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FINAL REPORT OF AN AUDIT
CARRIED OUT IN
BELGIUM
FROM 24 NOVEMBER 2014 TO 03 DECEMBER 2014
IN ORDER TO
EVALUATE THE ANIMAL WELFARE CONTROLS IN PLACE AT SLAUGHTER AND
DURING RELATED OPERATIONS

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

Executive Summary

This report describes the outcome of a Food and Veterinary Office audit conducted in Belgium from 24 November to 3 December 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. The audit also sought to identify good practices recognised by the Competent Authorities in relation to Regulation (EC) No 1099/2009.

The system of official controls addresses the need to ensure that animals being slaughtered are spared avoidable pain, distress and suffering. However, the electrical parameters applying to poultry water bath stunners do not comply with the requirements of the legislation and although the CA has attempted to mitigate the welfare problem this poses, it has allowed reported meat quality problems to take precedence over complying with the animal welfare requirements.

Official controls are focused on business operators implementing their responsibilities under Regulation (EC) No 1099/2009 to monitor animal welfare. The system of certificates of competence assures a good level of competence among operators, although the training and examination lacks elements on the important differences where slaughter without stunning is relevant. The CA procedures did not include a check on whether such training had been undertaken as the underpinning legislation was not yet in place. This awaits the transfer of animal welfare competences to the Regions.

Information and instructions to staff carrying out checks are sufficient with the exception of instructions for new equipment and the killing of sick or injured animals on farms. Apart from slaughter without stunning, which has been a key focus of checks, risk criteria, such as the results of previous controls, have not been taken into account when planning controls.

Although a certifying body monitors welfare of broilers on farms the CA has not ensured that the results of these checks confirm that producers operating at the higher stocking densities comply with Council Directive 2007/43/EC. Equally the system set up by the CA to monitor welfare indicators at broiler slaughterhouses was inadequate.

This report makes a number of recommendations to the Belgian authorities to address the shortcomings identified in the audit.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

| Abbreviation | Explanation |
|---------------------|---|
| A | Ampere |
| AWO | Animal welfare officer |
| BO | Business operator |
| CA | Competent Authority |
| CCA | Central Competent Authority |
| EU | European Union |
| FVO | Food and Veterinary Office |
| FASFC | Federal Agency for the Safety of the Food Chain |
| FPS-HSFCE | Federal Public Service for Health, Safety of the Food Chain and Environment |
| OV | Official veterinarian |
| OFES | On Farm Emergency Slaughter animals |
| MANCP | Multi Annual National Control Plan |
| PCU | Provincial Control Unit |
| PV | <i>Procès-verbal/verbaux</i> |
| SOP | Standard operating procedure |

1 INTRODUCTION

This audit took place in Belgium from 24 November to 3 December 2014 under the audit programme of the Food and Veterinary Office (FVO).

On the first day, a meeting was held with Belgium's competent authorities at which the audit team confirmed the audit's objectives and itinerary. The audit team comprised two auditors from the FVO.

The team was accompanied throughout the audit by representatives from the Federal Public Service for Health, Safety of the Food Chain and Environment — the Central Competent Authority — (FPS-HSFCE) and the Federal Agency for the Safety of the Food Chain (FASFC). These two federal bodies are the Competent Authorities (CAs) 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 (BOs) to ensure animals are spared any avoidable pain, distress or suffering when they are killed and during related operations. It looked in particular at:

- the assurances provided by official controls on business operators' compliance with the applicable requirements of Regulation (EC) No 1099/2009 and each individual operator's 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 adequate 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 with which these requirements are implemented.

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

- indications of poor welfare conditions for chickens raised for meat are being detected at slaughterhouse level and subsequently reported and acted on as required by Article 3 of and Annex III to 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 Section I, Chapter VI of Annex III to Regulation (EC) No 853/2004, which facilitates the killing of 'emergency slaughter' animals on farm and sets out the conditions under which their carcasses may be 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.

The following sites were visited:

| Meetings with Competent Authorities | | | Comments |
|-------------------------------------|---------|---|---|
| Competent authority | central | 2 | Opening and closing meetings |
| | other | 2 | Provincial control units (PCUs) offices in Liège and Brussels |
| Slaughterhouses | | 6 | One poultry and five 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 most recently amended version.

