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FINAL REPORT OF AN AUDIT
CARRIED OUT IN
SLOVENIA
FROM 16 TO 20 APRIL 2012
IN ORDER TO EVALUATE THE IMPLEMENTATION OF CONTROLS FOR ANIMAL
WELFARE ON FARMS AND DURING TRANSPORT

Executive Summary

This report describes the outcome of a Food and Veterinary Office (FVO) audit which took place in Slovenia from 16 to 20 April 2012. The audit evaluated the implementation of national measures for the control of animal welfare on farms and during transport and followed up on a general audit of 2009 with eight recommendations of relevance from the animal welfare specific part of the audit, report DG(SANCO)/2009-8241 (hereafter referred to as report 2009-8241), and two from the general part, report DG(SANCO)/2010-8779 (hereafter referred to as report 2010-8779).

Report 2009-8241 concluded that the system for inspection for animal welfare on farms, during transport and at slaughter was largely adequate and almost all recommendations from previous reports had been addressed. However, the competent authority (CA) did not ensure that all cages brought into service after the date of accession were enriched and that all the deficiencies in laying hens holdings equipped with enriched cages were detected and corrected.

Although there was a system of checks in livestock vessels before departure, the CA did not grant certificates of approval for third country flag vessels, as required by Art. 19(1) of Regulation (EC) No 1/2005. In addition, the CA did not ensure a systematic verification that the required journey times are respected, contrary to Art. 15(1) of that Regulation.

The central competent authority (CCA) has generally satisfactorily addressed all 10 recommendations with nevertheless some improvements still needed with regard to three of them.

Slovenia had informed the Commission services that all laying hen holdings with unenriched cages had either closed down or converted into other production systems. However, during inspections in January 2012 the CA detected seven sites still operating with hens in unenriched cages. These were not allowed to sell eggs in shell to the market, packaging centres were informed that eggs from these sites should not be accepted and administrative procedures were initiated against the responsible keepers.

Journey logs for long distance transport still do not always include all required information.

The CCA informed the audit team that all holdings with over 100 sows, and approximately 66% of the holdings with between 10 to 99 sows, are already implementing group housing of sows. The CCA has no firm data yet on how the compliance will evolve but the number of pig producers has dropped 20% from 2010 to 2011 because of an economic crisis in the sector, unrelated to animal welfare standards, and the decline is expected to continue. The present estimate from the CCA is that by 1.1.2013 Slovenia could still have approximately 7% of the smaller pig holdings not having implemented the requirements of Art. 3 of Directive 2008/120/EC for keeping sows and gilts in groups.

Two new areas were covered by the FVO for the first time during this audit, animal welfare of broiler production and the implementation of Council of Europe Recommendations.

A system of official controls over animal welfare of broilers is in place and adequately verifies compliance with the requirements of Directive 2007/43/EC. However training of broiler keepers is still being implemented.

Slovenia wrongly considers that the Recommendations by the Council of Europe (adopted on the basis of the European Convention for the Protection of Animals Kept for Farming Purposes) are not directly applicable.

The report makes a number of recommendations to the CCA, aimed at rectifying the shortcomings identified and enhancing the implementing and control measures in place.

Table of Contents

1	<u>INTRODUCTION</u>	1
2	<u>OBJECTIVES</u>	1
3	<u>LEGAL BASIS</u>	1
4	<u>BACKGROUND</u>	1
5	<u>FINDINGS AND CONCLUSIONS</u>	2
5.1	<u>COMPETENT AUTHORITY</u>	2
5.1.1	<i><u>LEGISLATION</u></i>	2
5.1.2	<i><u>COORDINATION BETWEEN COMPETENT AUTHORITIES AND DELEGATION OF POWERS</u></i>	3
5.2	<u>FARM INSPECTIONS</u>	4
5.2.1	<i><u>LAYING HEN FARMS</u></i>	4
5.2.2	<i><u>PIG FARMS</u></i>	6
5.2.3	<i><u>BROILER FARMS</u></i>	7
5.3	<u>TRANSPORT</u>	9
5.3.1	<i><u>APPROVAL OF MEANS OF TRANSPORT</u></i>	9
5.3.2	<i><u>CHECKS ON TRANSPORT</u></i>	10
5.4	<u>SANCTIONS</u>	12
6	<u>OVERALL CONCLUSIONS</u>	12
7	<u>CLOSING MEETING</u>	13
8	<u>RECOMMENDATIONS</u>	13
	<u>ANNEX 1 - LEGAL REFERENCES</u>	15

ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

CA	Competent Authority
CCA	Central Competent Authority
CVs	Contracted veterinarians (private practitioner performing official duties on behalf of the VARS)
EU	European Union
FVO	Food and Veterinary Office
OV	Official Veterinarian
VARS	Veterinary Administration of the Republic of Slovenia (<i>Veterinarska Uprava Republike Slovenije – VURS</i>)

1 INTRODUCTION

This audit took place in Slovenia from 16 to 20 April as part of the planned audit programme of the FVO.

