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Health and food audits and analysis

DG(SANTE) 2019-6843

FINAL REPORT OF AN AUDIT
CARRIED OUT IN
POLAND
FROM 25 MARCH 2019 TO 05 APRIL 2019
IN ORDER TO
EVALUATE THE FOOD SAFETY CONTROL SYSTEM IN PLACE GOVERNING THE
PRODUCTION AND PLACING ON THE MARKET OF BOVINE MEAT, INCLUDING
ANIMAL TRACEABILITY

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

Executive Summary

The audit DG(SANTE) 2019-6839, carried out from 4 to 8 February 2019 by Directorate-General for Health and Food Safety in Poland following the public broadcast on Polish television of slaughter practices in a slaughterhouse involving cows which were unable to stand ("downer cows") or were injured, found serious shortcomings in the implementation of controls in the implicated slaughterhouse and in the overall supervision, the staffing issues and traceability of animals. Given the specific nature of that audit, its outcome constituted only a limited assessment of the design and implementation of the Polish official control system. The nature of the findings, however, warranted a more in-depth audit covering the official controls over slaughter of bovine animals and bovine traceability in Poland. This report describes the outcome of this subsequent audit, carried out by Directorate-General for Health and Food Safety in Poland from 25 March to 5 April 2019.

In terms of the action plan submitted by the competent authorities following the audit DG(SANTE) 2019-6839, this audit established that, although ambitious and to be delivered upon within a short time, it has been implemented to a considerable extent thanks to substantial and additional efforts from the official veterinarians and the entire Veterinary Inspection, and implementation is ongoing.

As a result, the situation has certainly improved, but there is still some room for further improvement, notably in relation to the raising of awareness on the animal welfare issues pertaining to the transportation of injured animals, the accurate assessment and recording of both ante-mortem and post-mortem findings in order to identify animal welfare issues, and the on-farm emergency slaughter of injured animals unfit for transport. Similarly, in respect of the identification and registration of animals, and in particular the use and usability of the central data base as a tool to verify correct application of the rules as well as the eligibility of bovine animals, work remains to be done.

However, the audit identified issues in relation to resources, which seriously jeopardise an effective functioning of the control system and thus, the competent authorities' capability to enforce the correct implementation of the relevant legislation.

First, there is a substantial outflow of official staff and recruitment of new staff is highly problematic, not least because of the relatively low wages, and posts remain unfilled. This, together with the need to deal with other priorities, seriously affects the capability of official veterinarians to supervise adequately the (increased ratio of) authorised veterinarians (private practitioners performing official duties), while audits to that effect are currently precluded.

Second, the remuneration structure of the authorised veterinarians is directly related to the throughput of the establishments they serve. As a consequence, and in the event that these are high throughput establishments, they earn much more than officials performing the same duties; but when they are very low throughput, they earn very little. Aside from this inequitable situation being reported as a source of considerable disquiet within the service, it has implications which may significantly impact in terms of their performance of controls, their independence, and the avoidance of conflict of interest; a high throughput is a disincentive to intervene and enforce corrective measures which lower that throughput, while a very low throughput is an incentive to let

other, better remunerated activities prevail over official controls.

Under the circumstances, and considering that there is no central training for authorised veterinarians, the quality, consistency and impartiality of the controls are not ensured, while at the same time the required level of supervision by official staff cannot be met.

Against this background, it must be noted that the Polish authorities charge inspection fees in this area, which are significantly lower than the minimum fees laid down in Regulation (EC) No 882/2004. Not only does this arguably provide an unfair economic advantage to the Polish meat industry, but it also further limits the necessary financial resources available to the Veterinary Inspection. An increased level of revenue from fees would assist in addressing the remuneration issues and would help create conditions to make the job more attractive for veterinarians to occupy the chronically vacant official posts. Increased revenue would also allow the provision of remuneration to authorised veterinarians in very low throughput slaughterhouses, which would mitigate conflict of interest, at that level.

As long as the staff issues are not addressed, the sustainability of the actions proposed and taken to date remains questionable.

Finally, this audit found that the national measures for low-throughput establishments are largely in line with the flexibility provisions provided for in the "Hygiene Package" legislation and there is therefore no need for a round national health mark, as currently applied in Poland for these slaughterhouses.

The report contains recommendations to the central competent authority to address the shortcomings identified and to further enhance the control system.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
ABP	Animal By-Products
ARMA	Agency for Restructuring and Modernisation of Agriculture running the Central Bovine database
AV(s)	Authorised Veterinarian(s) (i.e. a private veterinarian designated by the CA for certain official tasks)
CA(s)	Competent Authority(ies)
CBD	Central Bovine database
CCA	Central Competent Authority
DG Health and Food Safety	Directorate-General for Health and Food Safety of the European Commission
EU	European Union
FBO(s)	Food Business Operator(s)
FCI	Food Chain Information
GVI	General Veterinary Inspectorate
DVI(s)	<i>Powiat</i> (District) Veterinary Inspectorate(s)
DVO(s)	<i>Powiat</i> (District) Veterinary Officer(s)
OV(s)	Official Veterinarian(s)
RASFF	Rapid Alert System for Food and Feed
RVI(s)	<i>Voivodship</i> (Regional) Veterinary Inspectorate(s)
SRM	Specified Risk Material
VI	Veterinary Inspection

1 INTRODUCTION

Audit DG(SANTE) 2019-6839, carried out from 4 to 8 February 2019 following the public broadcast on Polish television of slaughter practices in a slaughterhouse involving cows which were unable to stand ("downer cows") or were injured, found serious shortcomings in the implementation of controls in the implicated slaughterhouse and in the overall supervision, the staffing and traceability of animals. Given the specific nature of this audit, its outcome constituted only a limited assessment of the design and implementation of the Polish official control system. A more in-depth audit covering the official controls over slaughter of bovine animals and bovine traceability in Poland was considered necessary and has been carried out from 25 March to 5 April 2019.

This audit was not part of the Directorate-General for Health and Food Safety (DG Health and Food Safety) planned audit programme and took place in parallel with planned audit DG(SANTE)2019-6671 on poultry meat and products derived and was dealt with as a separate audit.

The audit team comprised two auditors from the DG Health and Food Safety and was accompanied throughout the audit by representatives of the central competent authority (CCA), the General Veterinary Inspectorate (GVI) of the Veterinary Inspection (VI) within the Ministry of Agriculture and Rural Development.

An opening meeting was held in Warsaw on 25 March 2019 with the CCA. At this meeting, the audit team confirmed the objectives of, and itinerary for, the audit, and requested additional information required for the satisfactory completion of the audit.

2 OBJECTIVES AND SCOPE

The main objective of the audit was to assess the official controls related to the production of bovine meat, including traceability.

The audit's second objective was to verify the actions announced by the Polish CA to address the recommendations following the audit DG(SANTE) 2019-6839.

