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FINAL REPORT OF AN AUDIT
CARRIED OUT IN
THE CZECH REPUBLIC
FROM 20 NOVEMBER 2017 TO 24 NOVEMBER 2017
IN ORDER TO
EVALUATE ANIMAL WELFARE DURING TRANSPORT TO NON-EU
COUNTRIES

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

Executive Summary

This audit took place in the Czech Republic from 20 to 24 November 2017 to evaluate the suitability and effectiveness of the measures in place to prevent causing any unnecessary pain, suffering or injury to animals during long distance transport by road to non-EU countries. In particular, the audit sought to identify the measures taken by competent authorities, organisers and transporters to allow the export of live animals to operate smoothly, while ensuring a satisfactory level of protection for the animals concerned.

The system in place for controls on animal welfare during transport provides sufficient assurances that unnecessary pain and suffering to the animals destined to non-EU countries is avoided.

The system in place for animal health certification permits certifying officers to take a well-informed decision when issuing animal health certificates. It therefore provides assurances that exports of live animals operate smoothly, preventing lengthy waiting times at the EU border.

Documented procedures are generally aligned to the relevant legal requirements. These procedures also provide assurances that unweaned animals will only be transported on adequately-equipped vehicles. The only shortcomings of note in the documented procedures concern checks on the driver's certificates of competence, as only one driver is checked instead of the two required for the approved long distance journeys, and checks on contingency plans to see to the animals' needs in the case of unexpected long delays at the border.

The policy to carry out inspections of most of the consignments destined for Turkey at the moment of loading strengthens the RVA's verification system, enabling them to regularly verify several animal welfare requirements in addition to fitness for transport and to also verify contingency plans for each journey. This contributes to reducing the likelihood of unnecessary pain, suffering or injury to animals during long distance transport by road.

There is a system in place to systematically assess planned and actual resting and travelling times before and after the journey. Competent authorities have made a commendable effort and have a good success rate in collecting journey logs back from transporters (97% of which originate from other Member States). The weaker points in the system are the control of travelling and resting times both at the planning stage of the non-EU part of the journey and during retrospective checks. This is also reflected by the types of non-compliances reported at the Bulgarian exit point and can be easily resolved.

The report makes recommendations to the competent authority to address the shortcomings identified.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
EU	European Union
NCP	National Contact Point for issues related to animal welfare during transport.
OV	Official veterinarian
RVA	Regional Veterinary Administration
SVA	The central competent authority – State Veterinary Administration
Traces	Commission's Trade Control and Expert System

1 INTRODUCTION

This audit took place in the Czech Republic from 20 to 24 November 2017 as part of the planned audit programme of DG Health and Food Safety. An opening meeting was held with the Czech competent authorities on 20 November 2017. 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 auditors from DG Health and Food Safety and was accompanied throughout the audit by representatives from the State Veterinary Administration (SVA) and from the Ministry of Agriculture.

2 OBJECTIVES AND SCOPE

The objective of the audit was to evaluate the suitability and effectiveness of the measures in place to prevent causing any unnecessary pain, suffering or injury to animals during long distance transport by road to non-EU countries.

In particular the audit sought to identify the measures taken by competent authorities, organisers and transporters to allow the export of live animals to operate smoothly, while ensuring a satisfactory level of protection for the animals concerned.

The scope of the audit included:

- National measures and, where relevant, any national policies on the welfare of animals during transport, in particular in the context of exports from the EU; and
- Official controls on the welfare of ruminants (cattle, sheep and goats) during transport to non-EU countries, including the system for certifying the health status of such animals, and their outcomes and in particular controls prior to and after the journey; and
- Other activities having an influence on the welfare of ruminants (cattle, sheep and goats) intended for transport to non-EU countries.
- A review of documents relevant to reach the objectives of the audit for the period January 2015 – September 2017.

