applying for a training course the applicants are informed of the requirements envisaged in Article 21(5) of the Regulation under which they can temporarily practice slaughterhouse operations.
12. The certificates of competence indicated for which categories of animals, and for which of the operations listed in Article 7(2) or 7(3) of the Regulation the certificate is valid. However, the type of equipment was not mentioned, although this is required in Article 21(3) of the Regulation.
13. The certificates of competence can be issued by a simplified procedure, as envisaged by Article 29(2) of the Regulation, to people demonstrating relevant professional experience of at least three years, after a follow up refresher's course.

5.1.4 National rules

14. Further rules on the slaughter of animals as prescribed by religious rites have been laid down in national legislation. These rules prescribe:
 - to respect the minimum parameters indicated in Annex I of the Regulation when animals are stunned before slaughter as part of religious rites;
 - the BO should notify in a standardised form that his/her establishment will slaughter without stunning under religious rites;
 - the authorisation of the persons who slaughter without stunning by religious communities;
 - to issue killing instructions indicating the slaughter procedures, the minimum number of persons involved and to end the killing if conditions are not respected;
 - minimum restraining times after neck cut without stunning of 45 seconds for bovine animals and 30 seconds for sheep and goats.
15. More specific requirements concerning religious slaughter were agreed in 2012 in a covenant signed by the Ministry of Economic Affairs and the religious organisations (e.g. knives and their use, permanent NVWA supervision, consciousness indicators). This covenant is not yet implemented in national law.

Conclusions on framework for controls

16. The poultry sector guide to good practice provides a useful framework for BOs to develop their procedures and checks. Although the red meat sector lack this support there is ongoing work to address this gap.
17. The system implemented for the provision of certificates of competence complies with the requirements of the Regulation. The practical assessment of the operators gives a good assurance of their competence. Certificates are not complete as the methods of stunning for which the person is assessed is not included in the Certificate of Competence.

5.2 PLANNING OF OFFICIAL CONTROLS

18. The CCA identified two high risk for animal welfare - electric stunning of birds in waterbath and adequate displays in electric stunning equipment for ungulates in small slaughterhouses – and implemented targeted programmes of checks on them.
19. Since the implementation of the Regulation, poultry slaughterhouses have been under special scrutiny. Most poultry slaughterhouses have been visited between one to three times per year with measurement instruments to check compliance with the requirements of Annex I of the Regulation (see also paragraph 42).
20. The CCA is currently modifying its control plan for slaughterhouses. Following traceability concerns and reports of shortcomings in small and medium sized slaughterhouses in September 2013, it intensified its controls in small-medium sized red meat slaughterhouses under an overall NVWA “improvement programme” that started in the second fortnight of 2014. The CCA identified key issues for improvement: (1) results of controls, which were not collected in a useful way for their analysis, (2) checklists, which were inadequate, (3) time constraints, (4) management over official veterinarians (OVs), which was insufficient, (5) uniformity, which was insufficient and (6) enforcement.
21. This programme plans to involve all small and medium sized red meat slaughterhouses before the end of 2014 and all poultry slaughterhouses in 2015. Large red meat slaughterhouses will be covered by a more detailed control procedure based on similar criteria.
22. Under the “improvement programme”, the risk-based evaluation for the controls on animal welfare in slaughterhouses takes into consideration a number of risk factors, such as welfare at arrival and during stunning and killing, cleaning and hygiene practices, as required by Article 3 of Regulation (EC) No 882/2004. The risk-based matrix determines the frequency of animal welfare checks on the requirements of the Regulation.
23. The CCA is developing checklists for the checks under the “improvement programme”. These will be filled in electronically by the OV on smart phones and the results can be viewed in real-time and stored in a new database. Uniformity teams will support inspectors and OVs in the new way of working.
24. The 2014 control plan also includes animal welfare specific audits (“system inspections”) on slaughterhouses of ungulates and poultry. These should be carried out in all slaughterhouses once a year. Before, a specific inspection was carried out in 10% of the red meat slaughterhouses (planning to reach 50% by the end of the year) and 90% of the poultry slaughterhouses. The CCA indicated that, since they are also using them to train the OVs on official controls on the requirements of the Regulation, these inspections are time consuming.

Conclusions on planning of official controls

25. The frequency of regular official controls in slaughterhouses is based on risk assessment which takes into consideration animal welfare aspects. The real time digital registration and

the new database match the objectives of the official controls “improvement programme”.

26. The identification of high risk areas for animal welfare and the implementation of targeted checks provided the CA with a good overview of these areas. The yearly system inspections are a good tool to check compliance with all Regulation requirements and simultaneously train the OV's in their own working environment.

