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Directorate F - Food and Veterinary Office

DG(SANCO)/3311/2001 – MR final

REPORT OF A MISSION
CARRIED OUT IN PORTUGAL
FROM 14 MAY TO 21 MAY 2001
CONCERNING ANIMAL WELFARE DURING TRANSPORT
AND CERTAIN ASPECTS OF WELFARE AT THE TIME OF SLAUGHTER

Please note that certain written comments, made by the Portuguese authorities on 6 August 2001 in response to the draft report, have been included in the text of this final report in bold, italic type or as a footnote.

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ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

CA	Competent Authority
CCA	Central Competent Authority
DG SANCO	Directorate General of the European Commission for Health and Consumer Protection
DGV	<i>Direcção Geral de Veterinária</i>
DIV	<i>Divisão de Intervenção Intervenção Veterinária</i>
DRA	<i>Direcção Regional de Agricultura</i>
EEC	European Economic Community
EC	European Community
EU	European Union
FVO	Food and Veterinary Office
GNR	<i>Guarda Nacional Republicana,</i>

1. INTRODUCTION

The mission took place in Portugal from 14 May to 21 May 2001. The mission team comprised two inspectors from the Food and Veterinary Office (FVO).

This mission was undertaken as part of the FVO's planned mission programme.

The inspection team was accompanied during the entire mission by a representative from the *Direcção Geral de Veterinária* (Veterinary Directorate General - central competent authority).

An opening meeting was held on 14 May 2001 with the central competent authority. At this meeting the objectives of, and itinerary for, the mission were confirmed by the inspection team, and additional information required for the satisfactory completion of the mission was requested.

2. OBJECTIVES OF THE MISSION

The objectives of the mission were to evaluate the performance of the competent authorities in the field of animal welfare during transport and at the time of slaughter.

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

Competent authority visits			Comments
Competent authority	Central	2	Opening and closing meetings
	Regional	3	
Live animal control sites			
Slaughterhouses		4	
Ports		2	

3. LEGAL BASIS

The mission was carried out under the general provisions of Community legislation and, in particular:

Commission Decision 98/139/EC of 4 February 1998 laying down certain detailed rules concerning on-the-spot checks carried out in the veterinary field by Commission experts in the Member States.

Article 10 of Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and as amended by Directives 95/29/EC.

Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing.

4. BACKGROUND TO THE CURRENT MISSION

The previous missions to Portugal in the field of animal welfare were undertaken in 1996 and 1999.

The aim of the first mission, undertaken from 4 February to 9 February 1996, was to get information as to how the requirements of Council Directive 91/628/EEC were met in Portugal. The lack of adequate supervision, the transport of unfit animals, the use of unsuitable loading and unloading facilities and unacceptable handling techniques were among the main findings (reference Commission Document VI/1923/96 of 19.3.1996).

During the second visit to Portugal from 15 November to 19 November 1999 in the field of animal welfare on-farm and during transport, it was found that there was no considerable progress in conditions for animal transports. However the authorisation of transporters did represent some progress in administrative procedures and a greater general level of awareness of the requirements of Council Directive 91/628/EEC was detected.

The report of this mission (reference number DG(SANCO)/1022/1999) is available at: http://europa.eu.int/comm/food/fs/inspections/vi/reports/portugal/index_en.html

The current mission was therefore also undertaken to evaluate progress made since the previous missions.

5. MAIN FINDINGS

5.1. Applicable legislation in Portugal.

The Portuguese animal welfare legislation corresponding to the relevant EC legislation is indicated below, in addition *Lei* 92/95 of 12.9.1995 is an act providing for general animal welfare.

Decreto-Lei 153/94 and *Portaria* 160/95, which formally transposed Council Directive 91/628/EEC (as amended by Directive 95/29/EC), have been revoked and replaced by a consolidated *Decreto-Lei* 294/98 of 18.9.1998. This includes amendments made by Council Directive 95/29/EEC, the text of Council Regulation (EC) No. 411/98 on the requirements for higher standard vehicles and a reference is also made to Council Regulation (EC) No. 1255/97.

Decreto-Lei 28/96 of 2.4.1996 transposes Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing.