In terms of scope, the audit covered bovine slaughter, and in particular:

- the organisation and competencies of the CAs, including oversight and enforcement, at all relevant levels, in particular the controls over slaughter and traceability of bovine animals and animal welfare at slaughter;
- the CAs' performance in terms of the design and on-the-ground implementation of the official control systems in place covering the production, processing and distribution chains of bovine meat, and products derived therefrom.

The visits included the gathering of relevant information and verification as appropriate, by means of interviews/discussions, review of documents and records, and on-the-spot visits.

The Polish CA collaborated fully with the audit team in the performance of this audit, which took place in the context of what must be described as the follow-up of a crisis situation.

The table below lists the sites visited and the meetings held in order to achieve the above-mentioned objectives:

COMPETENT AUTHORITY		
Central	1	Opening and closing meetings
Regional	2	Malopolskie, Podlaski
Local (District)	7	Two offices and in all establishments visited
Central Bovine Database	1	Agency for Restructuring and Modernisation of Agriculture (ARMA)
FOOD BUSINESS ESTABLISHMENTS		
Bovine slaughterhouses	5	One large, three small and one approved for national market
Cutting plants	3	Integrated in slaughterhouses; one independent cutting plant involved in the recall;
Cattle dealers	2	One with holding
Rendering plant	1	

3 LEGAL BASIS

The audit was carried out under the general provisions of European Union (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 legislation ⁽¹⁾ relevant to the audit is listed in the Annex to this report.

4 BACKGROUND

On 25 and 26 January 2019, a Polish television network broadcasted video footage showing serious animal welfare non-compliances at the time of slaughter and during transport of bovine animals. The images, which were allegedly taken in one bovine slaughterhouse with associated cutting activities, probably during November 2018, pointed also to possible lack/inadequacy of veterinary controls.

On 28 January 2019 the Polish competent authority, at the suggestion of the Commission launched a Rapid Alert System for Food and Feed (RASFF) notification (No 2019.0311) due to "veterinary controls not properly carried out for bovine meat from Poland presumably unfit for human consumption". Subsequent RASFF updates linked the unfit meat to deliveries in 15 Member States, including Poland.

⁽¹⁾ EU legal texts quoted in this document refer to the last amended version

DG Health and Food Safety carried out an audit from 4 to 8 February 2019, the results of which are described in report DG(SANTE) 2019-6839 ⁽²⁾, with the objectives to obtain first-hand knowledge of the situation and actions taken, and to review, against this background, the operation of official controls.

The Polish CA have submitted to the Commission an extended action plan (hereafter "the Action Plan") to address the recommendations formulated following the events mentioned above and of the audit DG(SANTE) 2019-6839.

5 FINDINGS AND CONCLUSIONS

5.1 LEGISLATION AND IMPLEMENTING MEASURES

Legal requirements

Article 291(1) of the Treaty on the Functioning of the European Union and Articles 1(3)(d), 1(4) of Regulation (EC) No 853/2004.

Article 4(2) of Regulation (EC) No 854/2004 and Article 3 of Regulation (EC) No 882/2004.

Findings

1. The legal acts ⁽³⁾ in place provide the CCA with the necessary legal powers to carry out official controls. The implementation of the official control system is based mainly on several CCA guidelines and instructions. Some of these guidelines cover specifically official controls at beef establishment level and are referenced, as appropriate, in the relevant parts of this report.
2. National measures adapting the requirements laid down in Annex III of Regulation (EC) No 853/2004 concerning structural and equipment requirements of establishments with lower production (Articles 10(3) and (4)(b) of Regulation (EC) No 853/2004) have been adopted. They were notified to the Commission and Member States (notification numbers: 2009/553/PL and 2009/562/PL). These measures entered into force on 22 June 2010 with the issuing of the:
 - a. Regulation of the Minister for Agriculture and Rural Development of 19 May 2010 on certain veterinary requirements applicable to the production of products of animal origin in low-capacity slaughterhouses (Journal of Laws 2010 No 98, item 630),
 - b. Regulation of the Minister for Agriculture and Rural Development of 19 May 2010 on certain veterinary requirements applicable to the production of products of animal origin in specified establishments with low capacity (Journal of Laws 2010 No 98, item 629).
3. The measures provide for a system of approval of certain low-throughput establishments to trade their products only on the national market with the use of a round national identification mark on their products. However, this is not in line with EU legislation as,

⁽²⁾ This report is accessible on the Commission's website at:
http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4115

⁽³⁾ The legislation can be consulted at:
<https://www.wetgiw.gov.pl/publikacje/bezpieczenstwo-zywnosci-pochodzenia-zwierzecego>

according to Article 5 of Regulation (EC) No 853/2004, Food Business Operators (FBOs) can place their products on the market only if a health mark has been provided in line with Section I, Chapter III, of Annex I of Regulation (EC) No 854/2004.

4. The CCA maintains a separate list of these establishments and it is available at: <https://pasze.wetgiw.gov.pl/spi/demozatw/index.php?sekcja=18&lng=1&poprzedniaSekcja>.
5. At the time of this audit, there were 56 establishments on this list including 46 establishments for red meat and products thereof. The CCA informed the audit team that 44 establishments are in operation out of the 56 listed.
6. The audit team noted that the mentioned two national measures contain adaptations of certain requirements laid down in the Annexes to Regulation (EC) No 853/2004 (e.g. conditions under which: lairage facilities are not required; the same room can be used for different activities separated in time; using alternative methods for knife sterilisation, etc.). The audit team noted that these national measures are largely in line with the flexibility provisions provided for in the Hygiene Package legislation, meaning that the establishments benefiting from such arrangements could place their products on the EU market with the use of the oval identification mark rather than a round national health mark.
7. In addition, the CCA informed the audit team that official controls of establishments under the national measures do not differ from those approved for EU trade.
8. The CCA stated in the closing meeting that, as these national measures had been notified to the Commission services and the Member States and their compatibility with the EU legislation, in particular with Article 5 of Regulation (EC) No 853/2004 was not questioned, it does not intend to introduce any changes in this regard. A recommendation was already made in the audit report DG(SANTE)2014-7160 (poultry meat and products derived therefrom) requesting the CA to correct the situation.
9. The CCA announced several legislative changes to be proposed by the VI in order to address the non-compliances identified during the previous audit and also mentioned in the action plan (see section 5.6.9).

Conclusions on legislation and implementing measures

10. Poland has issued national legislation and guidelines necessary to implement, control and enforce EU requirements relevant to the scope of this audit. National measures providing for the use of a round national health mark in low throughput establishments (the products of which are restricted to the national market), are not in line with EU legislation and moreover unnecessary as the derogations applicable to such establishments are in line with those that may be provided for under the flexibility arrangements in Regulation (EC) No 853/2004.

5.2 COMPETENT AUTHORITIES

Legal requirements

Articles 4 and 6 of Regulation (EC) No 882/2004.