4 BACKGROUND

Regulation (EC) No 1099/2009 ('the Regulation') applies from 1 January 2013 in all EU Member States and repeals Council Directive 93/119/EC, which had applied since 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 for supervising business operators (BOs) than previously, in particular regarding the layout, construction and equipment of slaughterhouses, the 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. Competent authorities are required to ensure that appropriate training courses leading to certificates of competence are available to relevant slaughterhouse staff and that guides to good practice are available to operators.

The audit also followed up three recommendations of report DG (SANCO) 2011-6039-MR Final.

5 FINDINGS AND CONCLUSIONS

5.1 FRAMEWORK FOR CONTROLS

1. The central competent authority (CCA) stated that thanks to the publication of several legislative acts the Regulation is enforceable in Belgium since 1 January 2013, except for the practical details of the training and examination of slaughterhouse staff for the certificate of competence, which awaits the publication of decrees by the regions.

5.1.1 Competent authorities involved

Legal requirements

Article 4(1), (3) and (5) of Regulation (EC) No 882/2004.

Article 21 of Regulation (EC) No 1099/2009.

Findings

2. From 2014, the government has decided to delegate responsibility for animal welfare to the regions. During the closing meeting the CCA stated that all three regions will take on this responsibility in January 2015.
3. The organisation of the competent authorities is described in the country profile, which is available at:

http://ec.europa.eu/food/fvo/controlsystems_en.cfm?co_id=BE

5.1.2 Scientific support and guides to good practice

Legal requirements

Articles 13 and 20 of Regulation (EC) No 1099/2009

Findings

4. An independent scientific support body has been appointed to provide the CCA and BOs with the necessary expertise in the areas referred to in Article 20 of the Regulation. However, several AWOs and BOs met by the audit team did not actively show knowledge of this body's support activities. The single contact point is not yet publicly accessible on the internet.
5. Guides to good practice for poultry and red meat slaughterhouses have been prepared by the BOs' organisations, disseminated and made publicly available. The BOs of poultry and red meat slaughterhouses met by the audit team stated that these guides provide the framework for developing their standard operating procedures (SOPs), and that monitoring procedures in the poultry slaughterhouses were developed using material in the AWO training course (see section 5.1.3). The CCA stated that it has recently validated the two guides.

5.1.3 Provision of certificates of competence

Legal requirements

Articles 21 and 29(2) of Regulation (EC) No 1099/2009.

Findings

6. With the transfer of responsibility for animal welfare to the regions, from 1 January 2015 the regions' animal welfare departments are responsible for organising training and exams and awarding certificates of competence for the activities referred to in Article 7(2) of the Regulation, as envisaged by its Article 21.
7. Pending this change, national level training and exams were organised as follows:
 - There is a specific university-level course for AWOs. It was noted that all but one of the AWOs met by the audit team had attended this course. As there is not yet legal basis for this course, the CA are not checking that the AWOs have attended this course.
 - The other slaughterhouse personnel can undergo training organised by a training institute or in-house training organised by the AWO of the slaughterhouse. In the latter case there has to be an independent exam. For this an online exam programme has recently been created which can be accessed from a computer in the slaughterhouse. The exams have to be supervised, and the results validated, by an official veterinarian.
8. It was noted that the BOs liked and used training material from the AWO course. In addition the slaughterhouse associations have developed a written course for slaughterhouse personnel which can also be used by the AWOs for in-house training.
9. The certificates of competence can be issued through a simplified procedure, as provided for by Article 29(2) of the Regulation, to people able to show at least three years' relevant professional experience. In this case the certificates differentiate between various tasks.
10. It was noted that certificates awarded to those who take the online exam do not differentiate between tasks. A CCA representative explained that the exam covers all activities as it was difficult to make this differentiation using the on line format used to develop the exam. Exam participants have to respond to pictures rather than plain written questions. On exam questions and topics set in Annex IV to the Regulation, it was noted that when an applicant worked in a slaughterhouse that practiced slaughter without stunning there were no precise questions/pictures regarding this practice, where both the practices and the monitoring of the risks for animal welfare are very different compared to slaughter with stunning.

11. The AWO responsible for one of the slaughterhouses visited that practised slaughter without stunning considered the training material inadequate for the practices in his slaughterhouse. There was no reference to checking for the absence of signs of life which is a key requirement where this type of slaughter is practised.

Conclusions on framework for controls

12. The system for certificates of competence does provide for the required exam with a good emphasis of practical situations through its use of pictures in the assessment. BOs have used the good practice guides effectively, but both these and the exam are not adequately covering tasks in slaughterhouses which present particular risks for animal welfare such as slaughter without stunning.