The main legal requirements are included in:

- Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations;
- Council Directive 96/93/EC on the certification of animals and animal products, where applicable;
- Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

In pursuit of the objectives, the following meetings were held:

Meetings with Competent Authorities			Comments
Competent authority	Central	3	Opening and closing meetings and meeting with the National Contact Points for animal welfare during transport (NCPs)
	Other	2	Meetings with regional competent authorities from Central and Southern Bohemia
Site visits			
Assembly Centre		1	Visit to an assembly centre used for exports of live cattle to Turkey
Quarantine Station		1	Visit to a quarantine station keeping live cattle before export to Turkey, also operating as an assembly centre

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and in particular Article 28 of Regulation (EC) No 1/2005 on the protection of animals during transport and related operations, and Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

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

4 BACKGROUND

Enforcement of animal welfare requirements during transport remains a challenge. There have been several reports to the Commission of long delays of live animal transports at the EU land border with Turkey. After a sudden drop in exports to Turkey between 2012 and 2013 this trade has been increasing significantly in recent years. The number of live ruminants exported to Turkey in 2016 (over 290,000) has surpassed the numbers for 2011 (over 280,000) and is expected to further increase for 2017.

In response to these reports, complaints from non-governmental organisations and following a meeting with national contact points, the Commission services wrote to all Member States in June 2016 urging them to improve official controls in this area. The letter emphasised the importance of proper planning of long distance journeys, with particular focus on: adequate contingency planning; temperature requirements; and the provision of sufficient water, feed and bedding for the duration of these long journeys.

To follow up on this issue, DG Health and Food Safety planned a series of audits for 2017 and 2018 to identify activities that are suitable and effective in improving animal welfare

during long distance transport to non-EU countries. The Commission will share the outcomes from these audits with all Member States in order to help with the uniform application of Regulation (EC) No 1/2005. This audit to the Czech Republic is the fifth of the series.

The table below shows data about live animal exports by road from the Czech Republic recorded in the Commission's Trade Control and Expert System (Traces).

2016	
Cattle consignments for export	
1618 (88% to Turkey)	
Subjected to animal welfare checks (%) – anywhere along the journey but mostly at the exit point from the EU	
>1595 (>98%)	
Transported by	transporters authorised by Croatia
	22.6%
	transporters authorised by Bulgaria
	21.1%
transporters authorised by Hungary	
20.7%	
transporters from 13 other Member States	
35.6%	
Total consignments reported with animal welfare non-compliance (%)	
279 (17.2%)	
Main non-compliances reported:	
Other	236
Travel times exceeded	67

Czech transporters are generally not involved in the export of live cattle (only 56 consignments from the Czech Republic and 33 from other Member States in 2016 representing 3.5% of total consignments).

Traces includes a list of specific non-compliances that can be selected for inclusion in this reporting. In the case of consignments of live animals departing from the Czech Republic, checks at the Bulgarian exit point predominantly select "Other" which mainly indicates inadequate bedding and/or travel time likely to be exceeded before the end of the journey. In the first months of 2017 there has been a significant reduction in the number of non-compliances reported (approximately 4% compared to 17.2% in 2016)

Since the vast majority of exported Czech cattle are destined for Turkey this audit focused on this trade. The region of Southern Bohemia was selected for the audit as it was the place of departure for almost a third (32.3%) of the consignments of cattle exported from the Czech Republic in 2016. The region of Central Bohemia was selected for the audit as animal welfare non-compliances were reported in almost a fourth of the consignments of cattle exported from this region in 2016.

The country profile of the Czech Republic describes the structure of the competent authorities and the organisation of official controls on animal welfare during transport. It is accessible at:

http://ec.europa.eu/food/audits-analysis/country_profiles/details.cfm?co_id=CZ

5 FINDINGS AND CONCLUSIONS

5.1 DESCRIPTION OF OFFICIAL CONTROLS

Legal requirements

Article 8 of Regulation (EC) No 882/2004.

Regulation (EC) No 1/2005.

Directive 96/93/EC.