5.2. Competent authority

The central competent authority is the DGV, *Direcção Geral de Veterinária*, which forms part of the *Ministério da Agricultura, do Desenvolvimento Rural e das Pescas* (Ministry of Agriculture, rural development and fisheries). Within the DGV the department responsible for animal welfare legislation is the *Direcção de Serviços de Meios de Defesa da Saúde, Bem-Estar e Alimentação Animal* (Directorate of Animal Health, Welfare Nutrition Services). This Department is obliged to prepare legislation and other administrative rules, as well as giving advice and co-ordinating the application of the legislation at a national level.

The DGV is not the executive body. The implementation and the execution of the legislation and the DGV's policies on the spot is the responsibility of each *Direcções de Serviços de Veterinária* (Directorate of Veterinary Services). These services are incorporated into the DRA, *Direcção Regional de Agricultura* (Regional Directorate of Agriculture), and in Portugal there are 7 administrative

regions each with a DRA. They are responsible for organising and carrying out on the spot inspections.

In the two Autonomous Regions these execution responsibilities fall on the *Direcção Regional do Desenvolvimento Agrário* (Regional Directorate General for Agricultural Development), in Azores, and on the *Direcção Regional de Pecuária* (Regional Directorate General for Livestock), in Madeira.

In addition *each* DIV, *Divisão de Intervenção Veterinária* (Veterinary Intervention Division), covers a geographical area with an average of **10** municipalities, each of which employs the services of at least one veterinarian. These municipal veterinarians are obliged to follow orders given by the DRA. The municipal veterinarians are e.g. involved in the procedure for licensing and registration of transporters and also in carrying out on the spot inspections.

The National Republican Guard (GNR) is the police authority responsible for roadside checks of animal transports.

5.3. Operational procedures

The DGV proposes the legislation and is the co-ordinating body. The DGV can also participate in control operations as the supervising entity. After publication of the relevant legislation circulars were sent to the DRAs and to the municipal veterinarians clarifying some points and giving general guidelines. ***The DIV also organised working meetings between themselves and all the DRAs and met with a representative from the headquarters of the National Republican Guard.***

The DGV provides guidance and training to both the regional veterinary services and municipal veterinarians in veterinary matters and administrative procedures. The Commission team was informed of training and refresher courses provided by DGV's Divisão de Informação e de Formação Profissional (information and professional training division), in particular those offered to official veterinarians by the central services, the DRAs and the municipalities, in which the subject of animal welfare was explained and discussed in terms of the current legislation.

The DGV is responsible for the authorisation of transporters and has issued instructions on the procedures to be followed both by the DRA and by the municipal veterinarians. The DRA has also sent the same instructions to the municipal veterinarians

Regarding inspections concerning animal transport, the DGV circulated a standard report form, *auto de vistoria*, which can be used as a checklist during the inspection. The regional veterinary services are ordered to follow this standard report form. However, during the mission only 25 reports of inspections concerning animal transport using this standard report form were seen.

5.3.1. Authorisation of animal transporters.

Licensing and registering of animal transporters, who transport animals more than 50 km, is carried out by the DGV according to the following procedure:

The registration procedure follows a request from a transporter and includes an inspection of the vehicles by a municipal veterinarian to verify if the vehicles comply with the legal requirements. The report of the municipal veterinarian, a

declaration by the transporter of the competency of personnel accompanying the animals, driving licence and photographs of the vehicle(s) are first submitted to the regional veterinary services and from there they are sent to the DGV. The transporter is required to give a written undertaking that all measures will be taken to comply with the Directive. The DGV issues an authorisation to the transporter and a *plasticised* card bearing *the embossed seal used by the DGV*, the vehicle registration, the name and address of the transporter and the species for which the vehicle has been approved as well as the date of issue and validity.

1615 animal transporters have been authorised to date. Since 1998, 2248 vehicles used for the transport of animals by road have been inspected for the purpose of authorising transporters. Some containers used for the transport of animals by sea have also been inspected for the same purpose.

5.3.2. *Transport checks*

The inspectors carrying out the transport checks provided for by Directive 91/628/EEC are veterinarians of the regional (DRA) and sometimes also local authorities. There are also technicians (**auxiliaries**) assisting the veterinarians during inspections. In case of a roadside check the GNR, *Guarda Nacional Republicana*, has the responsibility for the inspection. The target for the transport checks, defined by the DGV, is to cover 10% of the licensed vehicles in each region each year.