5.3 OFFICIAL CONTROLS ON BUSINESS OPERATOR'S OBLIGATIONS

27. The CCA has updated its documented procedures for the regular checks and system inspections to take into consideration the requirements of the Regulation. The instructions for OV's for welfare checks in poultry and red meat slaughterhouses include the requirements of the Regulation with explanations. Regarding the AWO's duties, the instructions do not detail what and how to check (e.g. what monitoring records, of what activities).
28. In one slaughterhouse not included in the “improvement programme”, the OV was using a previous version of the paper checklist since he has the opinion it was more complete. The CCA indicated that the new checklists should be used in conjunction with the instructions. Specific checklists for slaughter without stunning are available to the OV's.
29. The requirements were described in the CCA's instructions, but a number of non-compliances to the Regulation had not been detected by the OV's (see also paragraphs 36, 38, 43 and 46).
30. The digital recording checklist used for the “improvement programme” includes several modules with multiple-choice questions and expandable menus. It is interactive and compared with the paper checklists, it facilitates the user's decision making.
31. All slaughterhouses visited had designated AWO's who held certificates of competence. Not all AWO's met by the audit team had a certificate of competence for all the operations for which they were responsible, although this is required by Article 17(4) of the Regulation. In all establishments visited, the AWO's monitored the effectiveness of the stun and absence of signs of life. However, records of these or other actions were not kept in most of the plants visited, although this is required by Article 17(5) of the Regulation.
32. All slaughterhouses visited had developed SOP's as required by Article 6 of the Regulation. In large slaughterhouses SOP's were generally complete. In small/medium sized slaughterhouses, the SOP's were very generic, without indicating who was responsible for particular tasks, modus operandi, measurable criteria as well as monitoring and recording procedures, e.g. In one slaughterhouse carrying out restraining operations of bovine animals by inversion the description of this process was very poorly written in the SOP; in one slaughterhouse using penetrative captive bolt, the SOP did not correctly reflect the checks being carried out to ensure an effective stun.

5.3.1 *Killing animals in slaughterhouses*

5.3.1.1 *Layout, construction, equipment and approval of slaughterhouses*

33. Manufacturers' instructions have been made publicly available as required by Article 8 of the Regulation. Regarding new equipment, the CCA stated that the OV in the slaughterhouse should check the manual for compliance with the requirements of Article 8 of the Regulation and, where necessary, can request the BO to obtain a complete manual. The CCA representative also indicated that they met some of the manufacturers in the Netherlands to discuss the manuals.
34. In one of the poultry slaughterhouses the waterbath stunner manual did not include all the requirements of Article 8 of the Regulation. After the FVO visit, the manufacturer provided an updated manual upon the BO's request.
35. The audit team reviewed the approval of a new slaughterhouse carried out after 1.1.2013. As part of the first inspection, prior to issuing a temporary approval, the OV evaluated adequately the requirements of Article 14(2) of the Regulation, e.g. maximum number of animals per hour for each slaughter line indicated by the BO, suitability of restraining equipment and stunning methods and presence, for each pen, of a sign indicating the maximum capacity, date and time of arrival and number of animals. The OV concluded that the mechanical restrainer to carry out slaughter without stunning was not adequate for small goats and slaughter without stunning of this animal category was not authorised.
36. Concerning the maximum capacity of each lairage area:
 - The CCA instructions quote Article 15(1) and Points 1.6 and 2.1 of Annex III of the Regulation - meaning that each animal must have sufficient space in which to be able to stand up, lie down and, with the exception of animals housed separately, turn round and reach a drinking water facility - and Article 14(2)(c) of the Regulation, the maximum capacity of each lairage area determined by the operator. A CCA representative clarified that guidance at national level to determine compliance with these requirements made reference to the stocking densities set in Regulation (EC) No 1/2005.
 - For the slaughterhouse mentioned in paragraph 34, a CCA representative indicated that the maximum capacity provided by the BO and approved by the OV provided less area per animal than indicated in Regulation (EC) No 1/2005 and it could not be consistent with the requirement of the Regulation for each animal to have space to stand up, lie down and turn around.
 - In one slaughterhouse visited, there were fewer animals in the pen than the maximum capacity set by the BO and agreed by the OV, but some of these animals were not able to lie down or reach the drinking facility.
37. The two poultry slaughterhouses were structurally compliant with the Regulation. The layouts allowed the operators to see the birds entering the waterbath stunner and breast comforters for birds on the shackle line were already installed in both slaughterhouses.
38. Regarding the six red meat slaughterhouses visited by the audit team:

- Their structure was in general compliant with the requirements of the Regulation. In one bovine slaughterhouse the drinking devices were not adequate and there were maintenance problems in the lairages of another slaughterhouse.
- A visible sign for each pen was in place; however, the date and time of arrival of the animals held in the pens was in general not indicated, although this is required by Point 2.3 of Annex III of the Regulation and was also mentioned in the CCA instructions. This was generally not detected by the OVs during the regular checks but had been detected in one slaughterhouse during the system inspection.
- Arrangements to provide bedding or equivalent material and feeding to animals which have not been slaughtered within 12 hours of their arrival were in place, including a heated concrete floor in the pens for pigs of one slaughterhouse that provided comfort and efficient drainage for animals staying overnight.