Findings

5.2.1 Structure and organisation

11. The CAs relevant for this audit and the control systems organisation are described in the country profile for Poland, available at the following link:
http://ec.europa.eu/food/audits-analysis/country_profiles/details.cfm?co_id=PL
12. In summary, the CA comprises a three level structured system:
 - a. The GVI is the CA for implementation of policy and control and is responsible for the supervision of production of foodstuffs of animal origin, including primary production.
 - b. The *Voivodship* (Regional) Veterinary Inspectorate (RVI) is responsible for performing controls over districts.
 - c. The *Powiat* (District) Veterinary Inspectorate (DVI) carries out most of the official tasks, including establishment approval. The *Powiat* (District) Veterinary Officer (DVO) authorises private veterinary practitioners (authorised veterinarians - AV) to carry out official tasks, such as *ante-mortem* and *post-mortem* inspection, sampling, and the supervision of certain types of establishments. The large majority of the official controls are performed by the AVs and the supervision only by the staff of the DVI.
13. The organisation of the CA is straightforward and supported by the relevant legislation and procedures.

5.2.2 Legal powers, independence and authority for enforcement

14. The official controls in the establishments are performed by the DVIs. According to the Polish legislation the DVO can appoint additional staff, Authorised Veterinarians (hereafter AV), who are veterinarians not employed by the VI, to perform certain tasks if the official staff cannot perform these tasks due to financial or organisational reasons.
15. Specific daily controls at establishment level are performed by the AVs (see section 5.2.3). The main official control tasks carried out by AVs in beef establishments are: carrying out ante-mortem and post-mortem inspection at the slaughterhouse (including official controls on animal welfare at the time of unloading and killing); performing controls on the sanitary operation (e.g. pre-operational and operational hygiene controls in establishments) and on the procedures based on Hazard Analysis and Critical Control Points (HACCP) principles. In the districts visited, the periodic controls/audits in the establishments were carried out by the permanently employed food safety officials from DVIs. Their tasks include supervision of the AVs. In principle, the AVs have the same legal and enforcement powers as the permanently employed official veterinarians (civil servants). However, the scope of their rights and obligations may vary from one district to another depending on the decision by the DVO who appointed them.
16. The system whose aim is to ensure absence of conflict of interest between the private veterinary activities and the designated official tasks is based on a declaration by the AV. However, the actual remuneration system has the potential to create a conflict of interest and negatively impact on the effectiveness and quality of official controls (see section 5.2.5)

17. The penalties for lack of notification of cattle movements are low (around €110) and, according to the CA, not sufficiently dissuasive, which makes it difficult to enforce this requirement.

5.2.3 Staff related issues

Staffing in Regional and District Veterinary Inspectorates (RVIs and DVIs)

18. It was brought to the attention of the audit team by the CAs at different levels that a significant and continuous outflow of experienced staff from the DVIs and RVIs increases the pressure on the remaining staff. The amount of permanent veterinary staff has dropped between 2016 to 2018 by 141 official veterinarians (OVs) in total, mainly in the Districts (see table below). On the other hand, the number of AVs remained stable (3 320 in 2016 and 3 318 in 2018) despite a growing production, intra-Union trade, and export, and notwithstanding increased duties and responsibilities. The audit team was informed that fatigue, demoralisation and frustration are reportedly growing among the staff of the VI at all levels. As explained to the audit team, due to the very low salaries and demanding working conditions, vacancies in many RVIs and DVIs remain open for months or years, with hardly any applicants. For the same reason, the heads of DVIs have difficulties to find private veterinarians willing to work as AVs, especially in small slaughterhouses (see sections 5.2.4 and 5.2.5). Protest actions by the trade union of the veterinary service staff were ongoing at the time of the audit against the working conditions and remuneration.

Overview of the situation in staffing of the Veterinary Inspection in Poland

	in total	veterinarians	in total	veterinarians	in total	veterinarians	in total	veterinarians	in total	veterinarians	in total	veterinarians
	2016		2017		2018		difference 2017-2016		difference 2018-2017		difference 2018-2016	
Veterinary Inspection – in total	5755	2172	5646	2069	5672	2031	-109	-103	26	-38	-83	-141
General Veterinary Inspectorate	110	54	112	51	111	51	2	-3	-1	0	1	-3
Regional Veterinary Inspectorates – in total	1689	405	1652	390	1643	377	-37	-15	-9	-13	-46	-28
District Veterinary Inspectorates – in total	3839	1638	3765	1552	3836	1548	-74	-86	71	-4	-3	-90
Border Veterinary Inspectorates – in total	117	75	117	76	82	55	0	1	-35	-21	-35	-20

(Data provided by the CCA)

19. The audit team was informed that the implementation of the action plan following the last audit became the top priority for the Regional and District staff. As a consequence, and due to the limited resources, other official tasks outside of the scope of this audit have been postponed or carried out with less emphasis. (see also paragraph 35) In addition, as an example of the staff shortages, in one District, an OV on parental leave (several months) was requested to resume his duties.

5.2.4 Remuneration of Staff

20. Based on information provided to the audit team, the remuneration of an OV is decided upon by each DVI resulting in unequal payments of OVs across the country, even though the tasks and responsibilities are the same.
21. There are significant differences between, on the one hand, the remuneration of OVs and, on the other, the remuneration paid to AVs appointed to slaughterhouses for meat inspection, in particular, those appointed in high capacity slaughterhouses (see section 5.2.5).
22. According to information provided to the audit team, the net salaries of OVs (all with a university degree and additional qualification) employed by the DVIs range between €350 and €550 per month net, which are much lower than the average wage in Poland. In March 2019, the national average gross wages and salaries were PLN 5,164.53 which amounts to, approximately €1 200 ⁽⁴⁾.

5.2.5 Inspection fees – authorised veterinarians

23. The Decision POZ 129 of 16/01/2018 determines the rates for the meat inspection fees chargeable to FBOs of slaughterhouses in Poland.

	Regulation (EC) No 882/2004	Polish legislation With mechanised line	Polish legislation Without mechanised line
Adult bovines	€5	>30 months PLN12.10 = €2.82	>30 months PLN16.50 = €3.84
Young bovines (> 6m <12m)	€2	<30months PLN8.8 = €2	<30months PLN11 = €2.56
Pigs	€1	PLN2.2 = €0.51	PLN4.48 = €1

24. The audit team noted that the inspection fees charged to FBOs for meat inspection in bovine animals over 12 months and pigs in slaughterhouses with a mechanised line is lower than the minimum rates laid down in Article 27 and Annex IV section B of Regulation (EC) No 882/2004. For adult bovine animals, the fees charged per animal slaughtered are 40-60% lower, depending on the capacity of the slaughterhouse. In contrast, the fees for poultry are in line with the minimum fees laid down in the Regulation. Considering, on the one hand, that annually about 2 million bovine and 22 million porcine animals are slaughtered and, on the other, that the fees are €2 and €0.50 respectively below the minimum level set in the Regulation, the VI could appear to be deprived of at least 14 million euro annually, which is very significant in this particular context.
25. According to FBOs and DVOs and Regional Veterinary Officers met, the fees are paid by each FBO to the national budget and are used entirely for the payment by the State of the AVs working in each particular slaughterhouse.