5.2 PLANNING OF OFFICIAL CONTROLS

Legal requirements

Articles 3, 41 and 42 of Regulation (EC) No 882/2004.

Article 4(9) of Regulation (EC) No 854/2004.

Findings

13. The results of the OVs' official controls were collated in the Foodnet database in such a way that they can be analysed. However, FAFSC has not yet used this data to evaluate and review the system of official checks to ensure that requirements are met and to better prioritise checks on such issues as broiler monitoring, problems reported from checklists and the effectiveness of enforcement in different provinces (see also sections 5.4, 5.5 and 5.6).
14. The CCA identified one high risk for animal welfare — slaughter without stunning — as a specific focus in its programme of official controls. The programme is implemented through several requirements which are to be checked by the official veterinarian (OV) at least every two weeks. However, FASFC has not analysed the results of previous checks, even though the type and distribution of non-compliance cases can be extracted from the database.
 - For checks on slaughter without stunning in particular, the checklists contain the relevant questions but the CCA did not have an overview of the results of these checks.
15. Every question on the OV electronic checklist is subject to a weighting factor reflecting the seriousness of non-compliance (see also sections 5.3 and 5.5).

- The weighting of the seriousness of non-compliance cases in the checklists triggers action when an individual case of non-compliance scores 10 or when more than 20 % of the items on the checklist are non-compliant.
- For example, the lack of signs on lairage pens showing their capacity and the animals' time of arrival scores low in terms of the significance of the non-compliance as there were other ways that the CA checked overnight stays and overstocking.

16. The frequency of slaughterhouse checks is as follows:

- FASFC inspectors carry out checks four times per year in slaughterhouses without a validated system of self-monitoring and twice per year when they are validated. Issues such as cleaning and hygiene practices are also checked.
- OV's in the slaughterhouses carry out animal welfare checks every two weeks using a dedicated checklist reflecting Regulation (EC) No 1099/2009. They also continuously supervise slaughterhouse operations and inspect 5 % of the arrivals, with a minimum of one vehicle per day, using a dedicated transport checklist.

17. In one of the red meat slaughterhouses the OV and FASFC inspector had focused on self-monitoring. The extent to which animal welfare is included in the twice-yearly inspections varies according to the scope laid down centrally by FASFC in a technical sheet. Issues focused on in the twice-yearly inspections included animal welfare during transport in this provincial control unit (PCU) and for this slaughterhouse.

18. During the visits to the PCU offices it was noted that every six months FASFC set out in a technical sheet the topics, including animal welfare questions, to be covered for validating self-monitoring systems. The PCU then carried out the checks, which may also include the OV's' findings.

19. The CCA carried out a specific audit on animal welfare at the end of 2012 in several pig slaughterhouses (see also section 5.6).

Conclusions on planning of official controls

20. The checklists for controls are well designed with a weighting factor reflecting the seriousness of non-compliance, however the data produced from the checks is not being adequately used to plan the subsequent controls on the basis of the business operators past records, or to analyse if the weighting factors for the various non-compliances were appropriate.

21. Centrally, FASFC is not using data such as Foodnet as effectively as it could to ensure requirements are met and to better prioritise checks. In general, analysis of the results of previous checks has not been carried out. In particular, the results of prioritising checks on slaughter without stunning were not available.

5.3 OFFICIAL CONTROLS ON BUSINESS OPERATORS' OBLIGATIONS

Legal requirements

Articles 8, 9 and 10(2)(a) of Regulation (EC) No 882/2004.

Article 5(1)(c) of, and Section I of Annex I to, Regulation (EC) No 854/2004.

Articles 6 and 17 of Regulation (EC) No 1099/2009.

Findings

22. The CCA wrote several times to the slaughterhouse operators informing them of the new requirements in the Regulation. It also collected the e-mail addresses of all AWOs so it can keep them updated.
23. The CCA has updated its documented procedures for the FASFC inspections and the OVs' regular specific checks to reflect the Regulation's requirements. The specific checklists used by the OVs for the regular welfare checks in poultry and red meat slaughterhouses include the requirements of the Regulation with detailed explanations, including checks on the AWO's duties. FASFC has also issued instructions covering specific requirements in the Regulation.
24. Although the checklist includes checks on the AWO's duties it does not required confirmation that the AWO had attended the required three-day training course. In one slaughterhouse where the AWO could not provide useful documentation to help develop monitoring points, the OV had not detected that this AWO lacked training.
25. FASFC inspectors check self-monitoring systems when carrying out validation inspections and also during the OVs' regular checks. Several points relating to self-monitoring of stunning and bleeding are included in the OV's checklist.
26. Standard operating procedures (SOPs) seen by the audit team were generally good with minor issues to be revised to reflect actual practices in slaughterhouses.

5.3.1 Killing animals in slaughterhouses

5.3.1.1 Layout, construction, equipment and approval of slaughterhouses

Legal requirements

Articles 8, 14 and 29(1) of Regulation (EC) No 1099/2009.

Article 31(2) of Regulation (EC) No 882/2004.

Article 4(3) of Regulation (EC) No 853/2004.

Findings

27. The audit team reviewed the documentation on two slaughterhouses approved after 1 January 2013. The team noted that:
- Article 14(2) of Regulation (EC) No 1099/2009 is not specifically included in the checklist for approval. Consequently the article's requirements, such as the need to assess the suitability of restraining and stunning equipment, are not specifically addressed;
 - there was only a general question on infrastructure. The provincial CA and the OV explained that they assess the slaughter line speed to determine how many veterinarians to deploy in the slaughterhouse. They also said that lairage capacity is assessed from the requirements of Regulation (EC) No 853/2004 and other general questions are asked, such as the length of time birds are shackled before slaughter.
28. In the poultry slaughterhouse electrical stunning equipment installed after 1 January 2013 did not have a device which records the electrical parameters when each animal is stunned, contrary to point 4(1) in Annex II to the Regulation.
- It was noted that regarding Article 14(1) of the Regulation, the instructions stated that until 8 December 2019 Article 14(1) applied only to new slaughterhouses or to any new layout or construction covered by the rules set out in Annex II which had not entered into operation before 1 January 2013. However, Article 29(1) also requires new equipment brought into operation from 1 January 2013 onwards to comply with the rules set out in Annex II.
29. Only two of the six red meat slaughterhouses visited had the required signs showing the maximum capacity of the lairage pens. The time of animals' arrival was not shown in any of them.
30. The lack of adequate signs has not been addressed by most OVs as on the checklist this issue gets a low weighting of 1 out of 10 and is not considered to have a major impact on animal welfare in most slaughterhouses. All of them did, however, address the issue of time spent in lairage as they dealt with the animal welfare issues involved by other means (e.g. good records of arrivals or enforcement action where animals not bedded overnight).
31. The calculation of the capacity of the lairages was an issue the CCA identified in a 2012 audit as something that needed to be defined but it still has not been done. In one of the pig slaughterhouses visited the lairage was adapted to benefit animal welfare, with a stocking density of 0.5 m²/animal.
32. In one slaughterhouse maintenance and daily cleaning of the captive bolt stunner was done on the basis of the manufacturer's manual of instructions and records were kept. In another slaughterhouse the gas stunner in the pig slaughterhouse had alarms in place and gas temperature control. The BO did careful maintenance and checks based

on having the gas stunner serviced annually, the manufacturer's manual, the Regulation requirements and the AWO course so that parameters and risk analysis were also up to date and checks were adequate.

5.3.1.2 Handling and restraining operations at slaughterhouses

Legal requirements

Articles 9 and 15 of Regulation (EC) No 1099/2009.

Findings

33. Handling of animals in the poultry and red meat slaughterhouses visited was adequate. The AWO's procedures for arrival checks and dealing with injured or sick animals were sufficient, except in one red meat slaughterhouse where the BO considered that only veterinarians are competent to determine specific welfare needs, contrary to point 1 of Annex III to the Regulation.
34. The arrival of animals has been a priority area for the official controls. OV's in slaughterhouses also focused on checks made out of hours by BO staff.
 - The audit team found evidence of separation of slightly unfit animals and killing of animals on the spot. Records showed that the CA had taken enforcement action as necessary.

5.3.1.3 Stunning methods and checks on stunning

Legal requirements

Articles 5, 9 and 16 of, and Annex I to, Regulation (EC) No 1099/2009.

Findings

35. Point 6(3) of Chapter II of Annex I to the Regulation states that waterbath stunning must be carried out in accordance with the minimum currents laid down in its table 2. However, the CCA has issued an instruction stating that 'due to problems affecting the quality of the carcasses, which were reported in the EU in the use of these currents, it is provisionally still acceptable to use slightly lower intensities provided that the animals were completely stunned'.
 - The CCA clarified that this derogation was granted pending the results of a four-year research project being carried out at the University of Ghent on the stunning of poultry and the application of the standards required by the Regulation. The project includes making an inventory of practices in all slaughterhouses.
36. The records of the poultry slaughterhouse visited showed that waterbath stunning using 199Hz and between 60 and 80 mA per bird was administered for both

conventional and ritual slaughter. Instructions complementing the checklist give a list of signs of unconsciousness, and the OV was competent in assessing these.

37. Stunning prior to slaughter was carried out in four red meat slaughterhouses. In these,
- checks on the effectiveness of stunning were carried out. The SOPs correctly described the signs of unconsciousness to be evaluated. In particular the BO of the slaughterhouse stunning with gas checked different batches of animals and various signs of unconsciousness in a standardised process without any shortcomings being recorded;
 - records of monitoring of the effectiveness of stunning were kept, as required by Article 9(1) of the Regulation. A good practice seen was that the person checking for signs of unconsciousness in cattle was not the same person shackling the animals; and
 - the stunning of animals was effective. The minimum electrical parameters for pigs were as required by the Regulation.
38. 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*

Findings

39. Training or the examination for both for AWOs and other staff responsible for slaughter without stunning don't adequately cover the differences between this practice and conventional slaughter and the different animal welfare issues.
40. The CCA issued instructions aimed at ensuring more extensive protection of animals slaughtered under particular methods prescribed by religious rites:
- concerning poultry, the instructions state that ritual slaughter with electrical stunning can be carried out according to other standards than those in the Regulation but that it has to be effective, otherwise the electric discharges produce unnecessary suffering;
 - for red meat animals slaughtered without stunning, electro-immobilisation is forbidden and in case of mechanical extension of the neck the angle with the horizontal must be less than 45°.
41. The OVs' checklists cover all the requirements of the Regulation as regards slaughter without stunning prescribed under religious rites and how to check them. These include checks for absence of life and on the professional competence of the slaughterman, and additional checks on the length and sharpness of knives for bleeding the animals.

42. FASFC has data on which slaughterhouses carry out slaughter without stunning and on the twelve slaughterhouses which have systems restraining bovine animals by inversion or any unnatural position in case any targeted action is necessary in future.
- Belgium has no national legislation imposing stricter conditions than the EU Regulation. The audit team saw one rotation box that has equipment that adapts to the body as required in the EU legislation.
43. The FPS-HSFCE and FASFC have made slaughter without stunning a focus of their checks and have included several relevant questions in the checklist. They had discovered some instances of non-compliance and had followed these up (see also section 5.7: Follow-up). In two red meat slaughterhouses visited the BO's SOPs were quite well adapted to their operations and to checking for signs of absence of life before animals were released from restraint.
44. Although Article 4(4) of the Regulation lays down that killing animals without stunning for religious rites must take place in a slaughterhouse, the FPS-HSFCE and FASFC have allowed such slaughter to take place at public sites where 'grouping of home slaughtering' is done under supervision during religious festivals.
- FPS-HSFCE and FASFC have made publicly available a vademecum for the festival of Aïd El Kebir which aims to prevent major problems by laying down, for the sites where slaughter is carried out, the equipment to be used (such as restrainers), the minimum hygiene requirements and the roles of all those involved, such as the CA and organisers. Handling of animals before slaughter is also regulated, slaughtermen are trained and certified, and a veterinary practitioner is employed by the municipality to check activities.
 - FASFC pays supervisory visits and where a site was found to have organisational issues the CA discontinued its approval the following year.

Conclusions on official controls on business operators' obligations

45. Information and instructions for staff performing checks were in general sufficient to ensure that official veterinarians cover all areas of the Regulation during their checks, including checks on the duties of BOs and AWOs and the weighting of non-compliances helps identify significant welfare problems. However, the instructions were misleading concerning the requirements for new equipment installed after 1 January 2013.
46. BOs had generally good SOPs and kept adequate records which made it possible for them to demonstrate compliance to the CA.

47. Slaughterhouse operations largely comply with the Regulation's requirement that animals should be spared any avoidable pain, distress or suffering. The CCA has established a project to look into the problem with non-compliance of poultry using lower electrical parameters than those required by the Regulation for waterbath stunning, but in the meantime tolerates, albeit with checks of certain physical signs, the use of lower parameters.
48. Slaughter without stunning is a key focus of the official controls and this has helped ensure that BO's have appropriate SOPs for this, but training or the examination for staff responsible for slaughter without stunning don't adequately cover the different animal welfare issues.
49. Although killing of animals without stunning for religious rites outside a slaughterhouse does not comply with the Regulation, the CCA has made a big effort to produce the same animal welfare conditions during religious festivals in regulated sites.