An opening meeting was held with the competent authorities of Slovenia on 16 April 2012. At this meeting, the objectives of, and itinerary for the audit were confirmed by the audit team and additional information required for the satisfactory completion of the audit was requested.

The audit team comprised two inspectors from the FVO and was accompanied throughout the audit by a representative of the CCA, the Veterinary Administration of the Republic of Slovenia (VARŠ) (*Veterinarska Uprava Republike Slovenije – VURS*).

2 OBJECTIVES

The main objective of the audit was to verify the implementation of EU animal welfare legislation applicable to pig, broiler and laying hen farms and transport of animals, in particular the measures put in place to give effect to Council Directives 2008/120/EC, 98/58/EC, 1999/74/EC, 2007/43/EC, Regulation (EC) No 1/2005 and to follow up from the report 2009-8241 regarding animal welfare in farms and during transport. The audit also assessed how the recommendations from the European Convention for the Protection of Animals kept for Farming Purposes (hereinafter “the Convention”) have been included in Slovenian legislation and/or other administrative arrangements.

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

Visits			Comments
Competent authority	Central	2	Opening and final meetings
	Regional	1	Ptuj. In addition staff from two other regions was also met during on-site visits
Farms		3	One for laying hens, one for broilers and another for pigs. The laying hens and the pig farm were both selected by the audit team.
Assembly centres		1	The operator was also an authorised type 1 transporter.

3 LEGAL BASIS

The audit was carried out under the general provisions of Union legislation, in particular Article 45 of Regulation (EC) No 882/2004.

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

4 BACKGROUND

The most recent audit concerning animal welfare took place from 16 to 24 June 2009. The results of

that audit are included in reports 2009-8241 and 2010-8779 respectively.

Those reports are accessible at: http://ec.europa.eu/food/fvo/ir_search_en.cfm. Report 2009-8241 concluded that the system for inspection for animal welfare on farms, during transport and slaughter was largely adequate and almost all recommendations from previous reports had been addressed. However, the CA did not ensure that all cages brought into service after the date of accession were enriched and that all the deficiencies in laying hens holdings equipped with enriched cages were detected and corrected.

Although there was a system of checks in livestock vessels before departure, the CA did not grant certificates of approval for third country flag vessels, as required by Article 19(1) of Regulation (EC) No 1/2005. In addition, the CA did not ensure a systematic verification that the required journey times are respected, contrary to Article 15(1) of that Regulation.

The CCA indicated that certain actions had been taken in response to the recommendations, and the effectiveness of several of these actions was assessed during the current audit.

5 FINDINGS AND CONCLUSIONS

5.1 COMPETENT AUTHORITY

The organisation of the CA is described in the country profile of Slovenia which is accessible at: http://ec.europa.eu/food/fvo/country_profiles_en.cfm.

5.1.1 Legislation

Recommendation one of report 2009-8241 requested the CCA to take measures to ensure that the requirements of points 1(b), 2, 5 and 8 of Art. 3 of Dir. 2008/120/EC are transposed in the national legislation without excluding holdings regarding the number of pigs.

In response the CCA stated that the applicable national regulation on the protection of farm animals, i.e. the Rules on minimum conditions for the protection of farm animals and on registration procedure for laying-hen rearing facilities, were amended from July 2010 (page 7592 official journal reference 51 dated 28.6.2010). The previous distinction between "intensive" and other holdings has been removed.

Findings

- The amended legislation is now applicable to all holdings without any distinction made in its Article 22 for the total number of pigs in the holding.
- The CCA considers that the Recommendations by the Council of Europe (adopted on the basis of the Convention) are not directly applicable in the national legal order, and the member states of the Council of Europe, signatories to the Convention, are in a position to decide, in what way and measure they are going to implement the recommendations. Slovenia has implemented the wording of the Convention that equals the wording of Council Directive 98/58/EC concerning the protection of animals kept for farming purposes, whereby the EU implemented the Convention. The wording has been implemented in the "Rules on the protection of animals kept for farming purposes", which have been adopted on the basis of the Protection of Animals Act.
- Nevertheless Article 9 (3) of the Convention states that "Unless a longer period is decided upon by the Standing Committee, a recommendation shall become effective as such six months after the date of its adoption by the Committee. As from the date when a recommendation becomes effective each Contracting Party shall either implement it or inform the Standing Committee by notification to the Secretary General of the Council of

Europe of the reasons why it has decided that it cannot implement the recommendation or can no longer implement it". Slovenia ratified the Convention in 20.10.1992 with it coming into force in Slovenia in 28.4.1993 and has not notified any reservations. Therefore the recommendations adopted in accordance with Art. 9 of the Convention are legally binding for Slovenia.