⁽⁴⁾ data from Polish Central Statistical Office

<https://stat.gov.pl/en/topics/labour-market/working-employed-wages-and-salaries-cost-of-labour/average-paid-employment-and-average-gross-wages-and-salaries-in-enterprise-sector-in-march-2019,3,96.html>

26. As the AVs are paid according to the number of cattle slaughtered, there is a negative incentive for them to take measures which would require slowing down or stopping the line in case of problems, as this would automatically result in a reduction of their income. The impartiality, quality and consistency of these official controls and absence of any conflict of interest are therefore not fully ensured, contrary to the requirements of Article 4(2)(b) and (4) of Regulation (EC) No 882/2004.
27. The audit team noted that the system as currently implemented results in AVs appointed in high capacity slaughterhouses earning much more than others, contributing thus to the unrest in the veterinary service.
28. In a high capacity slaughterhouse visited with a slaughter speed of up to 35 animals per hour, each of the five AVs appointed to that slaughterhouse received €2 200 gross for the month of March. At the other end of the scale, one of the AVs met, appointed in a small low capacity slaughterhouse received €3.80 for 90-minute presence in the slaughterhouse during the slaughter of a single bovine. The possibility that AVs in charge in such low production slaughterhouses might let other better remunerated activities (e.g. private practice work) take precedence over the official controls, is therefore not unrealistic.
29. The audit team also noted that it is possible for AVs to have been appointed by more than one DVI for carrying out meat inspection in slaughterhouses in the districts concerned. There is no procedure in place for the sharing of such information between the DVIs to avoid/prevent conflicting assignments of AVs.

5.2.6 Training

30. CCA provide training to the Regional CA officials and a cascade system is applied where the Regional CAs are obliged to disseminate the knowledge to colleagues at district level. The centrally provided training is usually organised by the National Veterinary Institute and other institutions (e.g. Warsaw University of Life Sciences).
31. The audit team noted that the centrally organised training does not include AVs which is the responsibility of the DVO. As the content and the quality of such training vary from district to district, consistency in the training of the AVs is not ensured.
32. Training for AVs on the use of the Central Bovine database (CBD) was organised by the Regional offices of ARMA as part of the action plan.
33. When observing the official controls carried out by the District inspectors in the establishments visited, the audit team noted that, in general, the inspectors are knowledgeable, competent and dedicated in respect of the tasks they perform, and identified issues which were also found by the audit team (albeit with some exceptions; see section 5.4.5).
34. In May and June 2019, a series of trainings for all Region and District inspectors for feed and rendering (about 370 persons) will be organised, covering, amongst others, issues related to the identification and registration of animals and to the controls in rendering plants and slaughterhouses.

5.2.7 Supervision and Audits

35. The systems for verification of compliance and audits are described in the country profile of Poland and in previous sectoral audit reports and in report DG(SANTE)2016-8825 on National Audit Systems⁽⁵⁾. Procedures and documented instructions are available for supervision to be carried out by the RVI on the Districts and by the DVOs on the establishments and on the AVs in the slaughterhouses (see section 5.6.2).
36. Considering, on the one hand, the reduced number of DVOs responsible for food hygiene in each District, which very often is limited to only one person and, on the other, the large number of establishments and activities under their control together with the large number of AVs they are supposed to supervise, a regular and in-depth supervision is impaired.
37. Due to the challenges faced and the high demand of human resources for the combating of African Swine Fever and for the implementation of the action plan, GVI has not carried out audits of DVIs and RVIs in relation to the scope of this audit.

Conclusions on organisation of competent authority

38. The CAs responsible for the official control system over the production of bovine meat are clearly designated and have the capability to properly enforce the relevant EU legislation. However, the continuous outflow of official staff, their low salaries, and the discrepancies in the remuneration between OVAs and AVs and amongst the latter, jeopardise the correct and smooth functioning of the official control system, which in turn impacts on the effective enforcement of the relevant EU legislation. The independence of the AV control staff is weakened and their vulnerability to undesirable influences is increased. Moreover, adequate sustainable supervision by the DVO is no longer possible due to the decrease in staffing/hiring officials and the increased ratio between OVAs and AVs to be controlled by them.
39. The remuneration structure for AVs exacerbates the already inherent potential conflict of interest associated with private veterinarians performing official controls and enforcement duties in their "local" area, in two ways: 1) a disincentive to take measures potentially affecting their income, and 2) an incentive to let other work take precedence over low-paid controls over occasional slaughter. Together with the training arrangements for AVs, the impartiality, quality and consistency of official controls are not ensured.
40. The implementation of the systems for verification of compliance and audits is severely impaired due to other priorities and resource constraints.
41. The inspection fees charged to FBOs for meat inspection in slaughterhouses are not in line with and are lower than the minimum rates laid down in Regulation (EC) No 882/2004. Aside from arguably providing an unfair economic advantage to the Polish meat industry, it also deprives the VI of the necessary financial resources that would allow for adequate remuneration, which would also facilitate the filling of vacancies, thus alleviating the understaffing of the VI and its impact on the delivery of controls and

⁽⁵⁾ http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3757

enforcement.

42. A training system, also covering issues related to the red meat sector and, aimed at ensuring that official staff can execute their tasks effectively and consistently, is in place. This, however, does not cover the AVs.

5.3 APPROVAL OF ESTABLISHMENTS

Legal requirements

Article 6(3) of Regulation (EC) No 852/2004, Article 3 of Regulation (EC) No 854/2004, Article 4(2) of Regulation (EC) No 854/2004 and Article 31(2) of Regulation (EC) No 882/2004.

Findings

43. Registration and approval of establishments under VI supervision are performed in accordance with Polish legislation (which follows the provisions of the relevant the EU legislation), i.e. the Act of 16 December 2005 on products of animal origin. The Chief Veterinary Officer instruction No GIWpr-02010-9/2017 of November 2017 provides detailed guidance to VI staff on the procedures to be followed for registration, conditional approval and approval of establishments as well as for suspension and withdrawal of approval and for removing food businesses from the register. The registration/approval procedure is described in the country profile for Poland and in previous audit reports (e.g. DG(SANCO)2010-8452) and the procedures have not changed since.
44. The audit team noticed the correct application of the approval procedure when verified in the establishments visited.
45. The list of approved establishments is publicly available on the GVI website. DVOs are responsible for keeping the list updated. If an establishment's operation is suspended, this should be highlighted in red on the website and the date of suspension should be indicated.
46. The audit team noticed prompt updating of the list of approved establishments when suspended or delisted.