Reports of inspections for 1998 and 1999 (required by article 8 of Council Directive 91/628/EEC, as amended) have not yet been sent to the Commission service.

5.3.3. *Controls in slaughterhouses*

The veterinary inspectors (*médico veterinário inspector sanitário*) in the slaughterhouses are directly employed by the DRA or are private veterinarians having a specific renewable short-term contract with the regional services.

No appropriate practical or written evidence of controls concerning animal welfare at slaughterhouses was seen during the mission (see 5.4.3 and 5.7.). Furthermore in the slaughterhouses visited no registers of incidents involving unfit animals were available. However, one veterinary inspector in a slaughterhouse visited presented a written warning concerning dirty animals.

5.3.4. *Sanctions*

If an infringement is found to have taken place, the official veterinarians or police authorities prepare an official report and this is followed by official depositions by the offender and the witnesses. The final decision rests with the **Veterinary Directorate General**. In some cases, proceedings may *be brought to court and* lead to a sentence.

The CCA was aware of four cases of sanctions for infringements relating to transporters. There was an opening of court proceedings concerning one case in 1999, two administrative fines were imposed in 2000 and one formal warning was issued in 2001 as of at the time of the FVO mission.

5.4. Main field findings and information received

5.4.1. Performance of inspection.

Overall the inspections carried out by the inspectors of the CA during the mission were not performed in a satisfactory way. During these visits, no standard inspection procedure was followed by the DRA officials and the checklists (standard report form) issued by the CCA had been used on two sites visited only since 2001. The inspectors were not sufficiently aware of the animal welfare criteria to be checked on basis of the EC legislation. Some inspectors did also not have the necessary assessment knowledge. There was no structured approach in carrying out these inspections and insufficient written guidance was available to the inspectors¹. There was hardly any recording of the findings and results of the inspections, no sanctioning and no follow-up. The results of the inspections were not communicated to the CCA and up to the time of the mission only one region had sent information concerning the number of the inspections.

The remarks made during the inspections did not contain many references to the requirements of Council Directive 91/628/EEC, as amended.

5.4.2. Welfare during road transport

During the mission the means of transport and the animals arriving were inspected at three slaughterhouses for cattle, sheep and goats and pigs, one poultry slaughterhouse and at one port on the mainland. The inspections were performed by official veterinarians and technicians. In two slaughterhouses since 2001 the inspectors used checklists (standard report form) issued by the central authority. 4 inspections with these checklists were done on one slaughterhouse visited and 21 on another one. On all the other sites visited no documented inspections using checklists were performed and other evidence of controls was also not presented at the sites visited.

Means of transport at slaughterhouses and ports

It was stated by the CA that the lorries seen during the visits were used to transport animals for less than 8 hours.

Protection against the weather

On all sites visited there were lorries without roofs and some of these lorries were not equipped with a canvas, that can be used as a roof when necessary. The Portuguese inspectors accepted this as in their opinion the air quality is better for the animals in warm weather conditions on lorries without roof and many of the animals are reared in outdoor systems. However paragraph 14 of the Annex of the Council Directive 91/628/EEC requires that vehicles shall be equipped with roofs.

¹ In their response the CA reject this finding.

Loading and unloading facilities

On all sites visited the inspectors accepted that the lorries did not need to carry suitable equipment for loading and unloading such as bridges, ramps or gangways as it is required by paragraph 4 and 16 of the Annex of the Council Directive 91/628/EEC. In the authorisation of the transporters there is no direct requirement that these facilities have to be carried on the vehicle if the transporter can prove that the loading and unloading takes place on sites with appropriate facilities. The mission team visited one farm in an autonomous region in order to observe the loading of calves into a container. On the farm there were appropriate loading facilities such as a ramp with lateral protection. The loading of the calves was done in a calm and effective way.