5.3.2 Killing animals outside slaughterhouses

Legal requirements

Articles 6 and 7 of Regulation (EC) No 1099/2009

Findings

50. The CCA stated that no guidance or instructions are available to animal keepers on the killing outside slaughterhouses of non-productive or unfit animals for human consumption.

5.3.2.1 Emergency slaughter outside the slaughterhouse

Legal requirements

Article 3 of, and Chapter I of Annex I to, Regulation (EC) No 1/2005.

Regulation (EC) No 853/2004 Annex III Section I Chapter VI.

Findings

51. 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 OV's.
52. In Liège PCU five cases involving the transport of unfit animals were investigated in 2014. All but one was closed after hearings and written warnings were issued to farmers or/and drivers.
53. In the bovine slaughterhouse visited, there were appropriate controls for on-farm emergency slaughtered animals.

5.3.2.2 Killing of fur animals

Legal requirements

Article 7(3) of Regulation (EC) No 1099/2009.

Findings

54. The CCA stated that in Belgium there are around 17 mink farms. Farmers are issued with certificates of competence through the simplified procedure, in accordance with Article 29(2) of the Regulation.
55. Fur farmers' notification in advance of when animals will be killed allows the CA to be present and oversee the welfare of animals.

Conclusions on killing animals outside slaughterhouses

56. The lack of guidance limits the degree of awareness on when and how to kill sick or injured animals on farm.
57. The official controls were effective to ensure that only fit animals are transported to slaughterhouses.

5.4 MONITORING OF BROILER WELFARE

Legal requirements

Article 3(1)(b) of, and Annexes III and V to, Directive 2007/43/EC

Findings

58. The daily mortality rate (DMR) and the cumulative daily mortality rates (CDMR) were not entered in the documents accompanying birds to the slaughterhouse, even though this is required by point 1(1) of Annex III to Directive 2007/43/EC. A CCA representative stated that the sector considers this an administrative burden and nobody wanted this information at slaughterhouse level.
59. The system set up by CCA and FAFSC for monitoring welfare indicators in slaughterhouses as required by point 2 of Annex III to Directive 2007/43/EC is insufficient. Welfare indicators include total DMR, birds rejected on post-mortem inspection and deaths on arrival. Other welfare indicators such as foot-pad dermatitis, hock burns and breast blisters are not included.
- The only trigger level that initiates an investigation when exceeded is deaths on arrival (1%), but it was noted that the PCUs did not take enforcement action because the low number of non-compliance cases on post-mortem inspection.
60. As regards monitoring of compliance with the criteria for increasing stocking density (Annex V to Directive 2007/43/EC), it was noted that:
- A protocol is in place between the certifying body and the CAs to check broiler farms every two years as required by Directive 2007/43/EC. FAFSC check broiler farms once every eight years.
 - The PCUs have no regular information on the monitoring of Annex V to Directive 2007/43/EC. Certifying body report only serious problems to PCUs and they were not aware of any shortcomings regarding light, records, litter, ventilation, gas concentration, relative humidity, humidity and CDMR compared with the requirements of Directive 2007/43/EC.
 - Although the CA indicated that the certifying body report the results of these checks to them via a database, they could not confirm that within the last two years producers operating at the higher stocking densities comply with Council Directive 2007/43/EC as FAFSC did not analyse the data.

Conclusions on monitoring of broiler welfare

61. The monitoring of welfare indicators in poultry slaughterhouses is insufficient to allow enforcement actions to be taken when and where necessary, as the system is based mainly on an indicator of welfare during transport — deaths on arrival — plus certain unscored post-mortem indicators which do not trigger any action. It also lacks data on daily mortality rates.
62. Monitoring of compliance with the criteria for increasing stocking density was also

insufficient as the CA has not got a system in place to ensure that the results of these checks confirm that within the last two years producers operating at the higher stocking densities comply with Council Directive 2007/43/EC.

5.5 ACTIONS TAKEN IN CASES OF NON-COMPLIANCE

Legal requirements

Articles 22 and 23 of Regulation (EC) No 1099/2009.