Conclusions on approval of establishments

47. Procedures are in place for approval of establishments and they are correctly implemented.

5.4 ORGANISATION AND IMPLEMENTATION OF OFFICIAL CONTROLS

5.4.1 Official controls on cattle identification and movements of animals

Identification of animals

48. The procedure for the identification of bovine animals is compliant with the EU requirements and no deficiencies were noted by the audit team in the premises visited.
49. Legislation introducing more dissuasive administrative sanctions in relation to animal identification is currently being drafted, and was expected to enter into force by June 2019 (see also paragraph 56 e below).

On farm control

50. The GVI has instructed, in addition to the routine monitoring plan, inspections in selected farms. The list of the inspected farms, with deficiencies identified and the actions taken (which include reminders of requirements, warnings, fines and prosecution requested) was provided to the audit team. The findings indicated the need for an increased verification.
51. In one of the regions visited, only one farm visit took place. As explained to the audit team, it was the result of the overload of work due to African Swine Fever outbreaks in the past and ongoing surveillance.
52. The CA informed the audit team about an upcoming change in legislation in order to make "On farm registers for medical treatments" in the form of booklets with prescribed layout. The draft legislation will be presented to other Ministries involved and expected to come into force in June 2019.

Central Bovine database (CBD)

53. ARMA is fully in charge of the management of the CBD. The concept of the CBD is based on transactions via changes in ownership, which does not accurately reflect the actual movements. In particular, this is the case where traders with a holding are involved, and the animals are moved by the trader from the farm of origin directly to the slaughterhouse: the CBD indicates a movement via the holding which did not take place.
54. The audit team noted also that there is no clarity between ARMA and GVI as to who is responsible for the investigation and clarification/correction of "floating" animals and inconsistencies in the CBD; GVI considers this the responsibility of ARMA. However, ARMA does not carry out controls on traders, transporters, collection centres or slaughterhouses, and expects the GVI to do this.
55. Action taken, evolutions and projects:
 - a. Access to the CBD has been requested by all AVs working in beef slaughterhouses. ARMA has granted access to 1,222 veterinarians and passwords have been sent; only some applications are still in the process of being granted access rights. In the regions visited, it was reported by ARMA that a number of AVs have not yet received their access rights. In two of the five slaughterhouses visited, access to CBD was possible.
 - b. Training to for AVs on the use of CBD was organised by the Regional offices of ARMA.
 - c. Modifications of the CBD are in the pipeline, or are currently being discussed between the GVI and ARMA.
 - d. Improvement of platform by integrating it with application programming interfaces (API) is currently being considered by ARMA.
 - e. The possibility of recording of on-farm emergency slaughter is to be introduced in July 2019.
 - f. Operators with high turnover of animals are now able to submit their notifications electronically to the CBD. Larger slaughterhouses are already notifying the slaughter electronically (XML file).

- g. Meetings were organised between GVI and ARMA to determine the needs for further development and to extend the applications for control for DVIs and AVs.
56. The audit team noted some non-compliances and/or weak points as follows:
- a. Mistakes and redundant registration of activities and inconsistencies were noticed in cases when the traders have two different registrations on the same location. As a consequence, it leaves the system vulnerable to mistakes.
 - b. ARMA cannot physically intervene or inspect slaughterhouses, traders, transporters and collection centres. Their competence is limited to farmers. The responsibility for clarifying errors and not-closed transactions is passed from ARMA to the VI, and vice versa. As a consequence, the clean-up of “floating animals” remains a problem.
 - c. Examples of non-closed transactions are: either one of the declarants at departure or destination has not notified the CBD; the dates of the notifications are not matching; the ear tag numbers are not matching. When the date of purchase is different from the start of the movement and/or the date of slaughter, the CBD records it as a mistake, not allowing the movement to be closed.
 - d. Offspring of a bovine animal are not displayed in chronological order in the CBD, thus hindering an easy investigation at slaughterhouse of the possibilities in relation to injured animals (birth-related injuries, which were acquired already at farm and not during transport as often claimed by transporters and FBOs). The possibilities available in the CBD to verify the eligibility of animals and perform certain plausibility checks were insufficiently known by the OVs and/or the AVs in charge in the slaughterhouses.
 - e. The penalties for the lack of notification of cattle movements are low and not dissuasive (around €110) which, according to the CA, makes it difficult to enforce this requirement. Evidence was provided by DVIs met of increased numbers of cases where penalties were issued during the recent inspections, indicating that a) several notifications are not, or not timely, done and, b) that the level of inspections has increased.
 - f. Animal by-products (ABP) processing plants are not yet allowed to electronically upload notifications of fallen animals collected and processed. A delay in notifications was noted by the audit team.

5.4.2 Official tasks at establishment level (slaughterhouses)

Ante-mortem and post-mortem inspection

Legal requirements

Article 5 of Regulation (EC) No 854/2004.

Findings

57. As regards the *ante-mortem* inspection, and although an improvement in the awareness of the animal welfare issues pertaining to the transport of "downer cows" was observed, there are still considerable discrepancies as regards the recording of findings at *ante-mortem* inspection between the AVs. Findings concerning *ante-mortem* inspection

remain sporadically recorded although some indications were available that non-compliances could have been occurring.

- a. In one large slaughterhouse, four cows, of which one with split pelvis, were identified at *post-mortem* inspection and a significant part of meat (a whole leg) was discarded. The record mentioned "the presence of an injured animal". It is very unlikely that the animal could have walked normally into the transport vehicle at farm. Nevertheless, no further investigations were undertaken.
- b. In the same slaughterhouse, the audit team focused on the information concerning several consignments of single animals that could not get out of the truck and that had been killed inside the vehicle. The documentation provided demonstrated that the animals were brought by the same driver or coming from the same farm/trader. The AVs failed to identify these circumstances, to investigate the possible causes, and to react in an appropriate manner as a result.
- c. The RVI identified in another large slaughterhouse during their additional inspection that a cow had to be slaughtered inside a truck. After investigation it appeared that after calving three weeks earlier, the cow could no longer get up and during these three weeks the farmer had to lift the cow twice per day to allow milking. It's very unlikely that this animal was fit for transport.

58. As regards the *post-mortem* inspection, the audit team noted that:

- a. Correlation between carcasses and offal was not ensured in two slaughterhouses and continuous cross-contamination of the red offal took place prior to the *post-mortem* inspection decision.
- b. The inspection of the green offal was visual; however, it was performed in a very superficial way in one of these slaughterhouses.
- c. In the latter slaughterhouse the audit team noted also that carcasses in the chiller were bearing the health marking although specified risk material (SRM) had not been entirely removed from the carcasses.

5.4.3 Official controls of Food Operators' obligations

Food Chain Information (FCI) and animal identification

Legal requirements

Article 3 of Regulation (EC) No 853/2004 in conjunction with its Annex II Sections I and III and Article 5 of Regulation (EC) No 854/2004.

Findings

59. During the visits, the audit team did not identify major issues concerning the food chain information (FCI), the animal identification, the registration and the verification thereof. However, in three out of the five slaughterhouses, the CBD was not consulted prior to slaughter.
60. The procedure requires that, in the case that animals are presented with only one ear tag, the animals are detained, information is transmitted to the DVI and the animals are not slaughtered until sufficient clarification and evidence of eligibility/identity is provided. During the visit in a slaughterhouse, the audit team saw an example of an AV not having

access to the CBD, who informed the DVI about an animal missing an ear tag, in order for the DVI to perform the necessary checks in the CBD.

