

*Letter dated:*  
30 June 2010

*From:*  
*Ministerio de Medio Ambiente, y Medio Rural y Marino*  
[Ministry for the Environment and Rural and Marine Affairs]

*DIRECCIÓN GENERAL DE RECURSOS AGRÍCOLAS Y GANADEROS*  
[Directorate-General for Agriculture and Livestock Resources]

*SUBDIRECCION GENERAL DE EXPLOTACIONES Y SISTEMAS DE TRAZABILIDAD  
DE LOS RECURSOS AGRÍCOLAS Y GANADEROS*  
[Sub-Directorate General for Holdings and Traceability Systems for Agriculture and  
Livestock Resources]

*To:*  
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Ref.: PLA

**Subject: Submission of inspection reports on animal welfare for Spain, 2009**

I enclose the reports on inspections under animal welfare legislation in Spain conducted throughout 2009.

Annex I: information stipulated in Article 8 of Decision 2006/778/EC concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes.

Annex II: information stipulated in Article 27 of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directive 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

Annex III: comments on the model report on inspections carried out on animal transport. These comments were sent in June 2008 but we have not yet received any response to them.

Subdirector-General

## ANNEX II

**Legislation on animal welfare during transport.  
Information provided for by Article 27 of Regulation (EC) No 1/2005**

**Source of data**

The information on the number of inspections carried out, on compliant units and on instances of non-compliance in the report is sent to the Director-General for Agriculture and Livestock Resources by the various Autonomous Communities.

The information on transported animals is obtained from various sources:

- Slaughtered animals: number of animals slaughtered in slaughterhouses in Spain in accordance with the statistical unit of the Department.
- Animals exported or imported for purposes other than slaughter: number of animals which cross the frontiers of Spain according to TRACES.
- Other animals transported: this information is obtained from the SITRAN system (animal traceability system).

**Inspections**

A total of 2 296 physical inspections were carried out in 2009, specifically targeting compliance with the legislation for animal welfare during transport. This represents an increase of almost 13% on the number of inspections carried out in 2008.

With regard to the percentage of animals inspected, the criterion for counting transport was amended, thereby changing the number of transfers of animals to the slaughterhouse and including all internal transport in the country, irrespective of the distance covered. For this reason the relevant data for 2008 and 2009 are not comparable.

**Main irregularities detected**

As in previous years, we still find that the vast majority of observed irregularities are of a documentary nature, especially a lack of or insufficient authorisation for transporters, certificates documenting the skills of carers, approval for means of transport, a lack of mandatory information or incorrect or incomplete completion of the journey logs.

The irregularities observed which affect the conditions for animals and transport are excessive loading density, incompetent handling of animals during loading and unloading of the means of transport, non-compliance with mandatory rest periods or irregularities related to feeding and watering of animals during transport.

**Action plan**

1. Strengthening communication between various administrations at both national (autonomous and state competent authorities) and Community level (contact points for the purposes of Regulation (EC) No 1/2005), specifically periodical convening of coordination meetings and meetings of working parties to tackle questions of general interest or specific issues which are proving difficult to handle.

2. Revision, updating or preparation of guides or manuals for various activities in relation to animal welfare during transport, mainly with regard to the activities of the contact points for the purposes of Article 24 of Regulation (EC) No 1/2005, inspection protocols on the road and at the place of origin/destination and correct management of the journey logs, from presentation by the organiser to checks to verify that they have been returned to the competent authority which authorised the journey.
3. Revision and improvement of the computer system for registration and management of transporters and means of transport (SIRENTRA).
4. Ensuring that authorisation of certain livestock festivals is contingent upon compliance with certain animal welfare requirements in both structural and operational and organisational terms (for example the existence of a person responsible for animal welfare).
5. Joint activities by official veterinary services and the various law enforcement bodies (Guardia Civil, Mossos d'Esquadra in Catalonia).
6. Joint activities of the official veterinary services reporting to various regional ministries on the fitness of animals for transport.
7. Fitness of animals for transport: strengthening coordinated activities between the animal health and welfare services and the food safety services with regard to transport of animals for slaughter. Drawing up of criteria for action to determine whether over 90% of a foetus's gestation period has elapsed.
8. Selective increase in inspection intensity and follow-up of incidents detected in order to apply the penalties laid down in Law 32/2007 for the care of animals in holdings, transport, testing and slaughter in a standardised manner.
9. Organisation, as in previous years, of specific training courses on animal welfare during transport and inclusion of this material in more general training programmes (for example in the induction courses for new owners of livestock holdings). Training includes both on-site courses and distance courses, including those conducted by Internet, distinguishing between those for commercial operators (transporters and/or livestock holders) and inspection personnel and law enforcement bodies.

### ANNEX III

#### Comments on the model report for forwarding the results of inspections under legislation on animal welfare during transport

##### A. General considerations

1. Whatever model report is agreed upon it must be accompanied by a definition for each heading so that all the competent authorities of all the Member States interpret it in the same way.
2. If percentages of the total are included, the statistical basis to which the report refers must be common to all Member States.

##### B. Comments on the current model and proposals for amendment

###### 1. Joint statistical bases

The joint statistical basis for the transport of animals is TRACES. This includes only the intra-Community transport and is therefore incomplete. Relating inspections exclusively to intra-Community transport would distort the statistics and might induce the Autonomous Communities to increase this type of inspection so that the percentages increase in the final table. If there is no common statistical basis, this aspect of the report should therefore be dispensed with.

As it is compulsory to register all transporters in every Member State in a database, consideration could be given to using this information in the report although this would again skew the information towards transporters authorised for long journeys.

Conclusion: it is difficult to find a single statistical basis which could be used objectively.

###### 2. Definitions

- The categories of animal included in the report are not defined. Reference should be made to the TARIC code.
- The subcategory (for purposes other than slaughter, slaughtered) is not defined which means that there is a risk of the same animal being counted twice (we understand "slaughtered" to mean all animals slaughtered in Spain, irrespective of their geographical origin but we do not know whether this interpretation is correct).
- It should be clarified whether "export" and "import" are to be understood as in Articles 16 and 79 of Regulation (EC) No 2913/92 of 12 October or whether they refer to intra-Community transport.
- As, according to what was said by some Member States at the working party meeting of 28 April, there appears to be some doubt as to what is to be considered an inspection, this should be clarified in accordance with Regulation No 882/2004 of 29 April.
- The place where inspections are carried out should be simplified to include only those places in which they are usually carried out, namely:

- on a holding (excluding slaughterhouses but including assembly centres, farms, etc.),
  - in a slaughterhouse,
  - in transit (on the road).
- It should be clarified whether compulsory inspections in accordance with the legislation in force and those related to them should be included in the report and, if so, under which heading:
  - checks of journey logs at inspection posts,
  - *a posteriori* checks of the journey logs,
  - checks to authorise means of transport or transporters.
- The type of inspections which are carried out must be classified and these should be included in the report. Normally the police carrying out inspections of transport on the road only carry out a documentary inspection but this should explicitly include:
  - documentary checks (excluding the inspection of the journey logs at inspection posts and *a posteriori*),
  - checks on means of transport and containers,
  - checks on animals,
  - checks on the handling of animals.