- An additional point of relevance regarding the Council of Europe recommendations is a VARS internal act entitled "Recommendations for the protection of animals in the stunning and slaughter". It includes, amongst others, guidelines on appropriate procedure of stunning and killing of fish, identifying methods prescribed and assessment of consciousness.

Conclusions

The CCA has amended the national legislation concerning pig holdings satisfactorily addressing recommendation one of report 2009-8241.

Recommendations from the European Convention for the Protection of Animals kept for Farming Purposes have been only partially included in Slovenian legislation and/or other administrative arrangements and the CCA incorrectly considers them not binding in Slovenia.

5.1.2 Coordination between Competent Authorities and delegation of powers

Legal requirements

Articles 4 (3) and (5) of Regulation (EC) No 882/2004 provide for efficient and effective co-ordination and co-operation between competent authorities and require that, when, within a competent authority, more than one unit is competent to carry out official controls, efficient and effective coordination and cooperation shall be ensured between the different units.

Article 5 of Regulation (EC) No 882/2004 sets out the scope of possible delegation to control bodies, the criteria for delegation, and the minimum criteria which must be met by control bodies. Where such delegation takes place, the delegating competent authority must organise audits or inspections of the control bodies as necessary. The Commission must be notified about any intended delegation.

Findings

Contracted veterinarians (CVs, private practitioner performing official duties on behalf of VARS) carry out some animal welfare checks while performing annual visits to holdings. They are not considered to have had any official controls tasks delegated to them by the CCA but this was a possibility under consideration at the time of the 2009 audit. In addition in 2009 the results of the animal welfare checks from the annual visits by the CVs were not being taken into account in the risk assessment for deciding which holdings official veterinarians would visit for their animal welfare controls.

Recommendation one of report 2010-8779 requested the CCA to ensure where it is not the case the efficient and effective co-ordination and co-operation between competent authorities as required by Art. 4(3) of Reg. 882/2004.

In response the CCA stated that the animal welfare related findings of the CVs at establishments during their annual visits are taken into account for risk assessment and planning of official controls.

- The CCA issues an annual programme detailing the minimum number of holdings of each type to be visited per region. The guidelines accompanying the programme inform the regions of which parameters to take into account when performing their own risk assessment to select the holdings to be visited. These parameters now include taking into account if any

notifications or instructions had been issued by the CVs.

- During the pig holding visit the official veterinarian (OV) confirmed that the CVs findings were now also used during the risk analysis to select pig holdings to be visited. Nevertheless the OV had during an earlier visit not reported on insufficient light intensity for the pigs even though this had previously been notified by a CV and was still the case during the current visit.

Recommendation three of report 2010-8779 requested the CCA to ensure that staff performing official controls, especially contracted veterinarians, are free of any conflict of interest as required by Art. 4 of Reg. 882/2004.

In response the CCA stated that persons performing official controls fall into the category of civil servants covered by the legal provisions prohibiting any activity other than those for pedagogical or scientific purposes (Article 100 of the Civil Servants Act, Official Gazette No 63/2007 – 3rd official consolidated version). The official control tasks laid down in Art. 5 of Reg. 882/2004 are not delegated to CVs, so the conflict-of-interest requirements under its Art. 4 does not apply to them. Consequently current arrangements in place verify that there is no conflict of interest among CVs.

- The audit team was informed that there are legal provisions allowing delegation of tasks for approved veterinarians but this provision has never been used.
- The CCA confirmed that the CVs do not perform official tasks, they are used instead as a means of divulging information to, and collecting information from, all holdings including from many that could possibly be several years without OV visits for animal welfare controls.
- Every year the CCA prepares a specific template report/questionnaire for the CVs to complete during their annual holding visits and amongst other matters the questionnaires include some animal welfare points. For example, both in the years of 2011 and 2012, the part on animal welfare included questions concerning group housing of sows. This helped the CCA in obtaining an informed picture of the overall status of Slovenia in this regard.

Conclusions

The results of the CVs annual visits to pig holdings are now used by the OVs in their risk assessment to select the holdings to visit, allowing a more efficient use of resources as requested in recommendation one of report 2010-8799. However, the findings reported by the CVs are not always thoroughly followed up during official controls.

The system of using CVs for divulging and gathering information without delegating official tasks to them with regards to animal welfare also satisfactorily addresses recommendation three of report 2010-8779.

5.2 FARM INSPECTIONS

5.2.1 Laying hen farms

Legal requirements

Article 8 of Directive 1999/74/EC requires that the CA has to carry out checks to monitor compliance with the requirements of this Directive and Article 3(1) of Regulation (EC) No 882/2004 requires a risk based approach to checks.