5.4.4 Animal welfare at the time of slaughter or killing

Legal requirements

Article 5(1)(c) of Regulation (EC) No 854/2004.

Regulation (EC) No 1099/2009 sets out EU rules with regard to the protection of animals at the time of slaughter or killing.

Findings

61. Evidence was available in the slaughterhouses visited of the controls carried out by the DVOs on animal welfare at slaughter and transport, in response to instructions of the GVI.
62. It was confirmed by the AVs and DVOs that occasionally animals, which are not able to walk, are presented in the slaughterhouses. In general, the animals are stunned and bled in the trucks, as close as possible to the stunning box. It is not general practice to launch a critical inquiry if these animals were able to be transported in the first place, if the same situation occurs with the same transporter(s), if the animal had an injury or if it had given birth prior to the transport, etc. In addition, the DVO in one District informed the audit team about rumours concerning activities of a “specialist” in the collection of injured animals, and that the police had been informed. Several DVOs confirmed that there is little or no feedback from the police or the Prosecutor's Office concerning ongoing investigations (see also section 5.6.5).
63. Findings concerning *ante-mortem* inspection remain sporadically recorded, although some indications were available that non-compliances could have been occurring.
64. During a visit, the growing-in of band/rope in the nose bridge of a cow due to long time attachments was not picked up by the AV, and no investigation to the farm of origin was requested.
65. The audit team was informed by the CCA that it could not be confirmed if the numbers of on-farm emergency slaughter, in accordance with the prescribed procedure (see section 5.6.5), has increased.
66. The stunning and its verification were largely satisfactory in the slaughterhouses visited by the audit team.

5.4.5 General and specific hygiene requirements

Legal requirements

Article 4 of Regulation (EC) No 852/2004, Article 3 of Regulation (EC) No 853/2004 and Article 4 of Regulation (EC) No 854/2004.

Findings

67. The audit team made the following observations:
 - a. In five of the six establishments visited, no major deficiencies related to controls over maintenance and hygiene were detected, and the audit team's observations

were mostly in line with the CA inspection findings. Minor issues were highlighted during and at the end of the visits by the audit team.

- b. In one slaughterhouse visited, several deficiencies were noted, which were not identified by the inspectors of the DVI during their last inspections. These concerned cross-contamination at several stages of the slaughter process (insufficient maintenance, unhygienic collection of red offal fit for human consumption, no rodding⁽⁶⁾, insufficient stunning). The CA took immediate action and suspended the approval until the deficiencies with direct impact on hygiene would be corrected. The suspension would be lifted after verification on-site. At the closing meeting, assurances concerning the action taken were presented.
68. One FBO of a slaughterhouse, initially scheduled in the audit itinerary, informed the DVI that no slaughter would take place between 1 and 3 April 2019. The investigation of records requested by the audit team to be presented revealed that the FBO statement was false as slaughter indeed took place on 1 April during which the same number of animals were slaughtered as would normally be in a whole week. This clearly suggests that the FBO attempted to avoid being included in the itinerary of the audit. The DVO issued a non-compliance note.

Microbiological criteria

69. In one small slaughterhouse approved for the national market, and when cross-checking the sampling dates of the carcasses on the sampling protocol and the information received with the slaughter registers, irregularities were noted by the audit team:
- a. the sampling of pig carcasses took place on days without slaughter (and slaughter of pigs took place during the previous days) meaning that the results are invalid;
 - b. the bovines slaughtered were never tested;
 - c. The AV was never present during sampling and the DVO has not identified these deficiencies during the supervisory visit.

The DVO, after consulting the laboratory, confirmed the findings and requested to align the sampling scheme to the requirements of Regulation (EC) No 2073/2005.

Traceability, health and identification marking

70. The audit team did encounter in one slaughterhouse a non-compliance with regard to the health and identification marking (health marked carcasses with SRM not removed and contaminated red offal dispatched to an ABP plant as food). FBOs were downgrading offal to ABP (pet-food) for commercial reasons, with reduced *post-mortem* inspection. However, the offal dispatched was not covered by appropriate documents for ABP.
71. The traceability of the meat during the process was otherwise satisfactory.

Conclusions on Organisation and implementation of official controls

72. The official controls on cattle identification and movements of animals have improved since the audit DG (SANTE)/2019-6839 and further improvements are announced as

⁽⁶⁾ Rodding is understood to be the blunt severing of the connective tissue between the oesophagus and trachea of ruminants by means of a special metal rod. Once exposed, the oesophagus is sealed with a plastic clamp or tied. The purpose of rodding is to facilitate the removal of the rumen without rupturing the oesophagus with the resulting spillage of ruminal contents.

regards the strengthening of the legislation and the reliability of data held within the CBD. However, the design of the CBD, the non-compliances and weaknesses found - in particular related to incorrect movements from traders with holdings, floating animals, delays in closing movements and the lack of clarity of the responsibilities and communication between the different levels of CA in different Districts and with the police and the Prosecutor's Office – continue to affect the correct implementation, controls over and enforcement of the provisions of Regulation (EC) No 1760/2000 as regards identification and registration of bovine animals.

73. The *ante-mortem* inspection including, in particular, the awareness and/or the verification, as appropriate, whether animals are eligible for transport, and the follow-up if non-compliances are identified, are not yet satisfactory. There is evidence of weaknesses in the performance of official controls over and enforcement of compliance by the FBOs with Council Regulation (EC) No 1/2005 and Council Regulation (EC) No 1099/2009.
74. The *post-mortem* inspection is in general satisfactory with the exception of poor correlation between offal and carcasses and the inspection of the intestines in limited cases.
75. The official controls of the FBOs' obligations are in general satisfactory, with the exception of general and specific hygiene requirements in one slaughterhouse, and the microbiological carcass testing in another.
76. The verification of stunning, the identification and health marking, with the exception of ABP and of cases where the SRM was not removed, are satisfactory.

5.5 RAPID ALERT SYSTEM FOR FOOD AND FEED (RASFF)

Legal requirements Article 50 of Regulation (EC) No 178/2002 and Regulation (EU) No 16/2011.
Findings

77. The recall procedure in the cutting plant involved in the January event was conclusive. The trading activities from the same owner remain suspended. The CA stated that they have not received additional information from the police investigation, to date.