Findings

1. In January 2017 the SVA issued methodological guidelines on controls related to animal welfare requirements during transport (transporter authorisation, approval of vehicles and documentary and physical controls at any stage of a journey). These guidelines are a consolidation of previous instructions and official communications (letters and minutes of meetings) and also include a number of recommendations (e.g. ideal temperature ranges to allow transport, based on the animal species).
2. A few shortcomings in the methodological guidelines were noted such as the request that only one driver's certificate of competence was required and checked for approved journey plans that would require two drivers. The audit team saw several examples of the RVAs implementing these controls as set out in the methodological guidance.
3. In addition to the above documented procedures, official veterinarians in the two regions visited had created their own tools and procedures to assist them in carrying out official controls on animal health and welfare requirements. Some had been later identified as good practice by the SVA, and subsequently were uploaded on the SVA website to be available to all (e.g. a calculator for vehicle stocking density (Point 2.1 Chapter III, Annex I of Regulation (EC) No 1/2005) and an animal health aide memoire for exports to Turkey).
4. The SVA, in order to further aid and support operational delivery by the RVAs, has uploaded on its website the draft Network Document on official controls prior to export by road created by the Member States' NCPs.
5. Regular meetings, communications and training events take place between SVA and RVAs to discuss and assess the procedures in place and if necessary develop new instructions or amend current ones.
6. The documented procedures for the authorisation of transporters, vehicle approval, animal health certification for export, evaluation of journey plans, inspection prior to departure and retrospective checks are generally suitable for achieving the requirements of Article 8(1) of Regulation (EC) No 882/2004.

5.2 TRANSPORT CONDITIONS

Legal requirements

Articles 14, 15, 18 and 26 and Chapters II, III and VI, Annex I of Regulation (EC) No 1/2005.

Findings

7. The RVA are present at the majority of times when loading of the livestock for consignments destined for Turkey are taking place. This regular presence enables them to perform direct controls on the transport vehicles, and to verify, among other things, the fitness of animals to be transported and the correctness of the various attestations prior to issuing the export health certificates.
8. The validity and correctness of the transporter's authorisation, the vehicle's approval and the driver's certificate of competence (Article 14(1)(a)(i) of Regulation (EC) No 1/2005) is systematically checked for each long distance journey.
9. Regarding vehicle conditions:
 - The SVA indicated that the full range of checks carried out by the RVA for a new vehicle approval is also performed when renewing the 5-year approval (Article 18 of Regulation (EC) No 1/2005);
 - According to the methodological guidelines, as from 1 January 2017 certificates of approval of vehicles for long distance journeys have to distinguish between adult and unweaned animals, as required by Chapter IV Annex III of Regulation (EC) No 1/2005. Neither of the two inspectorates visited had vehicles approved for cattle;
 - The presence of the RVA at time of loading enables the competent authority to inspect the vehicle including the suitability of drinking devices and bedding, maintenance of temperature devices and ventilation equipment, and headspace above the animals. This is considered a good practice and goes beyond the requirements of Article 15 of Regulation (EC) No 1/2005;
 - The audit team saw examples of reports where non-compliances on the vehicle conditions were detected at time of loading and photographic evidence was annexed to the reports. The audit team was informed that this procedure is systematically followed when non-compliances are detected.
10. Regarding temperature:
 - As from 2017 the RVAs request during the summer period, the temperature printout of vehicles at the place of departure;
 - In the first week of August 2017 the SVA set a total ban on exports as temperatures above 35°C were expected at departure and throughout the route to Turkey. Following this ban the SVA issued a recommendation to RVAs to reduce the stocking density by 30% in cases of high temperatures at the place of departure;
 - In August 2017 the SVA also carried out an exercise on the compliance of temperatures during transport. It requested transporters to return temperature records

of all consignments to Turkey. Out of approximately 150 consignments, just under 25% were returned, and of these one in three presented internal vehicle temperatures rising above 35°C during the journey. The SVA indicated that these transporters, and those that systematically failed to answer to their request, were added to a "blacklist" that it had recently started compiling for notification to other NCPs;