At the port visited unloading of cattle from sea containers without any ramp into a lorry with an external ramp and lateral protection was observed. The calves with a live weight of 110 kg had difficulties to *step down from a height* of 50 cm when being unloaded from the containers down to the ground whilst the loading into the lorry with external ramps worked reasonably well. There was a 50 cm internal step in the above-mentioned lorry and several calves fell there onto their knees.

In one two-tier lorry, seen at a slaughterhouse, sheep had to jump down 80 cm from the upper to the lower level. The lorry driver explained that he had forgotten to carry the internal ramps during the journey.

All these deficiencies were not commented on by the Portuguese inspectors *in the presence of the mission team*.

Loading density

In one slaughterhouse visited the inspector checked the loading density of a lorry with sheep by dividing the total space by the number of the animals on the whole lorry. The mission team noted that the loading density was not checked for each compartment separately on the lorry as there was one very crowded compartment.

At the port the inspecting veterinarian detected an overloading of young calves in one compartment of a lorry. The inspector could however not provide exact data for the assessment of the loading density but judged this in a subjective way. The inspector did not know the exact minimum space requirement for this category of animals when asked by the mission team.

There was written evidence that the inspecting veterinarians in the poultry slaughterhouse checked the loading densities of the birds in the containers. The inspectors had guidelines for the number of birds allowed in the containers depending on the species and the weight. During the day of the visit the inspectors detected two cases of overcrowding.

Fitness of animals

Officials from the veterinary services representing the competent authorities in the field of animal welfare at the visited slaughterhouses were not taking the necessary measures to enforce the respective legislation, e.g. by allowing unfit

animals (e.g. a moribund sheep, new-born lamb with a not completely healed navel) to be transported into the slaughterhouse.

In one slaughterhouse visited a dead animal in the lairages was detected by the mission team. This animal was in a very bad body condition indicating that it had been probably already moribund during transport or even in a very sick state at the place of origin. In the same slaughterhouse several lambs whose navels were not yet healed were also seen. The CA explained that these were cases of sanitary slaughter and for reasons of animal health also sick and unfit animals are brought to the slaughterhouse².

The official veterinarian reported that there had been 5-6 animals for emergency slaughter arriving in this slaughterhouse recently. These were animals with e.g. fractures, broken hips and legs. The mission team asked why these animals were not killed on the farm to avoid unnecessary pain. It was explained by the CA that slaughter of these animals is not normally allowed on the farm and the disposal of carcasses is difficult and expensive for the farmers because of lack of adequate rendering or disposal facilities.

In the lairages of this slaughterhouse a bull with a chain of around 50 cm tying the two forelegs together was observed by the mission team. No comment was made by the responsible official veterinarian although it was clear that the animal had been transported as such from the place of origin.

Mortalities

There were monthly reports of mortalities in the poultry slaughterhouse including the mortalities during transport and in the lairages which varied between 0,4 % (winter) and 0,8 % (summer). This information was delivered to the regional services which forwards summarised reports to the hygiene department of the central Ministry but not to the animal welfare department of the central Ministry. The mission team noted that separate figures for the mortalities during transport and in the lairages helps to detect more directly critical points concerning welfare of animals.

The responsible authorities of the other slaughterhouses did not present any records of mortalities.

Control of route plans

The mission team was reported that there are no transports of more than 8 hours on all the sites visited. There were some few route plans seen in one slaughterhouse from transports originating from Spain and lasting less than 8 hours.

² In their response the CA commented that the consignment of animals in question was being slaughtered under the brucellosis eradication plan and it was necessary, on public health grounds, to move unfit animals to the slaughterhouse because slaughtering on the farm of origin was not feasible in this instance.

5.4.3. *Welfare of sea transports at ports*

Two ports were visited during the mission, one in an autonomous region on an island and one in mainland Portugal. On average 50 000 cattle of different ages are yearly transported by sea in containers on cargo boats between the autonomous region and mainland. These cattle are brought to mainland for further fattening and slaughter and the animals are destined for various locations throughout Portugal. The veterinary authorities explained that the sea journey takes 2-3 days. The weather conditions for the sea journey are not monitored by the authorities.

Journey times by road to and from the ports and waiting time spent in containers at the ports were not controlled by the authorities at the port of departure or arrival. The animals in containers, mostly in roofless containers, were not watered at the port of arrival in mainland when they were waiting several hours in hot weather conditions without protection for further transport to their final destination where they are randomly controlled by the veterinary services.

Most of the containers with animals seen at the port of departure did not have a roof. The mission team was informed that when containers are transported on open deck, other containers were placed on these roofless containers to provide roofing during the sea journey. During the visit the mission team could observe this practice. It was stated by the CCA that these containers have a limited approval which will expire soon or has already expired. However no written evidence of such an approval was presented to the mission team. Furthermore there were no instructions on how containers for sea transport on open deck should be checked and approved by the CA as required in the Annex, chapter I, D19 of the Council Directive 91/628/EEC as amended.

The mission team detected some containers with animals and very dirty bedding at the port. In one such a container also the floor was uneven. The official veterinarian told that those containers intended for further transport to mainland were coming from other islands of the autonomous region and that they were not inspected by the veterinary services at this port.

The inspection at the port of departure, mainly concerning the identification of animals, is carried out while the animals remain in the containers. The level of the inspection and supervision concerning animal welfare was not satisfactory, because a number of requirements and criteria (e.g. sufficient drinking water and appropriate foodstuff for the sea journey, presence of adequate passageways having access to all containers, instrument for emergency slaughter³, loading density, care and isolation of ill or injured animals during the voyage) were not controlled or even addressed. The official veterinarian was not aware of the space in the container for the animals. Furthermore, there was a lack of any written evidence related to controls of animal welfare during transport. The CA has distributed instructions concerning loading densities for cattle. However, these loading densities were not in compliance with the EC-legislation⁴.

³ In their response the CA stated that Maritime Law prohibits the presence of guns on board cargo vessels therefore 'instruments for emergency slaughter' may not be carried on board.

⁴ In their response the CA dispute that the loading densities are not in compliance with EC-legislation.

The Commission team had to bring several deficiencies to the attention of the responsible veterinarian in order to clarify the situation.

5.4.4. Welfare at slaughter

During the mission, the lairaging, handling and stunning of animals was observed in three slaughterhouses for mammals and in one slaughterhouse for poultry. ***During the visits***, the veterinarians in charge did not take enough action or notice of various deficiencies seen in the lairages and at the place of stunning to ensure that the requirements for animal welfare are respected. Animal welfare incidents were not recorded, except one incident involving dirty animals (see 5.3.3.) and it was not possible to audit the procedures followed. There was no documented or visual evidence of the supervision of the welfare requirements at the slaughterhouses visited. However, in the poultry slaughterhouse there was a general recording system for deficiencies observed in the slaughterhouse.

Lairages

Overcrowded and very dirty pens were seen in one slaughterhouse visited. There was no bedding for the animals in the lairages visited and the official veterinarian was not well informed about the feeding of animals although animals were kept overnight in the lairages.

In the poultry slaughterhouse containers with animals were placed in the lairages area in a way that air circulation around the containers was not guaranteed. The mission team pointed it out and the official veterinarian promised to prevent it in the future.

Handling of animals

The handling of animals was carried out in an unacceptable manner prior to slaughter in two slaughterhouses visited. A moribund sheep was dragged by feet a long way from the lairages to the place of stunning. The official veterinarian responsible for the slaughterhouse did not comment or take any action although he saw it.

In the other slaughterhouse the gates of the cattle gangway had caused injuries on the back of several cattle.

Stunning

In one slaughterhouse the restraint facilities of sheep were constructed in such a way that animals' leg was tied with a chain and the animals were then suspended for stunning.

The slaughterhouses visited used electronarcosis to stun individually sheep, lambs and pigs. All these slaughterhouses did not have an apparatus incorporating a device which measures the impedance of the load and prevents operation of the apparatus if the minimum required current cannot be passed, an audible and visible device indicating the length of time of its application to an animal and a connected device indicating the voltage and the current under load; positioned so as to be clearly visible to the operator.

In one out of two slaughterhouses the stunning of sheep was carried out in such a way that several animals were not completely unconscious after being stunned by using electronarcosis before bleeding.

Major deficiencies with stunning of cattle were observed at one slaughterhouse when the attempt to stun bulls by captive bolt pistol failed several times.

Further deficiencies related to the stunning procedure seen during the mission included the wrong positioning of electrical stunning tongs, lack of adequate means of restraining animals before stunning, many animals received several electrical pre-stun shocks, no control of effective stunning was done by the official veterinarians in charge and the operators responsible for stunning did not show the necessary knowledge and skill for correctly judging the result of their activity.

Spare equipment and instruments were not kept at the place of slaughter, where mammals were stunned using electronarcosis.

However, captive bolt pistols seen in the slaughterhouses were maintained in a satisfactory way and registers of maintenance of the stunning equipment and instruments were kept in the slaughterhouses visited.

6. CONCLUSIONS

6.1. Legislation

EC-legislation concerning Animal Welfare during transport and at the time of slaughter has been transposed into national law.

6.2. Competent authority

The mission team noticed difficulties for the DGV in controlling the activities of the regional services. There is no system in place for regularly informing the central administration about the inspections carried out in the regions, there is a weakness of any supervisory system and there was no documentation supporting or demonstrating supervision. There are no reports sent to the Commission service of the results of transport checks carried out as required by Article 8 of Council Directive 91/628/EEC, as amended.

There was a widespread failure by the CA to impose meaningful sanctions where infringements were detected. The level of control carried out by the CA is therefore inadequate and in contravention of its obligations under article 18 of Council Directive 91/628/EEC, as amended. Furthermore, there was a failure to make comments and take appropriate action on deficiencies seen during the mission in particular because the official veterinarians obviously failed to recognise animal welfare problems due to lack of training, guidance, detailed instruction and guidelines.

Overall the veterinary supervision of the protection of animals during transport and at the time of slaughter by the regional authorities was not satisfactory and

the supervision of the veterinary services in the regions by the CCA was poor due to a missing reporting system.

6.3. Operational procedures

Overall the inspections carried out by the inspectors of the CA during the mission were not performed in a satisfactory way. The performance of checks by official veterinarians at the site of inspection demonstrated a lack of awareness of the animal welfare requirements.

6.4. Welfare during transport

Surveillance and the level of control of the means of transport, the conditions they provide for animals and fitness of animals did not meet satisfactorily the requirements of Council Directive 91/628/EEC, as amended. Vehicles were seen with deficiencies similar to those observed during the previous mission (e.g. the lorries described (see 5.4.2.) did not meet the requirements with regard to the loading and unloading facilities, the lack of any kind of a roof and being overstocked).

The transport of unfit animals to slaughterhouses, which occurred during the visits (see point 5.6) is not in compliance with article 12 of Council Directive 93/119/EC and there was no evidence of effective sanctions to discourage the transport of such animals in the future.

The lack of recorded infringements (e.g. incidents involving transportation of unfit animals were not recorded) is not reconcilable with the number of deficiencies detected during the visits. Therefore there is a failure of the CA to detect and record deficiencies on a systematic basis.

The level of the check at the place of departure (port) was not satisfactory as the official veterinarians demonstrated a lack of awareness of the animal welfare requirements.

There was however, an improvement in the procedure of the licensing of animal transporters and the CCA preparing instructions and standard report forms for carrying out transport inspections.

6.5. Welfare at slaughter

The control of requirements concerning animal welfare at slaughterhouses was insufficient particularly as no records or other evidence of controls, corrective actions, appropriate follow-up and sanctioning was presented. As significant findings concerning animal welfare were detected by the mission team during the visit, there is evidence that the veterinary supervision is not satisfactory. Incidents and deficiencies like unacceptable handling and restraint of animals, poor conditions in the lairages, transport of unfit animals, injurious fittings and ineffective stunning were tolerated by the responsible official veterinarians.

Furthermore, the responsible official veterinarian did not ensure that any electrical stunning apparatus in use must be equipped and operated as laid down in sub paragraph 2 of paragraph 3A of chapter II of Annex C of Council Directive 93/119/EC.

The absence of a back-up gun or other appropriate equipment or instrument at the place of slaughter to stun the animal properly in case of emergency is not in compliance with article 6 of Council Directive 93/119/EC.

There was however, an improvement in the keeping of register of maintenance of the stunning equipment and instruments.

6.6. Overall conclusion

The previous mission to Portugal in the field of animal welfare was undertaken in 1999 (reference number DG(SANCO)/1022/1999). Some improvement compared to that previous mission was noticed in the following areas: The authorisation of transporters did represent some progress in administrative procedures. The slaughterhouses visited could present a maintenance book of the stunning equipment. The CCA had distributed instructions and standard report forms (checklists) concerning necessary Animal Welfare controls. However, an appropriate reporting of the results back to the CCA was not in existence.

At the sites visited the CA did not perform a satisfactory surveillance of Animal Welfare during transport and at the time of the slaughter and did not take the necessary action where deficiencies were detected. Ineffective stunning, inappropriate handling of animals, inappropriate stunning equipment for electronarcosis, the transport of unfit animals, doubtful loading and unloading techniques due to unsuitable facilities were among the main findings. The performance of the checks by the CA at the site of inspection demonstrated a lack of awareness of the requirements. There was a widespread failure by the CA to impose legal sanctions where infringements were detected.

A good level of enforcement of the provisions of Council Directive 91/628/EEC (as amended) and Council Directive 93/119/EC has not yet been achieved.

7. CLOSING MEETING

The findings and conclusions of this mission were presented by the Commission team at a closing meeting held on 21 May 2001 and attended by representatives from the DGV and some regions as well as from one autonomous region. No disagreement was expressed by the CA during the final meeting. The authorities indicated their willingness to address the deficiencies identified.

8. RECOMMENDATIONS

8.1. To the central competent authorities of Portugal

The competent authorities are requested to inform the Commission Services of the actions taken and planned to address the following recommendations and to provide a timetable for the completion of these actions. This should be done within 1 month of receipt of the final mission report.

In order to achieve an effective enforcement of the provisions of Council Directive 91/628/EEC (as amended) and Council Directive 93/119/EC measures shall be taken to fulfill the following requirements:

- 8.1.1. To ensure that the requirements of Council Directives 91/628/EEC, as amended and 93/119/EC are respected and that inspecting veterinarians and technicians receive adequate information, training or other forms of support to assist them in enforcing of national legislation related to animal welfare during transport and at slaughterhouses as well as in establishing of an effective control system in order to monitor the conditions under which animals are transported and slaughtered.
- 8.1.2. To ensure the satisfactory implementation and supervision of the operation of checks concerning transport of live animals in all regions in Portugal by further developing the methodology for carrying out inspections, so that the requirements are clearly understood by the responsible authorities and the official veterinary staff are informed about their duties and rights in order to check the application of animal welfare legislation professionally.
- 8.1.3. To establish a reliable reporting system through all levels of veterinary administration in order to assure the appropriate flow of information for the supervision of animal welfare.
- 8.1.4. To ensure that corrective and follow-up action is taken when a deficiency is detected and implement a system to ensure the effective application of sanctions. Furthermore, clear instructions should be given to the competent regional and local authorities about the circumstances under which sanctions are to be imposed.
- 8.1.5. To ensure that means of transport, fitness of animals for the journey as well as the conditions during transport by road and water comply with Council Directive 91/628/EEC, as amended.
- 8.1.6. Ensure that stunning equipment in slaughterhouses is operated in such a way that it meets all the requirements of point 2 of article 6 and point 3A of chapter II of Annex C of Council Directive 93/119/EC. Steps should also be taken to address the difficulties reported in slaughtering unfit animals on farm as required by article 12 of chapter III of Council Directive 93/119/EEC.

8.2. To the Commission services

The Commission services are requested to monitor the corrective actions to be taken by the Portuguese competent authority.

ADDENDUM TO MISSION REPORT DG (SANCO)/3311/2001

Competent authority response to draft Mission Report

1. The competent authority submitted comments on the draft report which were taken into consideration prior to the preparation of the final report.
2. In these comments the Portuguese central competent authority submitted supplementary information and expressed doubts about the observations made regarding the following aspects:
 - fitness of animals
 - welfare of sea transports at ports
 - operational procedures, guidance, training and supervision.
3. In order to deal with the problems identified and to respond to the recommendations, the Portuguese central competent authority is preparing a national animal welfare plan, which will be forwarded to the Commission services for evaluation when it is completed.