5.3.1.2 Handling and restraining operations at slaughterhouses

39. In the two poultry slaughterhouses visited, handling was carried out without causing unnecessary pain and suffering to the birds. The CCA had detected some issues such as wing flapping and vocalisation in certain points of the slaughter line, mainly in the 180 degree shackle line curves, in certain belt steps and in the point where cages were emptied. The BO of one of these slaughterhouses had also noted this issue at the tight curves of the shackle line and was working with the OV to find a suitable solution.
40. Handling of animals in the red meat slaughterhouses visited was adequate, except in two of them where operators overused the electric prod to introduce the animals in the restraining boxes. This non-compliance had recently been detected in one of the slaughterhouses during the system inspection.
41. Restraining operations of cattle and sheep were adequate except in one slaughterhouse where slaughter of sheep without stunning was carried out (see also paragraph 46).

5.3.1.3 Stunning methods and checks on stunning

42. The two poultry slaughterhouses had been subject to the targeted waterbath stunning checks by the CAA. They have been visited several times with measurement instruments such as oscilloscopes and dummy chickens to check compliance with the requirements of Annex I of the Regulation, in cooperation with the BOs. In these slaughterhouses:
 - after birds passed through a waterbath stunner, bleeding was performed manually in one slaughterhouse and automatically in the other. Both carotids were cut, as required by Point 3.2 of Annex II of the Regulation.
 - birds did not receive pre-stun shocks. Both poultry slaughterhouses utilised an amperage for the waterbath above the minimum current required by Annex I of the Regulation. After stunning no signs of consciousness were detected.
43. In three large red meat slaughterhouses, stunning prior to slaughter was carried out. In

these,

- Checks on effectiveness of stunning were carried out. The SOPs correctly described the signs of consciousness to be evaluated;
- Records of monitoring of the effectiveness of the stun were present, as required by Article 9(1) of the Regulation;
- The stunning of animals was effective. Minimum electrical parameters for pigs were applied as required by the Regulation. However a small number of pigs recovered rhythmic breathing, linked with inadequate bleeding;
- When animals are stunned individually, Directive 93/119/EC Annex C, Section II, 3 (A) 2(c) requires the electrical stunner to be connected to a device indicating the voltage and the current under load. As a result of their investigation in 41 slaughterhouses, the CCA had detected infringements and initiated actions such as communication to all slaughterhouses about legal obligations on electrical stunning, extra checks and enforcement in the small and middle sized slaughterhouses. However in one of the large slaughterhouses visited several electrical stunners did not comply with this requirement. Neither the BO nor the OV had detected this non-compliance.

44. Backup stunning equipment was immediately available on the spot in all slaughterhouses, as required by Article 9(2) of the Regulation.

5.3.1.4 Slaughter without stunning

45. Instructions from the CCA have a section dedicated to slaughter without stunning where references to the Regulation and explanations are provided. Very complete checklists on the design, construction, maintenance and use of restraint facilities of ruminants slaughtered without stunning are also available.

46. In three small / medium sized red meat slaughterhouses, there was no stunning prior to slaughter. Checks on signs of consciousness or sensibility before being released from restraint and signs of life before undergoing dressing were carried out, but the SOPs did not correctly describe them and did not specify the measures to be taken when the animal presented signs of life, which is not in line with Article 6(2)(c) of the Regulation.

47. In the two slaughterhouses that carried out slaughter without stunning, sheep were mechanically restrained, as required by Article 15(2) of the Regulation. The individual V-shaped mechanical restraints in one of these slaughterhouses were insufficient to restrain the smaller animals and manual restraint was also necessary, contrary to the requirements of this Article. This was already detected during the system inspection.

Conclusions on Official controls on business operator's obligations

48. Documented procedures ensure that OVs cover all areas of the Regulation during their checks, but the absence of details regarding what and how OVs should check BOs/AWO duties leads to these being poorly verified and SOP remaining generic. The OVs have

difficulties in determining correctly the lairage capacities and as a consequence, some establishments are approved without providing sufficient space and lairages being overcrowded in some approved slaughterhouses. The undergoing work of the CCA and red meat stakeholders to complete SOPs for animal welfare and on the recording of the checks will facilitate the OV's to detect shortcomings and ensure compliance.

49. The presence and actions of AWOs contribute to safeguard animal welfare. The fact that not all of them have a certificate of competence for all the tasks that they supervise and that they do not keep adequate records makes it difficult for the BO to demonstrate compliance and for the CA to audit their activities.
50. Slaughterhouse operations largely comply with the requirement of the Regulation in ensuring that animals are spared any avoidable pain, distress or suffering. In particular, electric parameters of water bath stunners are correctly applied by BO and correctly supervised and enforced by the CA. The CA's intensified efforts ensured compliance in smaller slaughterhouses regarding the requirement for all electrical devices to be connected to visual devices, but this same requirement was overlooked in large slaughterhouses.
51. The system audits contribute to the effectiveness of the official controls, as they detect non-compliances that are overlooked during OV's checks, in particular regarding the maximum capacities for each pen and the mechanical restraint of animals slaughtered without prior stunning.

5.3.2 Killing animals outside slaughterhouses

52. National legislation lays down which production animals are allowed to be killed by their keepers and which stunning method has to be used. The CCA has issued instructions to staff on killing animals outside slaughterhouses, including the killing of unproductive animals, which have been updated to take into consideration the requirements of the Regulation.
53. Concerning two recommendations from audit report 2012-6376:
 - the CCA is trying to find an adequate method that is acceptable to and used by the farmers for killing of poultry over 5kg live weight and further meetings with these stakeholders are foreseen;
 - mechanical stunning by captive bolt (6mm) is now being used when carrying out emergency killing on farm of pigs, sheep and goats.

5.3.2.1 Emergency slaughter outside the slaughterhouse

54. The CCA has issued a detailed instruction for NVWA staff including decision trees for deciding whether the animal can be transported or should be emergency slaughtered on farm.
55. In all the slaughterhouses visited, animals were checked for fitness for transport during the

ante-mortem checks. The welfare of the animals on arrival was checked by the BOs and assessed by the OVs.

56. During the visit to a pig slaughterhouse the audit team noted that:

- the BO had developed very good SOPs regarding fitness for transport. In case of unfit animals arriving at the slaughterhouse the BO warns the transporter and/or the farmer and downgrades the carcasses to category 3 or less;
- when the OV assesses that animals should not be transported a non-compliance report is issued and reported to IBDier on paper and digitally;
- in case of a particular non-compliance IBDier issues a warning to the keeper, the transporter and the driver. In its database it is possible to check for recurrent offenders and if further action or investigation is necessary the relevant NVWA branches may act at farm, transport or slaughterhouse level (see also paragraphs 66 and 69).

5.3.2.2 Killing of fur animals

57. The CCA indicated that in the Netherlands there are around 150 mink farms, that this number has been stable for several years as new approvals are not permitted and that it is foreseen to close all fur farms by 2024.

58. All fur farmers attended a course before 2013 that the CCA has recognised as equivalent to the certificate of competence as referred to in Article 21(7) of the Regulation.

59. The CCA has not set up a system for business operators of fur farms to notify the CA in advance when animals are to be killed although this is required by Article 7(3) of the Regulation. Some of the farmers informed the CAs out of their own initiative on when the killing of fur animals was to be carried out.

60. Research from scientific support produced a protocol/guidance for the killing of fur animals reflecting the requirements of the Regulation.

Conclusion on killing animals outside slaughterhouses

61. The guidance and the legislation available facilitates a high degree of awareness on the killing of sick or injured animals on farm.

62. There is an effective system in place to ensure that only fit animals are transported to slaughterhouses. It is based on checks at arrival, enforcement and a centralised data base that allows identification of recurrent offenders.

63. Welfare of fur animals at the time of killing is ensured through training and guidance. However, the absence of a formalised system for fur farmers to notify in advance when animals will be killed does not allow CA to be present and confirm that welfare of animals

is respected.

5.4 MONITORING OF BROILER WELFARE AT THE SLAUGHTERHOUSE AND FOLLOW UP

64. The documents accompanying the birds to the slaughterhouse include a field for the cumulative daily mortality rate. The daily mortality rates are not included in these documents, only the sum of the first seven days is recorded, although this is required by Point 1.1 of Annex III of Directive 2007/43/EC.
65. The CCA has set up a system for the monitoring of welfare indicators in slaughterhouses as required by Point 2 of Annex III of Directive 2007/43/EC. Welfare indicators include: foot pad dermatitis, hock burns, breast blisters, birds rejected on post-mortem inspection and the cumulative daily mortality rate. The evaluation of foot pad dermatitis for the trigger system can be carried out using one of two methods: visual (50 feet after the first third of the batch and another 50 feet after the second third of the batch) or digital (at least 70% of the entire batch).
66. When the trigger levels are exceeded, the OV informs the BO and IBDier, as envisaged by Point 3 of Annex III of Directive 2007/43/EC. IBDier will in turn contact the keeper who is:
- notified of the findings;
 - requested to take appropriate corrective actions;
 - warned that an inspection for animal welfare on the farm could possibly be carried out;
 - warned that if the infringements are repeated further action will be taken.
67. Fines are categorised depending on the severity of the infringement. Fines for non-compliances to the requirements of Directive 2007/43/EC range from 1,500 to 2,500 Euro.
68. The CCA is also recording foot pad dermatitis scores for each house with a stocking density greater than 39kg/m² to calculate the yearly average score. When the yearly average exceeds the acceptable limit then the maximum allowed stocking density for the next year is reduced to a maximum of 39kg/m².
69. When triggers exceeded the limits the audit team noted that cases were well reported. However, in a case where the farm of origin was in another Member State, IBDier did not send the information letter to the CA of origin. The audit team was told this was due to task prioritisation following reduction of staff towards the middle of 2014.

Conclusions on monitoring of broiler welfare at the slaughterhouse

70. The CCA has set up a good system for the monitoring of welfare indicators in poultry slaughterhouses by establishing a trigger system, based mainly on the monitoring of foot pad dermatitis, which initiates enforcement actions when and where necessary. Without the daily mortality rates this system however lacks a useful tool to evaluate if, and at what

stage of the birds' life, there were animal welfare problems on farm and the appropriateness of corrective actions proposed by the keeper.

5.5 ACTIONS TAKEN IN CASE OF NON-COMPLIANCE

71. IBDier has information, via a digital centralised database, on the written advice issued by the OV's to the BOs where non-compliances have been detected. IBDier evaluate the information received for any further action, e.g. issue a written warning to the BO, defer the file to the NVWA Unit for Administrative Measures (mainly fines) or to legal officers (mainly for prosecution). If further investigation is necessary, the file is referred to the operational teams of the Agriculture and Nature division. When the animals originate from another country a letter is sent to the relevant CA.
72. Detailed guidance is available to guide the OV's decisions on suspect infringements on animal welfare, including checks to do, collection of evidence and reporting to IBDier.
73. In 2011, 2012 and 2013, there were around 200 cases/year of recorded non-compliances concerning fitness for transport which were mainly reported by OV's in slaughterhouses. In 2014, 60 cases had been processed until September.
74. Regarding infringements to the Regulation, IBDier processed 32 cases in 2013 and 13 cases until September 2014. Article 3(1) of the Regulation was indicated in 90% of the cases in combination with Articles 3(2) or 3(3) and Articles 5 and 15 of the Regulation. One breach to Directive 93/119/EC was reported in 2013.
75. The evidence collection and recording of events was generally good in the OV's reports on non-compliances. OV's in slaughterhouses request the BOs to modify their operations as envisaged by Article 22 of the Regulation, e.g.:
 - One OV detected inappropriate restraint and incomplete checks of loss of consciousness before shackling for slaughter of goats prescribed by religious rites. He issued an administrative warning to the BO of €1500 which was to be paid if the offence to Article 5(2) of the Regulation was repeated.
 - Another OV detected that animals kept overnight in a pen were overcrowded, as not all animals had space to lie down and access drinking water. He issued an administrative warning if the offence was repeated. The OV had also warned the BO of other possible other measures that would be taken such as increasing the frequency of checks or suspend the approval.
76. The audit team noted that some non-compliances detected during the system inspections were not adequately followed up or enforced by the OV's, e.g. the signs for the pens in one of the red meat slaughterhouses still did not indicate the date and time of arrival of animals (see also paragraph 35); the OV had indicated that a deficiency detected during the system inspection (V-shaped mechanical restraints insufficient to restrain the smaller sheep, see also paragraph 46) had been corrected, but this was not the case.

Conclusions on actions taken in case of non-compliance

77. In general the system in place is effective in ensuring BO compliance. The centralised database for enforcement provides a good overview of the actions taken to address non-compliances. The fact that VO's do not always follow-up on the deficiencies detected during system inspections decrease the value of the later in ensuring the effectiveness of the official control.

5.6 EVALUATION AND REVIEW OF OFFICIAL CONTROLS

78. The CCA already identified key issues that had an impact on the evaluation and review of official controls with the aim of improving their control system, such as the results of controls which were not collected in a useful way to enable their analysis, and the inadequate checklists (see also paragraph 19).

79. The results of checks carried out by OV's in small slaughterhouses when these were not included in the "improvement programme" were entered in the database and received once a month or quarterly by the CCA for assessment.

80. Results of checks carried out as part of the "improvement programme" are digitally entered in real-time in the real-time new database. The reports recorded in this database provide a better quality and a greater quantity of information for the CCA to review and evaluate.

81. From 2014, the CCA assesses the results from the specific audits on the requirements of the Regulation (the system inspections carried out in all slaughterhouses once a year).

Conclusions on evaluation and review of official controls

82. There is a process for obtaining an overview of animal welfare in the country based on the revision and evaluation of individual checks at different levels, which allows the CCA reviewing the performance of OV's and enhance the controls on animal welfare at slaughter. System inspections on the Regulation requirements are an effective tool to check the implementation of the instructions and the detection of non-compliances at ground level.

6 OVERALL CONCLUSIONS

Animals being slaughtered are spared avoidable pain, distress or suffering and operators safeguard animal welfare, although their documentation -procedures and animal welfare records- is still incomplete. Electric parameters of water bath stunners used for poultry are applied according to the requirements of the Regulation and the system for the provision of certificates of competence gives a good assurance of the operators' competence for the activities indicated on the certificate.

The main animal welfare problems relate to ineffective controls on stocking densities in lairages and to inadequate verification, in large red meat slaughterhouses, of electrical parameters when old stunning equipment is used. The delay in the production of guides to good practice for small

operators of red meat slaughterhouses is not aiding these operators in producing standard operating procedures that encompass all the requirements of the Regulation.

Documented procedures for official controls are in general sufficient to cover inspections of all the requirements of the Regulation but do not support adequately the official veterinarian's task of verifying that operators and animal welfare officers fulfil their obligations regarding records and procedures. The new electronic tools being developed for official controls and the benefits these bring for supervision are likely to improve the performance of these controls over the long term.

Weaknesses in the current checks are being addressed through yearly systematic inspections which are effectively detecting non-compliances and adding assurances to the effectiveness of the official control system.

7 CLOSING MEETING

A closing meeting was held on 26 September 2014 with representatives of the CAs, at which the main findings and preliminary conclusions of the audit were presented by the audit team. The CCA indicated that it will continue with the efforts to improve the system and provided some clarifications that have been included in the relevant sections of this report.

8 RECOMMENDATIONS

The Competent Authorities are invited to provide, within 25 working days of receipt of the report, an action plan containing details of the actions taken and planned, including deadlines for their completion, aimed at addressing the recommendations set out below:

N°.	Recommendation
1.	To enhance the supervision of OV's checks in slaughterhouses so that there is a more timely detection of non-compliances and enforcement of the requirements of Regulation (EC) No 1099/2009 and Directive 93/119/EC, particularly regarding the obligations of AWOs and BOs. Conclusions (and findings) upon which this recommendation is based: 27, 29, 31, 32,36, 38, 41, 43, 46-51, 76 and 77. Legal basis for this recommendation: Article 4(2)(a) of Regulation (EC) No 882/2004, Articles 15(2) and 17(5) and Points 2.1 and 2.3 of Annex III of Regulation (EC) No 1099/2009 and Annex C Section 3.A.2(c) of Directive 93/119/EC.
2.	To extend the system for monitoring of broiler welfare so that the records of daily mortality rates are accompanying the broiler chickens to slaughterhouses when these birds are kept at stocking densities above 33kg/m ² . Conclusions (and findings) upon which this recommendation is based: 64 and 70. Legal basis for this recommendation: Point 1.1 Annex III of Directive 2007/43/EC.
3.	To set up a system so that fur farmers can notify the competent authorities in advance when animals are to be killed. Conclusions (and findings) upon which this recommendation is based: 59 and 63. Legal basis for this recommendation: Article 7(3)

N°.	Recommendation
	of Regulation (EC) No 1099/2009.
4.	To modify the template for certificates of competence so that this indicates the type of stunning equipment for which the certificate is valid. Conclusions (and findings) upon which this recommendation is based: 12 and 17. Legal basis for this recommendation: Article 21(3) of Regulation (EC) No 1099/2009.

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=2014-7078

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. 853/2004	OJ L 139, 30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Reg. 1099/2009	OJ L 303, 18.11.2009, p. 1-30	Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing
Dir. 93/119/EC	OJ L 340, 31.12.1993, p. 21-34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
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. 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

ANNEX 2 - SPECIFIC LEGAL REQUIREMENTS

5.1. Framework for controls

5.1.1. Competent authorities involved

Article 4(1) of Regulation (EC) No 882/2004 requires Member States to designate the competent authorities responsible for official controls.

Article 4(3) of Regulation (EC) No 882/2004 provides for efficient and effective co-ordination between competent authorities.

Article 4(5) of Regulation (EC) No 882/2004 requires that, when, within a competent authority, more than one unit is competent to carry out official controls, efficient and effective co-ordination and co-operation shall be ensured between the different units.

Article 21 of Regulation (EC) No 1099/2009 requires Member States to designate the competent authority responsible for (a) ensuring that training courses are available for personnel involved in killing and related operations (b) delivering certificates of competence attesting the passing of an independent final examination; (c) approving training programmes of the courses.

5.1.2. Scientific support and guides to good practice

Article 20 of Regulation (EC) No 1099/2009 requires each Member State to ensure that sufficient independent scientific support is available to assist the competent authorities, upon their request, by providing: (a) scientific and technical expertise relating to the approval of slaughterhouses and the development of new stunning methods (b) scientific opinions on the instructions provided by manufacturers on the use and maintenance of restraining and stunning equipment (c) scientific opinions on guides to good practice (d) recommendations for the purposes of this Regulation, in particular in relation to inspections and audits (e) opinions on the capacity and suitability of separate bodies and entities to fulfil the requirements regarding certificates of competence.

Article 13 of Regulation (EC) No 1099/2009 requires each Member State to encourage the development and dissemination of guides to good practice to facilitate the implementation of this Regulation. When such guides to good practice are drawn up, they shall be developed and disseminated by organisations of BOs: (a) in consultation with representatives of non-governmental organisations, competent authorities and other interested parties (b) having regard to scientific opinions as referred to in Article 20(1)(c).

The competent authority shall assess guides to good practice in order to ensure that they have been developed in accordance with the above paragraph and that they are consistent with existing EU guidelines.

Where organisations of BOs fail to submit guides to good practice, the competent authority may develop and publish its own guides to good practice.

5.1.3. Provision of certificates of competence

Article 21 contains stipulations concerning the issuance of certificates of competence required by Article 7 of Regulation (EC) No 1099/2009.

Article 29(2) of Regulation (EC) No 1099/2009 includes a transitional provision until 8th December 2015 allowing these certificates of competence to be issued by way of a simplified procedure to persons demonstrating relevant professional experience of at least three years.

5.1.4 Stricter national rules

Article 26 of Regulation (EC) No 1099/2009 requires Member States to inform the Commission about national rules aimed at ensuring more extensive protection of animals at the time of killing in force at the time of entry into force of this Regulation. Member States may adopt national rules aimed at ensuring more extensive protection of animals at the time of killing than those contained in this Regulation in relation to the following fields: (a) the killing and related operations of animals outside of a slaughterhouse (b) the slaughtering and related operations of farmed game (c) the slaughtering and related operations of animals in accordance with Article 4(4).

5.2. Planning of official controls

Article 3 of Regulation (EC) No 882/2004 requires that official controls are carried out regularly, on a risk basis and with appropriate frequency taking account of (a) identified risks that may influence animal welfare (b) business operators' past record (c) the reliability of any own checks (d) any information that might indicate non-compliance.

Article 41 of Regulation (EC) No 882/2004 requires each Member State to have a single integrated multi-annual national control plan and Article 42 requires the plan to contain information on the strategic objectives of the plan and on how the prioritisation of controls and allocation of resources reflect these objectives. Amendments may be made in the light of, or in order to take account of, factors including new legislation.

Article 4(9) of Regulation (EC) No 854/2004 requires the nature and intensity of auditing tasks in respect of individual establishments to depend upon the assessed risk. It further states that in the case of slaughterhouses this assessment should include animal welfare aspects.

5.3. Official controls on business operator's obligations

Article 8 of Regulation (EC) No 882/2004 requires that competent authorities carry out their official controls in accordance with documented procedures, containing information and instructions for staff performing official controls.

Article 9 of the above Regulation requires competent authorities to draw up reports on the official controls carried out, including a description of the purpose of official controls, the methods applied, the results obtained and any action to be taken by the business operator concerned.

Article 10(2)(a) of Regulation (EC) No 882/2004 requires that official controls shall include the examination of any control systems that BOs have put in place and the results obtained.

Article 5(1)(c) and Section I, Annex I, to Regulation (EC) No 854/2004 requires that OVs carry out inspection tasks at slaughterhouses to verify compliance with relevant Community and national rules on animal welfare at the time of slaughter and during transport.

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related operations and to carry them out in accordance with standard operating procedures

(SOPs).

Article 17 of Regulation (EC) No 1099/2009 requires BOs to designate an AWO for each slaughterhouse to assist them in ensuring compliance with the rules laid down in the regulation.

5.3.1. Killing animals in slaughterhouses

5.3.1.1. Layout, construction, equipment and approval of slaughterhouses

Article 8 of Regulation (EC) No 1099/2009 requires that products marketed or advertised as restraining or stunning equipment shall only be sold when accompanied by appropriate instructions concerning their use. It also requires that these instructions shall be made publicly available by the manufacturers via the Internet.

Article 14 of Regulation (EC) No 1099/2009 requires BOs to ensure that the layout and construction of slaughterhouses and the equipment used therein comply with the rules set out in Annex II to the Regulation. Article 29(1) includes a transitional provision so that certain provisions of Directive 93/119/EC continue to apply until 8 December 2019 to layouts and equipment in operation before 1 January 2013.

Article 31(2) of Regulation (EC) No 882/2004 states that the CA shall establish procedures for BOs to follow when applying for approval of their establishments and Article 4(3) of Regulation (EC) No 853/2004 requires the CA to make an on-site visit as part of the procedure for approval of establishments. Article 14(2) of Regulation (EC) No 1099/2009 requires BOs when requested, to submit to the CA for each slaughterhouse at least the following: (a) the maximum number of animals per hour for each slaughter line (b) the categories of animals and weights for which the restraining or stunning equipment available may be used (c) the maximum capacity for each lairage area. The CA shall assess the information submitted when approving the slaughterhouse.

5.3.1.2. Handling and restraining operations at slaughterhouses

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment used for restraining animals is maintained and checked according to manufacturers' instructions, by persons specifically trained for that purpose.

Article 15 of Regulation (EC) No 1099/2009 requires BOs to ensure that the operational rules for slaughterhouses set out in Annex III are complied with. In addition it provides details concerning forbidden methods of restraint, as well as restraining methods and equipment in the case of particular methods of slaughter prescribed by religious rites.

5.3.1.3. Stunning methods and checks on stunning

Stunning methods and respective requirements are specified in Annex I of Regulation (EC) No 1099/2009. Article 5 of Regulation (EC) No 1099/2009 requires BOs to carry out regular checks on a sufficiently representative sample of animals, at a frequency established according to specified risk factors, to ensure that the animals do not present any sign of consciousness or sensibility between the end of the stunning process and death.

Article 9 of Regulation (EC) No 1099/2009 requires BOs to ensure that equipment for stunning

animals is maintained and checked according to manufacturers' instructions.

Article 16 of Regulation (EC) No 1099/2009 requires BOs to put in place and implement appropriate monitoring procedures to perform the checks on stunning required under Article 5.

5.3.1.4. Slaughter without stunning

Article 4(4) of Regulation (EC) No 1099/2009 indicates that in the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements for stunning methods do not apply provided that the slaughter takes place in a slaughterhouse.

5.3.2. Killing animals outside slaughterhouses

Article 6 of Regulation (EC) No 1099/2009 requires BOs to plan in advance the killing of animals and related activities and shall carry them out in accordance with standard operating procedures (SOPs).

Article 7 of Regulation (EC) No 1099/2009 requires that killing and related operations shall only be carried out by persons with the appropriate level of competence to do so without causing the animals any avoidable pain, distress or suffering.

5.3.2.1. Emergency slaughter outside the slaughterhouse

Article 3 and Chapter I of Annex I to Regulation (EC) No 1/2005 requires that only animals which are fit for the journey are transported.

Regulation (EC) No 853/2004 Annex III Section I Chapter VI allows sending to the slaughterhouse the carcasses of animals which have suffered an accident and have undergone emergency slaughter for welfare reasons.

5.3.2.2. Killing of fur animals

Article 7(3) of Regulation (EC) No 1099/2009 requires the killing of fur animals to be carried out in the presence and under the direct supervision of a person holding a certificate of competence issued for all the operations carried out under his supervision and that BOs of fur farms shall notify the competent authority in advance when animals are to be killed.

5.4. Monitoring of broiler welfare at the slaughterhouse and follow up

Article 3(1)(b) of Directive 2007/43/EC states that the required inspections, monitoring and follow-up at slaughterhouses, including those provided for in its Annex III, are carried out by the CA or OV.

Point 3 of Annex III to Directive 2007/43/EC states that if the mortality rate or the results of the post mortem inspection are consistent with poor animal welfare conditions, the official veterinarian shall communicate the data to the owner or keeper of the animals and to the competent authority.

Appropriate actions are taken by the owner or keeper of the animals and by the CA.

5.5. Actions taken in case of non-compliance

Article 22 of Regulation (EC) No 1099/2009 indicates the CA may (a) require BOs to amend their standard operating procedures and, in particular, slow down or stop production (b) require business operators to increase the frequency of the checks and amend the monitoring procedures (c) suspend or withdraw certificates of competence (d) suspend or withdraw the delegation of power regarding certificates of competence (e) require the amendment of manufacturers' instructions.

Article 23 of Regulation (EC) No 1099/2009 requires each Member State to lay down the rules on penalties applicable to infringements of this Regulation and take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

5.6. Evaluation and review of official controls

Article 4 of Regulation (EC) No 882/2004 requires the CAs to ensure the effectiveness and appropriateness of official controls and the impartiality, consistency and quality of official controls at all levels. Article 4(6) of Regulation (EC) No 882/2004 competent authorities are required to carry out internal audits, or have external audits carried out. These must be subject to independent scrutiny and carried out in a transparent manner.

Article 8(3) of Regulation (EC) No 882/2004 states that the CA must have procedures in place to verify the effectiveness of official controls and to ensure that corrective action is taken when needed and that the documentation is updated as appropriate.