- It was noted that checks are not carried out on the predicted temperatures at the place of destination when evaluating the journey plan

Conclusions on transport conditions

11. The audit team found the methodological guidance to be generally aligned to the relevant legal requirements. A shortcoming was noted resulting in checks in driver's certificate of competence being insufficient, as only one driver was checked instead of the two required, for the approved long distance journeys. This shortcoming undermines the assurances necessary for the protection of animals during transport.
12. The policy to carry out inspections of most of the consignments destined for Turkey at the moment of loading strengthens the RVA's verification system. It enables them to regularly verify several animal welfare requirements such as adequacy of vehicles, bedding and space allowances, and ventilation, in addition to fitness for transport. This contributes to reducing the likelihood of unnecessary pain, suffering or injury to animals during long distance transport by road. It is considered a good practice and it goes beyond the requirements of Regulation (EC) No 1/2005 under which it is not mandatory to carry out systematic checks at the moment of loading.
13. Some measures have been put in place to diminish the probability of animals being transported at temperatures above 35°C. Furthermore the SVA set a total ban on exports when temperatures were expected to be above 35°C throughout the route to Turkey. These measures positively contribute to ensuring that animals do not suffer extreme temperatures during transport but should be further strengthened by ensuring that forecasted temperatures at place of destination and transit countries are also evaluated, as suggested by the Commission in its letter to all Chief Veterinary Officers of 28 June 2016.
14. The recently-introduced system for certification of approved vehicles sufficiently distinguishes the types of vehicle appropriate for weaned and unweaned animals. This guarantees that unweaned animals will only be transported on vehicles equipped with adequate drinkers to provide access to liquid and if necessary liquid food during long distance journeys.

5.3 RESTING

Legal requirements

Articles 14, 15, 19, 25 and 26 and Chapter V, Annex I of Regulation (EC) No 1/2005.

Findings

15. The RVAs systematically check organisers' plans to rest the animals during the journey and provide them with feed and water (Article 14 of Regulation (EC) No 1/2005):
 - In April 2017 the SVA issued an instruction that the journey plan has to be until the final place of destination in the non-EU country, as indicated by the Zuchtvieh judgement¹. The audit team noted that in one of the regions visited the stamped journey plans extended only until the exit point from the EU, and that local officials were unaware of such a requirement;
 - In the other region visited, the journey plans were until the final place of destination. When assessing these journey plans the RVA officials rightly took into account the amount of time needed to clear Turkish official controls at the border (6 hours). Nevertheless, they were only partially aware of the limited opening hours operated by the Turkish veterinary authorities. This had resulted in stamped journey logs that were unrealistic and that would therefore exceed maximum permitted travelling times before reaching the final place of destination.
 - In March 2017 the SVA issued instructions that a copy of confirmation of the booking of the control post in Svilengrad must be systematically requested. This is a good practice. The RVAs have gone beyond these instructions and are requesting a copy of confirmation of the booking of any control post.
16. Regarding retrospective checks to verify the travelling and resting times to provide water, feed and rest to the animals:
 - The RVAs systematically ask for journey logs to be returned for all exports to Turkey. They indicated that approximately two-thirds of journey logs are returned. The number of returned journey logs has increased since they started providing written letters to the drivers (in Czech and in the drivers' native language) at time of departure, reminding them of this obligation. The address of the RVA is provided on the letter in the form of a stamp or in print;
 - According to the Multi-Annual National Control Plan a minimum 5% retrospective checks are to be carried out on returned journey logs with the priority given to journeys with reported non-compliances;
 - The audit team reviewed a number of returned journey logs with non-compliances reported at the Bulgarian exit point. Upon the receipt of the non-compliance report, the Czech NCP carries out an initial screening and investigation before this is communicated to the responsible RVA for further investigation;

¹ Judgement of the European Court of Justice (Fifth Chamber) of 23 April 2015 – Case C-424/13.