Findings

63. FAFSC records in a centralised digital database the results of inspections where OVs identify cases of non-compliance (see also section 5.2).
64. Each PCU evaluates the information received for possible further action, such as issuing a written warning to the BO, carrying out further investigations if necessary or initiating a hearing with the BO, which can lead to an administrative fine or referral to Court. It was noted that the PCUs visited were succeeding in getting action taken:
- In Liège PCU the OV of one slaughterhouse found a lack of bedding in the lairage for cattle staying for more than 12 hours (scores 10), triggering a procès-verbal, as the BO had previously received a warning on this point. The file was sent to the FAFSC's Commissioner for Fines (legal service). However, for three years this PCU has received no information from the Commissioner about any fines imposed.
 - The OV of the slaughterhouse visited in West Flanders PCU was well aware of local animal trade and knew that cows coming from market sometimes stayed overnight. The PCU issued a written warning, and if another written warning were given a hearing would be held. This PCU has actively requested information from the Commissioner for Fines about any fines imposed, which in the case of unfitness for transport are €300-400.
 - Brussels PCU took action in cases of non-compliance such as not slaughtering injured animals as a priority, use of the electric prod, lack of registration of lairage data and lack of displays on electric stunning equipment.

Conclusions on action taken in cases of non-compliance

65. The system in place is effective in ensuring compliance by BOs. In particular the weighting of the seriousness of non-compliance cases allows the specific issues to be identified and followed up. The centralised database for enforcement provides a good overview of the action taken to address cases of non-compliance. However, the value

of the follow-up by the provincial units in ensuring the effectiveness of the official checks is reduced by the fact that the central level did not actively provide them with information about fines imposed.

5.6 EVALUATION AND REVIEW OF OFFICIAL CONTROLS

Legal requirements

Articles 4 and 8(3) of Regulation (EC) No 882/2004.

Findings

66. Verification of the effectiveness of checks and of the level of compliance took place at the local level in different ways:

- In Liège PCU the verification relied mainly on their own database working tool that stores information sheets on incidents, such as OV reports and e-mails.
- West Flanders PCU gained an overview of the situation in its area through its continuous system of supervision with a high number of unannounced checks.
- In Brussels unannounced checks by the PCU were useful in increasing the effectiveness of the OVs' checks.

67. An audit of animal welfare in pig slaughterhouses was carried out by FPS-HSFCE in late 2012 and early 2013. FPS-HSFCE and FASFC established an action plan to follow up on this audit by addressing the need to establish stocking densities in lairages and consider stricter rules on the use of electric prods. These enforcement issues have yet to be resolved.

Conclusions on evaluation and review of official controls

68. Verification of the effectiveness of checks and of the level of compliance is done at local level in different ways and the supervisory visits involved are beneficial in ensuring animal welfare problems are identified and addressed. CCA audit's on animal welfare such as in pig slaughterhouses are also bringing about improvements in animal welfare. Foodnet is potentially a useful database for verifying official controls but it has not yet been used to check PCUs' performance.

5.7 FOLLOW-UP

The table below summarises the audit team follow up to the relevant recommendations made in report DG SANCO 2011-6039-MR Final.

| No | Recommendation | Assessment |
|----|--|---|
| 1 | The Competent Authorities should ensure that the system used to monitor the requirements of Council Directive 2007/43/EC complies fully with all the reporting requirements of Annex V to the Directive and provides satisfactory assurances of the reliability of the information provided to the CA. | Partially addressed. A protocol is in place between the certifying body and the CA to regularly check broiler farms but the records of the certifying bodies' checks have not been analysed. See finding No 60 and conclusion 62. See recommendation 7 of the current audit report. |
| 7 | The competent authorities should take the necessary measures to ensure that restraint for ritual slaughter meets the requirements of Annex B(1) to Directive 93/119/EC. | Addressed. See findings No 41, 42, 43 and conclusion No 48. |
| 8 | The Competent Authorities should take the necessary measures to ensure that guidance is issued on the strength and duration of current used in waterbath stunners as required by Annex C(II)(3)(B)(1) to Directive 93/119/EC. | Partially addressed. Guidance issued reflects the requirements of Regulation (EC) No 1099/2009 (point 6(3), Chapter II, Annex I). However, the CCA has granted a derogation, not provided for in the Regulation, allowing the use of electric parameters inferior to the ones required by the Regulation. See findings No 35, 36 and conclusion No 47. See recommendation 4 of the current audit report. |

6 OVERALL CONCLUSIONS

The system of official controls addresses the need to ensure that animals being slaughtered are spared avoidable pain, distress and suffering. However, the electrical parameters applying to poultry water bath stunners do not comply with the requirements of the legislation and although the CA has attempted to mitigate the welfare problem this poses, it has allowed reported meat quality problems to take precedence over complying with the animal welfare requirements.

Official controls are focused on business operators implementing their responsibilities under Regulation (EC) No 1099/2009 to monitor animal welfare. The system of certificates of competence assures a good level of competence among operators, although the training and examination lacks elements on the important differences where slaughter without stunning is relevant. The CA procedures did not include a check on whether such training had been undertaken as the underpinning legislation was not yet in place. This awaits the transfer of animal welfare competences to the Regions.

Information and instructions to staff carrying out checks are sufficient with the exception of instructions for new equipment and the killing of sick or injured animals on farms. Apart from slaughter without stunning, which has been a key focus of checks, risk criteria, such as the results of previous controls, have not been taken into account when planning controls.

Although a certifying body monitors welfare of broilers on farms the CA has not ensured that the results of these checks confirm that producers operating at the higher stocking densities comply with Council Directive 2007/43/EC. Equally the system set up by the CA to monitor welfare indicators at broiler slaughterhouses was inadequate.

7 CLOSING MEETING

A closing meeting with representatives of the CAs was held on 3 December 2014 at which the audit team presented the main findings and preliminary conclusions of the audit. The CCA stated that it will continue its 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 an action plan within 25 working days of receiving this report. The action plan should set out details of the steps taken and planned, including deadlines for their completion, to address the recommendations set out below:

| No. | Recommendation |
|-----|---|
| 1. | To improve the system for providing certificates of competence by: <ul style="list-style-type: none"><li data-bbox="408 1917 1378 1955">• publishing the legislation necessary to approve the training programme,<li data-bbox="408 1960 1436 2036">• targeting the animal welfare officer (AWO) training course at the particular operations, species and type of equipment for which each AWO is |

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| | <p>responsible in their slaughterhouse, and</p> <ul style="list-style-type: none"> • by setting an examination that provides full assurance of the operator's competence in certain operations. <p>Recommendation based on conclusion No 12.</p> <p>Associated findings No 6, 7, 10 and 11.</p> <p>Legal basis for this recommendation: Articles 7(3), 21 and 29(2) of Regulation (EC) No 1099/2009.</p> |
| 2. | <p>To take account of previous inspection results when establishing the risk basis for controls.</p> <p>Recommendation based on conclusions No 20 and 21.</p> <p>Associated findings No 13 and 15.</p> <p>Legal basis for this recommendation: Article 3, 1(b) of Regulation (EC) No 882/2004.</p> |
| 3. | <p>To modify the instructions so that they state that new equipment brought into operation after 1 January 2013 is also required to comply with the rules set out in Annex II.</p> <p>Recommendation based on conclusion No 45.</p> <p>Associated finding No 28.</p> <p>Legal basis for this recommendation: Article 29(1) of Regulation (EC) No 1099/2009.</p> |
| 4. | <p>To ensure that waterbath stunning is carried out in accordance with the minimum currents laid down in table 2 in point 6(3) of Chapter II of Annex I to Regulation (EC) No 1099/2009.</p> <p>Recommendation based on conclusion No 47. Associated findings No 35 and No 36.</p> <p>Legal basis for this recommendation: Point 6(3) of Chapter II of Annex I to Regulation (EC) No 1099/2009.</p> |
| 5. | <p>To ensure that animal keepers killing animals that are not productive or unfit for human consumption outside slaughterhouses have an adequate level of competence to do so without causing the animals any avoidable pain, distress or suffering.</p> <p>Recommendation based on conclusion No 56. Associated finding No 50.</p> <p>Legal basis for this recommendation: Article 7(1) of Regulation (EC) No</p> |

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|-----------|---|
| | 1099/2009. |
| 6. | <p>To set up a system for monitoring broiler welfare so that:</p> <ul style="list-style-type: none"> • enforcement actions can be taken when necessary, based on triggered post-mortem indicators of welfare, and • the records of daily mortality rates accompany the broiler chickens to slaughterhouses when these birds are kept at stocking densities above 33kg/m². <p>Recommendation based on conclusion No 61. Associated findings No 58 and No 59.</p> <p>Legal basis for this recommendation: Annex III to Directive 2007/43/EC.</p> |
| 7. | <p>To put in place a procedure to ensure that the checks by a certifying body confirm that producers operating at the higher stocking densities comply with Council Directive 2007/43/EC.</p> <p>Recommendation based on conclusion No 62.</p> <p>Associated finding No 60.</p> <p>Legal basis for this recommendation: Annex V to Directive 2007/43/EC.</p> |

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 |