Article 5(2) of Directive 1999/74/EC requires that the Member States shall ensure that rearing of laying hens in unenriched cages is prohibited with effect from 1 January 2012.

Commission Directive 2002/4/EC requires Member States to establish a system for registering

every production site covered by the scope of Council Directive 1999/74/EC. The last paragraph of Point 1 of the Annex of this Directive requires the registration of the maximum capacity of an establishment in number of birds present at one time.

Findings

Recommendation two of report 2009-8241 requested the CCA to take measures to ensure that the information recorded in the register of holdings with laying hens is accurate so that when changes occur the register is updated immediately as required by Art. 1(4) of Dir. 2002/4/EC.

In response the CCA stated that the relevant software would be updated in such a way that at every change every new entry of a laying-hen rearing facility in register, an updated list of laying-hen rearing facilities would be drawn up and automatically transmitted for publication on the external website.

- The audit team was informed that the software application had been updated on 20.4.2010.
- The data in the register correctly coincided with what was seen during the visit to the laying hen establishment.

Recommendation three of report 2009-8241 requested the CCA to take measures to ensure that inspections in enriched cages laying hen premises check all the requirements of Articles 2 and 6 of Dir. 1999/74/EC.

In response the CCA stated that two training sessions within the regular monthly coordination meetings on the methods of conducting checks on enriched cages in laying-hen rearing facilities had already been performed by the CCA in 2009, after the 2009 FVO audit, and that training in the field had been planned to take place in 2010. Updated recommendations on animal welfare checks in laying-hen rearing facilities, including the detailed specification of control objectives and detailed instructions on the laying- hen rearing facility control procedures had been issued.

- Documented evidence of the training sessions in 2009 was provided to the audit team and all the support documentation (guidance, checklists, spreadsheet for assessing cage compliance, etc) for the OV's supervisory activities over laying hen establishments was also seen to be available in the VARS intranet.
- The intended field training in 2010 had not been performed. Additional documentation was provided to the audit team demonstrating also two sessions of one day internal training (organised by the CCA and attended also by the regions) in 2011. One session in March covering pigs, broilers and laying hens, the other in November with a point on laying hens again but focusing mainly on broilers.
- During the visit to the laying hen establishment with enriched cages the OV used the template checklist and instructions issued by the CCA and performed a competent inspection of the system of production concluding that the cages were adequately furnished and birds stocked at the correct density.
- Although the checklist did include points for verification of feed and water supplied as well as the lighting regime the OV had not investigated these criteria together with the production data to determine if there had been forced moulting. During the visit the CCA indicated that the practice of forced moulting is going to be explicitly prohibited by law.
- Documentation requested by the audit team concerning two other laying hen establishments showed that the CA had detected non-compliances related to inadequate or incomplete furnishing of enriched cages. The CA had requested correction, followed up on measures taken and, in one case, imposed sanctions until obtaining full compliance.

Recommendation four of report 2009-8241 requested the CCA to take measures to ensure that

unenriched cages introduced after date of accession are not built or brought into service for the first time, as required by Art. 5(2) of Dir. 1999/74/EC.

In response the CCA stated that its Action Plan of 2010 included the control of all the existing laying hen rearing facilities, that there was a specific focus on the date of first use of the cages, that new legislation was introduced in August 2010 on transitional arrangements on the use of conventional cages (Article 39, OJ 70 dated 3.9.2010) and that the situation was evolving and it expected that full compliance would be achieved by 1.1.2012. It informed also that this sector is included in the VARS audit programme for 2011.

- The CCA had informed the Commission services that all laying hen holdings with unenriched cages had either closed down or converted into other production systems. However, during targeted inspections in January 2012 the CA detected seven sites still operating with hens in unenriched cages. These were not allowed to sell eggs in shell to the market, packaging centres were informed that the eggs from these sites should not go on the market and administrative procedures were initiated against the keepers of these sites.
- One such site was visited by the audit team and two of its six houses still had birds in unenriched cages, 14 000 in each of the two. These birds were already almost 80 weeks of age and it was intended to depopulate the cages at the end of the current month (April).
- The regional office visited by the audit team had been subjected to VARS audits covering some animal welfare sectors in 2009 and 2011. The 2011 audit covered laying hens and did not make recommendations for this sector.

Conclusions

The measures taken by the CCA have satisfactorily ensured that inspectors are now checking all the requirements of Articles 2 and 6 of Dir. 1999/74/EC, as required in recommendation three of report 2009-8241.

Slovenia still has not yet achieved full compliance, even though only in seven sites, with the requirement from Art. 5(2) of Dir. 1999/74/EC that rearing in unenriched cages is prohibited. Nevertheless it has taken adequate measures to ensure that eggs in shell coming from these non-compliant premises are not placed on the market and has initiated sanctioning procedures against the keepers responsible.

5.2.2 Pig farms

Legal requirements

Article 8(1) of Directive 2008/120/EC requires the CA to carry out inspections on a representative sample of the different rearing systems.

Article 3 of Directive 2008/120/EC requires that sows and gilts be kept in groups since four weeks after service until one week before the expected time of farrowing in all holdings newly built or rebuilt or brought into use for the first time after 1 January 2003. From 1 January 2013 those provisions shall apply to all holdings.

Findings

Recommendation five of report 2009-8241 requested the CCA to take measures to ensure that documented procedures contain sufficient information and instructions for staff carrying out official controls, as required by Art. 8(1) of Reg. 882/2004, so that the requirements of Dir. 2008/120/EC on pig holdings are respected.

In response the CCA stated that comprehensive inspection guidelines on controls at pig holdings were made available on the VARS intranet on 23.3.2011 and training was provided also at that time

to explain the guidelines.

- The new guidelines are available on the VARS intranet and were provided to the audit team.
- Documented evidence was provided to the audit team of the internal training of March 2011 concerning also pig holdings.
- The programme of visits to pig holdings for this year has placed an emphasis on visits to holdings that will have to implement group housing of sows and are known not to have done so yet.
- The OV adequately remarked on the deficiencies seen during the visit; individual sow stalls too small for one of the bigger sows in them, insufficient light intensity, use of an inadequate material (plastic bags) as manipulable material in two weaner pens even though together with a sufficient quantity of another, adequate, manipulable material (straw).
- The questionnaire used by the CVs in 2011 and 2012 included specific question concerning group housing helping the CCA to establish the following picture of the situation at national level on 31 December 2011:

	capacity of production sites (number of sows)			
	10 to 99	100 - 249	250- 749	≥ 750
Number of production sites	536	4	2	1
Number with group housing	364 (68%)	4	2	1

- The CCA informed the audit team that due to a severe economic crisis in the pig production sector, unrelated to animal welfare standards, the number of pig holdings had dropped by 20% between 2010 and 2011. It estimates that if this trend continues by January 2013 there will be 430 holdings, with between 10 to 99 sows, in operation, with approximately 7% of those without group housing. All the existing sites with 100 or more sows already have group housing.
- The owner of the pig holding visited (in the 10 to 99 sow category) referred to some industry led meetings on the keeping of pigs, but was unaware of any easily accessible advice on how best to convert his facilities into group housing.

Conclusions

The CCA has updated the documented procedures and instructions for staff carrying out official controls on pig holdings and the OVs are adequately detecting non-compliances with regards to the requirements of Dir. 2008/120/EC, satisfactorily addressing this part of recommendation five of report 2009-8241.

Contrary to the requirements of Art. 6, b) of Dir. 2008/120/EC the CA has not ensured that appropriate training courses are available in particular to provide advice to the keepers of smaller holdings on the transition to group housing of sows.

According to present estimates from the CCA by 1.1.2013 Slovenia could still have approximately 7% of pig holdings without implementing the requirements of Art. 3 of Dir. 2008/120/EC for keeping sows and gilts in groups.

5.2.3 Broiler farms

Legal requirements

Article 7(1) of Directive 2007/43/EC requires the CA to carry out non-discriminatory inspections on an adequate proportion of animals within each Member State to verify compliance with the requirements of this Directive.

Findings

- Dir. 2007/43/EC was transposed into national legislation in June 2010 with the publication of the “Rules on the protection of animals kept for farming purposes”.
- Inspection of the requirements of this legislation were implemented into official controls in the middle of 2011.
- In 2011 the CA inspected 49 broiler holdings detecting non-compliances in 11 of them. In 2012, until April, 22 holdings were inspected with non-compliances detected in 16.
- The CCA launched a tender on 20.3.2012 for proposals for a training programme for broiler producers to be submitted by 6.4.2012. In 28.3.2012 the CCA appointed a commission to review the adequacy of the proposals submitted and provide the chief veterinary officer with an opinion of each of the proposals within 15 days of their reception.
- In accordance with the “Rules on the protection of animals kept for farming purposes” the broiler keepers must complete their training at the latest by 13 July 2012.
- During the broiler holding visit the OV performed a competent inspection of the system of production using the checklist and instructions provided by the CCA and the only shortcoming noted concerned insufficient light intensity, 13 lux instead of 20. The OV had adequate measuring equipment to allow verification of compliance with the required environmental parameters, namely CO₂, NH₃, temperature, humidity and light intensity.
- The files with notifications of intended high production densities from two broiler holdings, one of between 33 to 39 kg/m² and the other of up to 42kg/m², requested by the audit team contained the details required in Annex II of Dir. 2007/43/EC.
- The audit team did not assess the CA on site verification of the operator compliance with the requirements of Annex V to Dir. 2007/43/EC (densities from 39 up to 42kg/m²) because no such holding was visited.
- The system in place in Slovenia requires the operator to provide the CA with an update on the intended production density for every cycle of production even when the density is not planned to change and no changes are made to the houses, equipment or procedures.
- The documentation accompanying the broilers for slaughter included daily mortality rate, cumulative daily mortality rate and hybrid or breed of the chickens as required in Annex III, 1 of Dir. 2007/43/EC.
- The CCA has established which parameters, and respective limits, should be taken into account at the slaughterhouse in order to issue notification of findings consistent with poor welfare conditions as required in Annex III, 1 of Dir. 2007/43/EC. At the moment these are:
 - When a flock has less than 10 000 birds 300 are checked, if it has between 10 000 and 20 000 birds 600 are checked ,and if more than 20 000 birds 900 are checked;
 - If there are blisters, with a diameter above 10mm, present on the foot, tarsal joint or breast of more than 50%, 30% or 5% respectively of the birds checked, a notification is sent to the broiler keeper with copy to the CA;
 - The keeper is expected to address the situation and an OV will visit a broiler holding for on the spot investigation only if two consecutive notifications are received for

flocks originating from the same house.

- The audit team saw several examples of such notifications but until now there had been no case of consecutive notifications for the same house of the same producer, and therefore the CA had not carried out yet any visit for on the spot investigation.

Conclusions

The control system on broiler production implemented by the CA is satisfactorily verifying compliance with the requirements of Dir. 2007/43/EC. A training system for broiler keepers is not yet in place but the procedures to set it up have been initiated and a deadline established for it to be implemented by July 2012.

5.3 TRANSPORT

5.3.1 Approval of means of transport

Legal requirements

Article 18 of Regulation (EC) No 1/2005 requires the competent authority to grant a certificate of approval for means of transport by road used for long journeys, provided that the means of transport have been inspected and found in compliance with the requirements of Chapter II and VI of Annex I to this Regulation.

Article 19(1) of Regulation (EC) No 1/2005 requires the competent authority to grant a certificate of approval for a livestock vessel, provided that the vessel has been inspected and found in compliance with the requirements of Section 1 of Chapter IV of Annex I to this Regulation.

Article 6 of Regulation (EC) No 1/2005 requires the competent authority to ensure that no person shall act as a transporter unless he holds an authorisation issued by a competent authority pursuant to Article 10(1) or, for long journeys, Article 11(1).

Findings

Recommendation six of report 2009-8241 requested the CCA to take measures to ensure that all means of transport for long journey by road are equipped with a navigation system from 1 January 2009 as referred to in Annex I, Chapter VI, par 4(2) of Reg. 1/2005.

In response the CCA declared that satellite navigation systems are compulsory since 1.1.2009 and that mandatory instructions for official veterinarians have already been issued. These require every transporter applying for Type 2 (long journey) authorisation of road transport to have all the means of transport fitted with the navigation system complying with the provisions of Regulation 1/2005. In addition to these instructions, a series of recommendations for road transporters will be issued.

- The approval of means of transport for long journeys by road is made based on a technical assessment of the means of transport by the mobile unit. The audit team visited the mobile unit and saw evidence of a transporters' request for the renewal of his long journey authorisation which had just expired, and of the approval of its' Type 2 means of transport. The head of the mobile unit informed the audit team that the transporter had been notified by telephone that the means of transport could not be approved until fitted with the mandatory navigation system. The transporter replied he would do so and get in contact again for a review of the truck after the system had been fitted. This had not happened yet and the audit team saw that this transporters' authorisation was clearly identified in the transporter's list as expired.
- There is a very low number of Slovenian based approved means of transport Type 2. Due to the high number of Croatian registered means of transport operating into and out of Slovenia

the CCA, after evaluating the requirements imposed by the Croatian authorities and considering them identical to the ones required under Reg 1/2005, has entered into an agreement with the Croatian authorities. Under this agreement a means of transport that has been approved by the Croatian authorities will also be approved by the Slovenian CCA administratively, upon presentation of a Croatian certificate of approval together with a certificate that it is fitted with the required navigation system.

- The audit team was informed that the series of recommendations for road transporters are intended to be very thorough and comprehensive and, partly also because of that, have not yet been issued due to staffing constraints.

Recommendation seven of report 2009-8241 requested the CCA to take measures to ensure that third country flag livestock vessels are approved, as required by Art. 19(1) of Reg. 1/2005.

In response the CCA stated that a new system was devised which involves the joint inspection of a vessel by the CA and a classification body prior to issuing a certificate and/or an authorisation of the transporter. This procedure was agreed during a meeting with the Maritime Service on 3.2.2011.

- There is no written procedure for the approval of livestock vessels but detailed minutes are made of the inspection. The audit team saw minutes of such an inspection by the CA together with the national Maritime authority and it covered the relevant points required under Art. 19 and 20 of Reg. 1/2005. Although there is no training provided for the handlers the owner was requested to submit a certificate of competence for the crew. In addition the owner also submitted a layout of the vessel covering the different levels.
- The OV indicated that he lacked the technical expertise to give adequate assurance on the ventilation rate, the strength of pen rails and decks, and the functioning of the alarms for the water supply and fire systems.
- The CA issued a certificate of approval of the livestock vessel valid for 3 months.
- Transporters using livestock vessels with a 3rd country flag are not formally authorised according to article 6 of Reg. 1/2005 but the shipping agent is based in Slovenia and considered legally responsible.

Conclusions

The CCA has taken adequate measures to ensure that all means of transport for long journey by road are equipped with a navigation system satisfactorily addressing recommendation six of report 2009-8241.

The CCA has taken measures to ensure that third country flag livestock vessels are approved, as required by Art. 19(1) of Reg. 1/2005. However, staff carrying out the approval inspections does not possess the necessary expertise to assess some of the more technical requirements prescribed in Section 1, Chapter IV, of Annex I to Reg. 1/2005. Therefore recommendation seven of report 2009-8241 has not yet been fully addressed.

5.3.2 Checks on transport

Legal requirements

Article 27(1) of Regulation (EC) No 1/2005 requires the competent authority to check that the requirements of this Regulation have been complied with by carrying out non-discriminatory inspections of animals, means of transport and accompanying documents. Such inspections must be carried out on an adequate proportion of animals transported each year within the Member State.

Article 14(1) (a) (ii) of Regulation (EC) No 1/2005 requires that the CA of the place of departure shall carry out appropriate checks to verify that the journey log submitted by the organiser is

realistic and indicates compliance with this Regulation.

Article 15(1) of Regulation (EC) No 1/2005 requires the competent authority to carry out at any stage of the long journey appropriate checks on a random or targeted basis to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I. Article 15(4) of the same regulation states that the records of the movements of the means of transport by road obtained from navigation system may be used for carrying out these checks where appropriate.

Findings

Recommendation five of report 2009-8241 requested the CCA to take measures to ensure that documented procedures contain sufficient information and instructions for staff carrying out official controls, as required by Art. 8(1) of Reg. 882/2004, so that the requirements of Reg. 1/2005 on transport are respected.

Recommendation eight of report 2009-8241 requested the CCA to take measures to ensure that controls of journey logs are carried out, as required by Art. 14(1) (a) (ii) and point 8 of Annex II to Reg. 1/2005, to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that travel times and rest periods have complied with the limits set out in Chapter V of Annex I, as required by its Art. 15.

In response the CCA stated that it issued guidelines (dated 10.11.2009) for official veterinarians including the administrative issues concerning journey logs, the role of official veterinarian in conducting checks on consignments, means of transport and documents, and explaining the procedure of transmitting journey logs from organizers to new owners and back again to the CA in the place of origin. The guidelines describe how feasibility of journeys should be assessed.

- The revised guidelines were shown to the audit team they:
 - require every transporter applying for Type 2 authorisation of road transport to have all the means of transport fitted with the navigation system complying with the provisions of Regulation 1/2005;
 - specifically identify requirements applicable to Type 1 or Type 2 means of transport;
 - include guidance on assessing feasibility of journey times;
 - do not yet include assessment of fitness for transport;
 - nor any instruction to ensure that all the fields in the planning section of the journey log are filled in and coherent amongst them.
- The facilities and procedures, including animal handling and separation, of the assembly centre visited adequately complied with the requirements in Chapter III, Annex I of Reg. 1/2005. The information required by Art. 11 (2) of Directive 64/432/EEC was also available.
- The three journey logs seen in the assembly centre visited did not include the total area of the means of transport and two did not include the total weight of the consignment. The responsible OV declared that in all three cases the stocking density had been evaluated and found to be in compliance with the requirements but that no records had been kept of that verification.
- An example of a periodical control of a consignment mandatorily carried out strictly following a journey log control checklist was shown to the audit team. In this case all the fields in the planing section had been filled in. Nevertheless the field with the estimated journey time was not coherent with the fields concerning beginning and end date and time of the journey and this had not been noted.

- The mobile unit has four OV's and two well equipped vehicles for carrying out animal welfare roadside checks. It carries out 350 to 400 checks annually during transport with the large majority of those consisting of long journeys transiting through Slovenia. The audit team was informed that in approximately a third of the checks some non-compliance is detected and that these would mostly be in the case of:
 - sheep, for overstocking and/or insufficient space above the animals to ensure adequate ventilation;
 - horses and sometimes bovine animals, because of insufficient water and rest.

Conclusions

The CCA has significantly improved the transport guidelines and has very good equipment, procedures and specially trained staff to perform roadside checks. However, from a documentation point of view with the shortcomings seen it still cannot provide evidence of adequate checks on departure, namely concerning stocking densities and journey times.

5.4 SANCTIONS

Legal requirements

Article 55 of Regulation (EC) No 882/2004 states that Member States shall lay down the rules on sanctions applicable to infringements of feed and food law and other Community provisions relating to the protection of animal health and welfare and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

Findings

- The laying hen holding visited had been the subject of sanctions several times in the last three years where inspections had revealed persisting overstocking of the cages, and enriched cages not being adequately furnished. These sanctions ranged between 400 to 800 euro based on the "Minor offences Act" and an additional 1 000 euro with the "General administrative Act".
- During the visit the newest buildings had been stocked at the correct density levels, with enriched cages adequately furnished. Questioned about the reason for his previous continued non-compliances the operator indicated that he had difficulties in reaching his projected production levels until these new buildings became operational.
- The audit team was informed that in the case of sanctions imposed by the mobile unit the payment had to be made on the spot and if the driver did not have the necessary amount with him the consignment was blocked (and unloaded at a control post if needed) until payment was made.
- Additional documented evidence was seen by the audit team (see section 5.2.1.) concerning application of sanctions to laying hens establishments and obtaining the necessary corrective action.

Conclusions

The CCA has implemented a system of administratively applying sanctions that, with a few exceptions concerning laying hens establishments, have adequately achieved corrective action.

6 OVERALL CONCLUSIONS

The CCA has addressed all the evaluated eight relevant recommendations made in report 2009-8241

and the two in report 2010-8779 with overall satisfactory results. Nevertheless a few shortcomings are still present with regards to recommendations four, eight and part of recommendation five of report 2009-8241. There are still a few sites with unenriched cages in operation, and journey logs for long distance transport do not always include all the required information.

The official control system over broiler production was evaluated for the first time during this audit and it is satisfactorily verifying compliance with the requirements of Directive 2007/43/EC except for the training for poultry keepers which is still being implemented.

The situation with regards to compliance with group housing of sows is evolving positively with the bigger pig holdings already compliant but there is still an estimated probability of having at least 7% of the smaller holdings non-compliant in 1.1.2013.

7 CLOSING MEETING

A closing meeting was held on 20 April 2012 with representatives of the CCA. At this meeting, the main findings and conclusions of the audit were presented by the audit team. The representatives of the CCA accepted the findings presented as a correct picture of the situation seen.

8 RECOMMENDATIONS

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

N°.	Recommendation
1.	Slovenia has ratified the European Convention for the Protection of Animals Kept for Farming Purposes and should, as required by its Article 9 (3), take measures to fully implement its recommendations concerning farming of additional relevant species.
2.	The CCA should continue its almost fully successful efforts to ensure that keeping laying hens in unenriched cages is effectively prohibited as required by Article 5(2) of Directive 1999/74/EC since 1 January 2012.
3.	The CCA should ensure that as required by Article 6, b) of Directive 2008/120/EC appropriate training courses are available, in particular to provide advice to the keepers of smaller holdings on the transition to group housing of sows.
4.	The CCA should continue with measures to achieve full compliance with group housing for sows by 1.1.2013, as required by Article 3 of Directive 2008/120/EC.
5.	The CCA should take further measures to ensure that staff, whether from the CA or from a designated body, performing approval inspections of third country flag livestock vessels, have the necessary training and expertise, as required by Art. 6 of Regulation (EC) No 882/2004, to provide adequately supported guarantees that only livestock vessels complying with the requirements of Article 19(1) of Regulation (EC)

N°.	Recommendation
	No 1/2005 are granted approval.
6.	The CCA should take further measures to ensure that controls of journey logs are carried out, as required by Art. 14(1) (a) (ii) of Regulation (EC) No 1/2005, to verify that declared journey times are realistic and that the journey complies with this Regulation and in particular that space allowances comply with the limits set out in its Annex I, Chapter VII.

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

http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_inspection_ref=2012-6375

ANNEX 1 - LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Dir. 98/58/EC	OJ L 221, 8.8.1998, p. 23-27	Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes
Dir. 1999/74/EC	OJ L 203, 3.8.1999, p. 53-57	Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens
Dir. 2002/4/EC	OJ L 30, 31.1.2002, p. 44-46	Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC
Dir. 2008/120/EC	OJ L 47, 18.2.2009, p. 5-13	Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs
Dir. 2007/43/EC	OJ L 182, 12.7.2007, p. 19-28	Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production
Reg. 1/2005	OJ L 3, 5.1.2005, p. 1-44	Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97
Dir. 64/432/EEC	OJ 121, 29.7.1964, p. 1977-2012	Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine