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Advisory Group on the Food Chain, Animal, and Plant Health

State of play of the implementation and enforcement of Council Regulation (EC) No 1099/2009

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Health and Food Safety

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Series of Audits to 13 Member States

- *To evaluate the effectiveness of official control systems on business operators to ensure animals are spared any avoidable pain, distress, or suffering during their killing and related operations*
- *Initiated in 2013 (Estonia) and completed in 2015 (France)*
- *Involved meetings with relevant Competent authorities (central, regional, local) and extensive time in slaughterhouse visits.*

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What did it cover?

Yes	No
Competent authority: powers, planning and performance.	Private domestic consumption (art. 10)
Business operator compliance with the general requirements (Chapter II), the additional requirements for slaughterhouses (Chapter III) and the annexes of the Regulation	Direct supply of small quantities of poultry, rabbits and hares (art. 11)
	Depopulation (art. 18)

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Official control systems powers

- *Scientific support, Art. 20: Designated ✓ Used ✓ x*
- *Certificate of competence, Art. 21: ✓*
- *Non-compliance, Art. 22: Powers ✓ Used ✓*
- *Penalties, Art. 23: Powers ✓ Used ✓ x*
- *Stricter national rules for killing outside slaughterhouse, farmed game, religious rites: evaluated when existing (very variable), mostly ✓*

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Official control systems planning

- *Generally in line with requirements: risk assessment done takes animal welfare into account, covered by multi-annual national control plan.*
- *Nevertheless, additional decision for targeting certain sectors or slaughter methods left to regional/local authority to decide and rarely done.*

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Business operators requirements

✓	…	✗
Layout, construction	Equipment	Manufacturer's instructions for the use of restraining and stunning equipment
Handling, restraining		
Stunning of cattle and pigs	Electrical stunning of sheep	Electrical (waterbath) stunning of chickens
	Guides to good practice	Monitoring of stunning
		SOPs

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Official control systems performance

- *In general detected the business operators non-compliance with slaughter and related **operations** requirements and requested their correction.*

- *Have mostly not shifted yet from a "inspect compliance with requirements" perspective, to the intended perspective of "audit if business operator systems ensure and demonstrate compliance".*

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Official control systems performance

- *In many cases gaps or shortcomings in the business operators **systems**, as described in their Standard Operating Procedures, had not been detected by the official controls.*

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Enforcement

- *Corrective action was generally obtained without the need to apply penalties.*

- *Serious or longstanding issues generally resulted in initiation of administrative/legal procedures.*

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Enforcement

- *Difficulties with enforcing requirements concerning publication on the Internet of appropriate manufacturer's instructions*

- *Waterbath stunning parameters for chickens were not being respected in many MS, even when performing non-ritual slaughter, without enforcement measures being imposed.*

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Overall

- *Reg. 1099/2009 mostly implemented from an operational point of view with work still to be done concerning: the business operators systems of ensuring and demonstrating compliance; and the official controls for auditing those operators instead of exclusively inspecting their operations.*
- *Enforcement generally achieved results when action requested but such action was not being requested in many MS with regard to waterbath stunning of chickens*

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Thank you

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Full list of MS audited

Year	Country and report reference number (Published ✓)
2013	EE 6825 ✓
2014	LV 7077 ✓, IT 7075 ✓, ES 7079 ✓, UK 7080 ✓, DK 7061 ✓, DE 7073 ✓, CZ 7060 ✓, HU 7072 ✓, BE 7059, NL 7078 ✓
2015	PL 2015-7420, FR 2015-7427