- In both regions visited, the official veterinarians could not identify at what stage of the journey the non-compliances on travelling times, reported by the Bulgarian exit point, had or would have occurred. This was generally related to the limited opening hours of the Turkish border inspection post.

Conclusions on resting

17. There is a system in place to systematically assess planned and actual resting and travelling times before and after the journey. This system is nevertheless weakened by the failure to ensure that all journey plans always cover the full journey until the final place of destination, in contradiction to the methodological guidance, and that approved journey plans are realistic and achievable as working hours at the Turkish border inspection post are not being taken into account. There is therefore the risk that travelling times are exceeded once past the EU border.
18. A relatively successful system has been set up to obtain journey logs back from foreign transporters (97% of transporters used). Whilst retrospective checks are being performed the assessment that journeys have been carried out as originally planned is weak.

5.4 UNEXPECTED DELAYS AT THE BORDER

Legal requirements

Article 11 of Regulation (EC) No 1/2005.

Articles 3, 4, and 5 of Directive 96/93/EC.

Findings

19. Health certificates for export of live cattle to Turkey are available on the SVA website. When the SVA receives updates on the current state of play concerning this trade and the relevant health certificates, it forwards this information to the RVAs. The templates available on the SVA website are those approved by the Turkish authorities.
20. Specific officials at each RVA are responsible for veterinary health certification. They are supported by private veterinarians providing some of the necessary attestations and by laboratory analysis required by the Turkish authorities².
21. The SVA and RVA reported very few instances where they had been contacted by the trader or transporter due to issues at the Turkish border concerning the health certification. Of those instances, one was due to a minor error on dates whilst another

² In their response to the draft report the Competent Authority noted that "*the private veterinarians are taking samples and the result is sent to the breeders. The tests have to be carried out in certified laboratories. In practice most of the samples go for analysis to official laboratories (State Veterinary Institutes).*"

more significant one was due to the Turkish border inspection post having issues with the "new health certificates" being used, as required by the Turkish Ministry of Agriculture.

22. It was noted that at one of the RVAs visited an aide memoire had been created to assist the official veterinarian and traders to understand the rather complicated Turkish importing requirements. This enables traders to take responsibility for the attestations required and the officials to have all the necessary assurances and information to sign the health certificates in line with the principles of Directive 96/93/EC.
23. The NCPs for animal welfare are notified by NGOs and the transporters of consignments having problems at the EU border and suffering unexpected delays at the border. They indicated that when possible they try to solve the issue by liaising with the RVA at the place of departure.
24. Concerning contingency plans (Article 11(1)(b)(iv) of Regulation (EC) No 1/2005):
 - The methodological guidelines include a template contingency plan for approval of Czech transporters;
 - Instructions have been issued to the RVAs to check contingency plans for all consignments being sent to Turkey. This is considered a good practice.
 - In both cases, contingency plans have to include information on what to do in case of emergencies such as: vehicle breakdown, sick or injured animals, traffic accidents, etc. The RVAs are however not required to verify if the contingency plans include instructions on how to deal with unexpected long delays at the border, in particular on how to obtain and provide bedding, feed and water to animals at this location. This had been recommended by the Commission in its letter to the CVOs of May 2016.
 - Arrangements to meet the animals' needs in the case of unexpected long delays at the border are therefore not in place contrary to Article 3(a) of Regulation (EC) No 1/2005.

Conclusions on unexpected delays at the border

25. There is a good procedure in place that permits certifying officers to take a well-informed decision when issuing animal health certificates. It ensures that all necessary attestations are present, thus enabling appropriate certification procedures on the complicated Turkish requirements. This allows the export of live animals to operate smoothly, preventing rejections or delays on entering Turkey. The risk of animals being detained in a stationary truck at the border crossing is thereby reduced.
26. The RVAs have adopted the policy to check transporters' contingency plans for each journey and this is a good practice. Whilst the plans are fairly comprehensive, they fail to cover the eventuality of unexpected long delays at the border and this is not being checked by the RVAs. There are therefore inadequate assurances that the needs of animals blocked at the border can be met in these instances.

6 OVERALL CONCLUSIONS

The system in place for controls on animal welfare during transport provides sufficient assurances that unnecessary pain and suffering to the animals destined to non-EU countries is avoided. This also explains the decreasing level of non-compliances reported at the Bulgarian exit point with Turkey.

The system in place for animal health certification permits certifying officers to take a well-informed decision when issuing animal health certificates. It therefore provides assurances that exports of live animals operate smoothly, preventing lengthy waiting times at the EU border.

Documented procedures are generally aligned to the relevant legal requirements. These procedures also provide assurances that unweaned animals will only be transported on adequately-equipped vehicles. The only shortcomings of note in the documented procedures concern checks on the driver's certificates of competence, as only one driver is checked instead of the two required for the approved long distance journeys and checks on contingency plans to see to the animals' needs in the case of unexpected long delays at the border.

The policy to carry out inspections of most of the consignments destined for Turkey at the moment of loading strengthens the RVA's verification system enabling them to regularly verify several animal welfare requirements in addition to fitness for transport and to also verify contingency plans for each journey. This contributes to reducing the likelihood of unnecessary pain, suffering or injury to animals during long distance transport by road and is considered a good practice.

There is a system in place to systematically assess planned and actual resting and travelling times before and after the journey. Competent authorities have made a commendable effort

and have a good success rate in collecting journey logs back from transporters (97% of which originate from other Member States). This system is nevertheless weakened by the failure to ensure that all journey plans cover the journey until the final place of destination, in contradiction to their methodological guidance, and that approved journey plans and returned journey logs are in compliance with the requirements of Regulation (EC) No 1/2005 as working hours at the Turkish border inspection post are not being taken into account. There is therefore the risk that travelling times are exceeded once past the EU border. These weaknesses can however be easily resolved due to the system that is already in place.

7 CLOSING MEETING

A closing meeting was held on 24 November 2017 with representatives of the competent authorities, at which the main findings and preliminary conclusions of the audit were presented by the audit team.

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:

No.	Recommendation
1.	<p>To ensure that, as required by Article 8(1) of Regulation (EC) No 882/2004, documented procedures:</p> <ul style="list-style-type: none"> • are adequately followed by all RVAs so that travelling and resting times in proposed journey plans are adequately assessed until the final place of destination in the non-EU country; • correctly reflect the requirement of Article 14(1)(a)(i) of Regulation (EC) No 1/2005 that certificates of competence of all drivers and attendants involved in the journey must be verified by the competent authority at the place of departure. <p>Recommendation based on conclusions 11 and 17.</p> <p>Associated findings: 2 and 15.</p>
2.	<p>To ensure that the opening hours of the Turkish border inspection post are taken into account when assessing planned journey logs and carrying out retrospective checks to verify compliance with travelling and resting times, as required by Articles 14(1)(a)(ii) and 15(1) of Regulation (EC) No 1/2005.</p> <p>Recommendation based on conclusions 17 and 18.</p>

No.	Recommendation
	Associated findings: 15 and 16.
3.	<p>To ensure that contingency plans of transporters exporting live animals include measures to meet the animals' needs for bedding, feed and water in the eventuality of unexpected long delays at the border as required by Articles 3(a) and 11(1)(b)(iv) of Regulation (EC) No 1/2005.</p> <p>Recommendation based on conclusion 26.</p> <p>Associated finding: 24.</p>

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

http://ec.europa.eu/food/audits-analysis/rep_details_en.cfm?rep_inspection_ref=2017-6217

ANNEX 1 – LEGAL REFERENCES

Legal Reference	Official Journal	Title
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
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. 96/93/EC	OJ L 13, 16.1.1997, p. 28-30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products