Conclusions on Rapid Alert System for Food and Feed

78. The follow-up of the RASFF notification was performed in a satisfactory way

5.6 FOLLOW-UP TO THE ACTION PLAN PROVIDED IN REACTION TO THE AUDIT DG(SANTE) 2019-6839

Findings

The action plan transmitted by the Polish CA was evaluated during this audit. Considering the short time that elapsed since the submission of the action plan, the CA has to a large extent implemented the proposed actions. These included:

5.6.1 Urgent inspections in slaughterhouses selected on the basis of specific risk criteria.

79. The audit team saw evidence that the instructions from the GVI to DVOs to inspect bovine slaughterhouses were followed. The 162 identified "high risk" slaughterhouses were inspected and deficiencies identified. These official controls were focused on food safety, animal welfare, animal identification and traceability as well as the performance of the AVs appointed to carry out *ante* and *post-mortem* inspections in the slaughterhouses including the adherence to procedures for storing and use of the health mark. Some DVOs went further and included all the slaughterhouses in their District in their inspections.
80. The reports reviewed documented often more findings-deficiencies than identified in previous routine controls, which can be considered a positive evolution.
81. During the visits, the audit team could confirm that verification of the FCI, the animal identification and the registration is carried out. The team noted, however, that OV/AV spend considerable time on identity checks and recording these in triplicate, with no or limited added value and if anything to the detriment of the performance of their other duties . In contrast, findings concerning *ante-mortem* inspection remain sporadically recorded although there were indications that non-compliances could have been occurring.

5.6.2 Control over the performance of the authorised veterinarians

82. During the above-mentioned urgent inspections, the performances of the AVs were evaluated following clear instructions, and using a newly developed checklist (*Spiwet*). In all of the Districts visited, this evaluation had not identified significant deficiencies. In one case, a deficiency was included in the report and oral warning was given to the AV for not using the CBD for verification of the traceability of bovines prior to slaughter. It transpired that the AV had forgotten his password. The issue was resolved at the time of the audit.

5.6.3 Procedure for secure storing, issuing, registering and returning of health marks (seals)

83. The procedure for secure storing, issuing, registering and returning the health marks (seals) was in place in all slaughterhouses visited. Instructions had been issued, were followed and verified during the urgent inspections.

5.6.4 Conflict of interest

84. The audit team did not receive information that issues related to conflict of interest are identified and reported by the CA during their evaluations.

5.6.5 Communication and Transparency

85. In order to enhance the knowledge and awareness of the OVs, FBOs, professional associations and the consumers, the following information was developed by the GVI and disseminated through different channels, including websites:

- a. the identification and listing of slaughterhouses accepting the carcasses of animals subject to on-farm emergency slaughter;
 - b. leaflets for farmers to explain how to deal with injured animals, which are also distributed via municipalities and farmers associations;
 - c. forms to be used in case of on-farm emergency slaughter.
86. There is little or no feedback from the police and Prosecutor's Office concerning ongoing investigations. The lack of collaboration reduces the possibilities for further detection of non-compliances, to link different cases, and hinders the prevention and correction of wrongdoings.
87. The procedures to follow for on-farm emergency slaughter of injured animals and to ensure correct application of the requirements of Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004, are quite detailed:
- a. A private veterinarian (practitioner) has to evaluate the health status, and whether the animal can be transported.
 - b. *Ante-mortem* inspection has to be carried out by a private veterinarian.
 - c. On-farm emergency slaughter has to be performed by professional and adequately equipped slaughter-men, which might be difficult to achieve in certain regions.
 - d. Verification of adequate stunning needs to be done by the AV.
 - e. Arrival at a slaughterhouse accepting to receive on-farm emergency slaughtered animals has to occur within two hours after killing. However, this is not always feasible within two hours if no listed slaughterhouse is located close by.

5.6.6 The inspection of transporters

88. The DVOs were instructed to inspect transporters. The audit team noted that in the two regions visited, these inspections took place. In many cases these transporters were also traders, with or without a holding.

5.6.7 The inspection of cattle dealers

89. Lists were extracted from the CBD using risk-based criteria to determine potentially suspect traders to prioritise inspections in the districts. The audit team saw evidence that these inspections took place. The main deficiency identified was late notification.

5.6.8 Access to the Central Bovine Database (CBD)

90. Providing AVs access to the CBD and training on its use by ARMA. According to data provided, more than 1,222 AVs appointed in slaughterhouses have been granted access and received training with instructions to systematically verify the information recorded in the database prior to the slaughtering of a bovine.

5.6.9 Legislative changes

91. The CCA announced several legislative changes to be proposed by the VI in order to address the non-compliances identified during audit DG(SANTE) 2019-6839 and mentioned in the action plan:
- a. Introducing time limits to return passports by breeders, slaughterhouses and rendering plants and time limits for the destruction of the ear tags.

- b. Increase of the fines for irregularities in reporting of events to the CBD.
- c. Introducing into the Act on the protection of animals, the possibility for the VI to impose financial penalties when violations of the animal welfare conditions during transport have been identified.
- d. Introducing into the Act of 11 March 2004 on protection of animal health and eradication of infectious diseases, the principle to ban a commercial activity in the whole country for 12 months.

Conclusions on follow-up to the action plan

92. The CAs have implemented the announced action plan to a considerable extent, and implementation is ongoing. The specific findings on its implementation are described in Chapters 5.1, 5.2 and 5.3. There is no evidence of significant improvement in the collaboration with the police or the Prosecutor's Office.

6 OVERALL CONCLUSIONS

The action plan submitted following the audit DG(SANTE) 2019-6839, although ambitious and to be implemented within a short time, has been implemented to a considerable extent thanks to substantial and additional efforts from the OVs and the entire VI, and implementation is ongoing. As a result, the situation has certainly improved, but there is still some room for further improvement, notably in relation to the raising of awareness on the animal welfare issues pertaining to the transportation of injured animals, the accurate assessment and recording of both *ante-mortem* and *post-mortem* findings in order to identify animal welfare issues, and the on-farm emergency slaughter of injured animals unfit for transport. Similarly, in respect of the identification and registration of animals, and in particular the use and usability of the central data base as a tool to verify correct application of the rules as well as the eligibility of bovine animals, there is yet work to be done.

However, the audit identified issues in relation to resources, which seriously jeopardise an effective functioning of the control system and thus, the competent authorities' capability to enforce the correct implementation of the relevant legislation.

First, there is a substantial outflow of official staff and recruitment of new staff is highly problematic, not least because of the relatively low wages, and posts remain unfilled. This, together with the need to deal with other priorities, seriously affects the capability of official veterinarians to supervise adequately the (increased ratio of) authorised veterinarians (private practitioners performing official duties), while audits to that effect are currently precluded.

Second, the remuneration structure of the authorised veterinarians is directly related to the throughput of the establishments they serve. As a consequence, and in the event that these are high throughput establishments, they earn much more than officials performing the same duties; but when they are very low throughput, they earn very little. Aside from this inequitable situation being reported as a source of considerable disquiet within the service, it has implications which may significantly impact in terms of their performance of controls, their independence, and the avoidance of conflict of interest; a high throughput is a

disincentive to intervene and enforce corrective measures which lower that throughput, while a very low throughput is an incentive to let other, better remunerated activities prevail over official controls.

Under the circumstances, and considering that there is no central training for authorised veterinarians, the quality, consistency and impartiality of the controls are not ensured, while at the same time the required level of supervision by official staff cannot be met.

Against this background, it must be noted that the Polish authorities charge inspection fees in this area, which are significantly lower than the minimum fees laid down in Regulation (EC) No 882/2004. Not only does this arguably provide an unfair economic advantage to the Polish meat industry, it also further limits the necessary financial resources available to the VI, and which would assist in addressing the remuneration issues and would help create conditions to make the job more attractive for veterinarians to occupy the chronically vacant official posts. Increased revenue would also allow the provision of remuneration to authorised veterinarians in very low throughput slaughterhouses, which would mitigate conflict of interest, or disinterest, at that level.

As long as the staff issues are not addressed the sustainability of the actions proposed, and taken to date, remains questionable.

Finally, this audit found that the national measures are largely in line with the flexibility provisions provided for in the "Hygiene Package" legislation and there is therefore no need for a round national health mark, as currently applied in Poland for certain slaughterhouses.

7 CLOSING MEETING

A closing meeting was held in Warsaw on 5 April with the CCA. At this meeting, the audit team presented the main findings and preliminary conclusions of the audit and advised the CCA of the relevant time limits for the production of the report and their response.

The representatives of CCA acknowledged the findings and conclusions presented by the audit team.

The CCA provided at the closing meeting information on the actions taken in the establishments where breaches of the legislation had been identified during this audit.

The CCA stated that they do not intend to introduce any changes concerning the national measures and using the national health mark, which is not in line with the EU legislation.

8 RECOMMENDATIONS

The CCA should provide Commission services with an action plan, including a timetable for its completion, within twenty-five working days of receipt of the translated draft report, intended to address the shortcomings identified and, in particular, the following recommendations:

No.	Recommendation
1.	<p>To ensure that sufficient qualified staff is employed and retained to perform all the official controls as prescribed by Article 4(2)(c) of Regulation (EC) No 882/2004.</p> <p><i>Recommendation based on conclusions Nos 39 and 40</i></p> <p><i>Associated findings Nos 18 to 22, 26 and 27</i></p>
2.	<p>To ensure impartiality, quality and consistency of the official controls and absence of any conflict of interest, in particular as regards the authorised veterinarians, as required by Article 4(2)(b) and (4) of Regulation (EC) No 882/2004.</p> <p><i>Recommendation based on conclusion No 40</i></p> <p><i>Associated findings Nos 26 to 29</i></p>
3.	<p>To ensure the correct application of Article 27 of Regulation (EC) No 882/2004 in respect of the collection of fees or charges to cover the costs occasioned by official controls, and which shall not be lower than the minimum rates specified in Annex IV, section B and Annex V, section B of that Regulation.</p> <p><i>Recommendation based on conclusion No 42</i></p> <p><i>Associated findings Nos 23 to 25</i></p>
4.	<p>To continue to strengthen awareness, and to ensure the correct implementation, of the requirements of Annex I, Section II, Chapter III of Regulation (EC) No 854/2004, concerning the acceptance and slaughter of bovine animals fit for slaughter at <i>ante-mortem</i> inspection and of the performance of official controls over compliance by the FBOs with Council Regulation (EC) No 1/2005 and Council Regulation (EC) No 1099/2009.</p> <p><i>Recommendation based on conclusion Nos 72 and 73</i></p> <p><i>Associated findings Nos 62 to 64</i></p>
5.	<p>To strengthen the control on the correct application of the instructions for the on-farm emergency slaughter of injured animals, in order to ensure correct application of the requirements of Section I, Chapter VI, of Annex III to Regulation (EC) No 853/2004.</p> <p><i>Recommendation based on conclusions Nos 72 and 73</i></p>

No.	Recommendation
	<i>Associated findings Nos 65 and 87</i>
6.	<p>To ensure that the correct implementation by FBO of the requirements of Regulation (EC) No 1760/2000 in respect of the identification and registration of bovine animals is adequately controlled, and enforced. In particular:</p> <ul style="list-style-type: none"> • to enhance the reliability of the data in the central database, • the provision and organisation of data in a way which allows efficient and effective controls of the identification and movement of bovine animals. • the continued provision of training to official and authorised veterinarians in the use and research capabilities in the database in order to verify the eligibility of animals and perform certain plausibility checks to investigate the possibility of birth-related injuries in animals unable to rise and walk out of trucks. <p><i>Recommendation based on conclusion No 72</i></p> <p><i>Associated findings Nos 53 to 56</i></p>
7.	<p>To strengthen the collaboration and flows of information towards other competent authorities located in other Districts, Regions and central competent authority and, as appropriate, the police and the Prosecutor's Office to enhance the effectiveness of official controls, in accordance with Article 4(3) of Regulation (EC) No 882/2004 and in order to strengthen the enforcement of the relevant requirements of Regulation (EC) No 1760/2000 (identification and registration of bovine animals), and Regulations (EC) No 1/2005 and No 1099/2009 (animal welfare).</p> <p><i>Recommendation based on conclusion No 72 and 92</i></p> <p><i>Associated findings Nos 29, 62, 77 and 86</i></p>
8.	<p>To ensure that the national measures applied concerning structural and equipment requirements of establishments with lower production are in line with EU legislation, in particular as regards Article 5 of Regulation (EC) No 853/2004 (i.e. the placing of their products on the market only when an identification mark is applied in accordance with Annex II, Section I, of that Regulation).</p> <p><i>Recommendation based on conclusion No 10</i></p> <p><i>Associated findings Nos 2 to 4 and 6 to 8</i></p>

No.	Recommendation
9.	<p>To ensure that specified risk material is removed prior to health marking of the carcasses and that animal by-products are dispatched covered by the appropriate documentation and not as food, in accordance with Annex IV (4)(1)(a) of Regulation (EC) No 999/2001.</p> <p><i>Recommendation based on conclusion No 76</i></p> <p><i>Associated findings Nos 58c and 70</i></p>

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/audits-analysis/rep_details_en.cfm?rep_inspection_ref=2019-6843

ANNEX 1 – LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 1760/2000	OJ L 204, 11.8.2000, p. 1-10	Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97
Reg. 1825/2000	OJ L 216, 26.8.2000, p. 8-12	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
Reg. 178/2002	OJ L 31, 1.2.2002, p. 1-24	Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
Reg. 1082/2003	OJ L 156, 25.6.2003, p. 9-12	Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals
Reg. 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
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. 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. 911/2004	OJ L 163, 30.4.2004, p. 65-70	Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers
Reg. 2073/2005	OJ L 338, 22.12.2005, p. 1-26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs
Reg. 2074/2005	OJ L 338, 22.12.2005, p. 27-59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Reg. 931/2011	OJ L 242, 20.9.2011, p. 2-3	Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin

Reg. 1169/2011	OJ L 304, 22.11.2011, p. 18-63	Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004
Dir. 98/83/EC	OJ L 330, 5.12.1998, p. 32-54	Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption