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FINAL REPORT OF AN AUDIT
CARRIED OUT IN
FRANCE
FROM 17 JUNE 2019 TO 21 JUNE 2019
IN ORDER TO
EVALUATE MEMBER STATE ACTIVITIES TO PREVENT TAIL-BITING AND AVOID
ROUTINE TAIL-DOCKING OF PIGS

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

The report describes the outcome of an audit in France from 17 to 21 June 2019. The objective of the audit was to evaluate the suitability and effectiveness of the measures in place to prevent tail biting and to avoid routine tail docking of pigs.

The report concludes that the French authorities and the pig sector (and others) have developed an Action Plan which contains some of the main elements that are required to improve farm rearing conditions. However, at this point, only very few tangible actions have been taken to improve compliance with the provisions of the Pig Directive and to reduce tail biting and avoid tail docking of pigs, which is still carried out routinely in the country. The high incidence of tail biting injuries in docked pigs reported in a study in two slaughterhouses indicates an urgent need for improvement of rearing conditions in the pig sector. This is underpinned by a high percentage of non-compliances with regard to basic legal requirements found by official controls.

The competent authority, together with the sector, have agreed compliance criteria and guidance for most of the legislative requirements related to risk factors for tail biting and are working on finalising compliance criteria for the remainder before the end of summer 2019. However, the plan lacks any threshold to take the next steps of transitioning to rearing pigs with intact tails and the deadlines set for bringing the sector into compliance with the requirements on the prohibition of routine tail docking are too long (2022 to 2024). There is no robust framework for ensuring that farmers will put in place improvement measures where required or any guidance for the inspectors' assessment of those measures.

The pig sector is fully aware of the national Action Plan and has actively engaged in its development and implementation. It has also made proposals for Union funding to improve farm conditions beyond minimum legal requirements, for mandatory animal welfare training for farmers, and has set up a network to record, compare and share best practice from trials of rearing pigs with intact tails.

Official controls have not yet started to enforce compliance criteria for legislative requirements related to risks for tail biting, though this is planned for 2020 once guidance is revised. However, official controls in the main pig producing regions have focussed since 2017 on raising basic standards related to the provision of light, water and enrichment materials and have taken enforcement action to rectify these non-compliances. Inspection reports indicate that often these requirements were not being provided at all. The authorities are taking measures to ensure that non-compliances relating to these basic provisions are followed up and enforced consistently and effectively throughout the whole country.

The report contains recommendations to the French authorities to address the shortcomings identified.

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ABBREVIATIONS AND DEFINITIONS USED IN THIS REPORT

Abbreviation	Explanation
CA	Competent Authorities
CCA	Central Competent Authority
EU	European Union
DGAL	Direction générale de l'alimentation
OV	Official veterinarian
Pig Directive	Council Directive 2008/120/EC

1 INTRODUCTION

This audit took place in France from 17 to 21 June 2019 as part of the planned audit programme of DG Health and Food Safety. An opening meeting was held with the French competent authorities (CA) on 17 June 2019. 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 central competent authority (CCA) the Directorate-General for Food (*Direction générale de l'alimentation*, DGAL).

2 OBJECTIVES, SCOPE AND AUDIT CRITERIA

The objective of the audit was to evaluate the suitability and effectiveness of the measures in place to prevent tail biting and to avoid routine tail docking of pigs and in particular implementation of the relevant requirements set out in Council Directive 2008/120/EC and Council Directive 98/58/EC.

The scope of the audit includes:

- Measures taken and documentation in the context of the France's Action Plan from the period November 2017 to the date of the audit, but actions taken by the competent authority and others prior to this date may have also been included as findings in the audit report;
- Activities of competent authorities in the pig sector relating to France's Action Plan and official controls not related to the Action Plan (where relevant);
- Where relevant, activities of farmers' associations, meat and feed industry, academia and Non-Governmental Organisations (NGOs) in the context of France's Action Plan to prevent tail biting and avoid routine tail docking of pigs;
- Where relevant, voluntary (quality) schemes, financial incentives or any other factors in the context of France's Action Plan that aim to encourage and support farmers in avoiding tail docking.

Audit Criteria:

- Council Directive 2008/120/EC;
- Council Directive 98/58/EC;
- Commission Decision 2006/778/EC;
- Regulation (EC) No 854/2004 of the European Parliament and Council;
- Regulation (EC) No 882/2004 of the European Parliament and of the Council.

Additionally, in assessing compliance with Council Directives 2008/120/EC and 98/58/EC the audit team took into account Commission Recommendation (EU) 2016/336⁽¹⁾ and the accompanying Staff Working Document⁽²⁾.

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

Meetings with competent authorities		No.	Comments
Competent authority	Central	2	Initial and closing meetings
	Region/District	2	Meetings with Prefectural Authorities and Regional Coordinator.
Farms		2	Farm 1: Breeding and fattening premises Farm 2: Breeding and fattening premises
Slaughterhouse		1	Slaughterhouse visit
Meeting with Stakeholders		1	Meeting with pig producer associations.

3 LEGAL BASIS

The audit was carried out under the general provisions of EU legislation and, in particular Article 45 of Regulation (EC) No 882/2004 and Article 10 of Council Directive 2008/120/EC (hereafter the Pig Directive) laying down the minimum standards for the protection of pigs.

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

4 BACKGROUND

In 2014, the European Parliament published a study indicating extremely low implementation of the Pig Directive in relation to tail docking.

In 2016, the Commission published Commission Recommendation (EU) 2016/336 which recommends at EU level best practices aimed at reducing the need for tail docking and an accompanying Staff Working Document on best practices with a view to the prevention of routine tail docking and the provision of enrichment materials to pigs.

One of the Commission services' main priorities on animal welfare is to ensure higher standards of implementation and enforcement of EU legislation. With this in mind, the Commission services have implemented a three-year project (2017 to 2019) on reducing the systematic tail docking of piglets.

⁽¹⁾ Commission Recommendation (EU) 2016/336 of 8 March 2016 (OJ L 62, 9.3.2016, p. 20) on the application of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs and the provision of enrichment materials to pigs (C (2016)1345 final).

⁽²⁾ Commission Staff Working Document on best practices with a view to the prevention of routine tail-docking and the provision of enrichment materials to pigs (C (2016)1345 final).

The Pig Directive and Directive 98/58/EC lay down the minimum standards for the protection of pigs confined for rearing and fattening. The Commission has taken measures to improve the application of these Directives, taking into account the Recommendation and accompanying Commission Staff Working Document, including requesting Member States to draft and implement Action Plans to ensure compliance with these requirements by the end of 2018.

5 FINDINGS AND CONCLUSIONS

5.1 IMPLEMENTING MEASURES

Legal requirements

Points 4 and 8 of Chapter I of Annex I to Directive 2008/120/EC and Directive 98/58/EC (as stated below)

Findings

1. Ministerial Decree of 25 October 1982 on the Rearing, Keeping and Holding of Animals, and Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs transpose Directives 98/58/EC and 2008/120/EC respectively. The French requirements for rearing pigs generally follow the intent and wording of the Directives with no additional requirements, which would be necessary to achieve their objectives.
2. Guidance for inspectors and the related inspection checklist only require the provision of enrichment material to sows and gilts in groups. DGAL are aware of this error and plan to take graduated enforcement measures to rectify it (see also paragraphs 48 and 49 of this report).

Sanctions and enforcement

3. Enforcement action to rectify non-compliances detected during official controls ranges from verbal and written warnings, administrative fines, up to judicial proceedings. In 2017 and 2018 the CA carried out approximately 350 animal welfare inspections on pig premises with non-compliances detected in approximately two thirds. Administrative action has been taken to follow up the majority of non-compliances with financial penalties imposed for recalcitrant or non-cooperative offenders. Financial sanctions imposed in the major pig producing area have ranged from EUR 300 to over EUR 10 000 together with reductions in cross compliance payments. More detail on the types of non-compliances can be found in the official controls section of this report.
4. Guidance for inspectors on administrative sanctions and the follow up actions required is given in DGAL Technical instruction 2015-103. The enforcement section of the inspection *vademecum* is being revised to reflect changes in the way non-compliances are administered by the CA. This is as a result of an initiative of the CA in the main pig producing area which has achieved more consistent follow up and more effective rectification of non-compliances.
5. Enforcement action was taken in the Prefectures visited and followed up effectively in one of them. Lack of resources meant that follow up visits had not been carried out in the second Prefecture to assess progress with planned rectification measures.

Strategy for prevention of tail docking and avoidance of routine tail docking

6. The National Animal Welfare Strategy 2016-2020 defines a coordinated approach to animal welfare with themes of knowledge sharing, including progress reports, promotion of innovation, shared stakeholder responsibility, and encourages the development of practical methods for more responsible production.
7. It has five objectives: training; information; support; sanctions and innovation and has funded a working/steering group to implement the Action Plan on tail-docking on pigs. This group includes representatives from central and local authorities, pig sector associations, veterinarians, chambers of agriculture, scientific/technical research institutes, the French Agency for Food, Environmental and Occupational Health & Safety (ANSES) and the French national inter-professional pig organisation (INAPORC), bringing together all representatives in the pig sector.
8. The Action Plan for the prevention of tail biting and avoidance of routine tail docking (paragraphs 14 to 34 below) is being implemented in accordance with the general principles of the Animal Welfare Strategy with active participation from all stakeholders and a high awareness of ongoing activities.
9. The central competent authority estimates that the incidence of tail docking in France is over 99%. This is routine tail docking. The CA does not yet enforce the legal requirements in Point 8 of Chapter I, Annex I, of the Pig Directive to take measures to prevent tail-biting and other vices by improving inadequate environmental conditions or management systems.
10. Data on the frequency of tail biting/tail lesions in pigs was not systematically collected on farms or slaughterhouses before June 2019 (though farms are now collecting sample records of single houses per category of pigs) and is not known with any certainty.
11. Farmers, veterinary practitioners and officials reported that in general tail biting outbreaks/lesions in docked pigs on farm are only sporadic events. In the slaughterhouse visited, tail lesions were recorded in 0.38% of pigs slaughtered and five warnings were issued and followed up by the CA in 2019 (See also section 5.3 of this report).
12. A study in 2016 to record the incidence of tail lesions at slaughter ⁽³⁾ was conducted by the French Pig Institute (IFIP) on 18,000 carcasses in two slaughterhouses. For docked pigs with short tails it found severe lesions (recorded as 3 or 4 on scale of 0-4) in 1.3% and 0.9% respectively of carcasses. 63% had mild tail lesions. 44% of the batches inspected on farms had at least one severe lesion. In tail docked pigs, worse results were found as tail length increased. Most studies indicate that slaughterhouse findings seriously underestimate the on farm incidence due to the healing of previous bites/lesions and the authors of this study indicate that about 25% of tails showed some signs of healed lesions (deformation or healing of bitten tails).
13. In the fattening farms visited, tail biting incidents were estimated on the first farm at between 1 to 2%. The second farm had trialled rearing pigs with intact tails with mixed success: initial batches were successful but later trials resulted in tail biting outbreaks where 15% of pigs

⁽³⁾ https://www.ifip.asso.fr/sites/default/files/pdf-documentations/jrp_2018_courboulay.pdf

suffered serious lesions. However, apart from adding rope as additional enrichment, no risk assessment was done before the trial and no other improvement measures were put in place.

Action Plan

14. The CCA drafted the Action Plan in October 2018 in coordination with the pig sector and other stakeholders. The CCA coordinates inputs from and leads regular meetings with the pig sector, research, NGOs, veterinary associations and official services. It has also co-funded the development of tools to assist the sector.
15. The Action Plan has been divided into five sections with respective deadlines: drafting clear compliance criteria with the legal requirements related to risks for tail biting, risk assessment, recording of ear/tail lesions on farm, actions involving private veterinarians, and enforcement through official controls.

Compliance criteria

16. Initial compliance criteria were drafted in 2018 for the provision of water, enrichment material and light and technical guidance notes (*fiches*) elaborated in agreement with the pig sector. The working group intends to finalise compliance criteria (if needed) for the remaining legal requirements for cleanliness, thermal comfort and air quality, health status, competition for food and space and diet before the end of summer 2019. See also Annex 2 to this report.
17. Further changes are also being made on the basis of feedback from the sector and official services on the evaluation of measureable animal and resource based indicators and the results of official controls. Problems with the provision of water have already been noted by the authorities and further details on the provision of enrichment material are being drafted which will lead to revision of both of these fiches which were not yet finalised at the time of the audit.
18. Guidance for inspectors and the related inspection checklist only require the provision of enrichment material to sows and gilts in groups. DGAL are aware of this error and plan to take graduated enforcement measures to rectify it (see also paragraphs 48 and 49 of this report).
19. The agreed compliance criteria will be adopted by the sector and incorporated into the Guide to Good Hygiene Practices on pig farms. There is no deadline set for updating the Guides and this process can take years to implement.
20. DGAL's *vademecum* providing guidance on carrying out official controls on pig farms is being updated to take into account the agreed compliance criteria and is scheduled for completion by the end of summer 2019. This will then become the compulsory standard for the CA and the sector.

Risk assessment

21. DGAL has a two stage approach to risk assessment: educate and train farmers and then enforce corrective measures on the recalcitrant minority. It has worked with the sector which has decided to introduce mandatory risk assessment.
22. The pig sector has funded and created a farm animal welfare monitoring tool BEEP (*bien être en élevage de porcs*). It includes 15 indicators for farmer self-assessment on 5 themes:

accommodation, health, behaviour, feed and watering. The indicators are mostly animal based and address the main points of Commission Recommendation (EU) 336/2016. It includes individual and group assessment of 4 animal houses during each rearing phase from weaning to fattening. BEEP will be utilised on paper initially and once its use is evaluated by the end of 2019 it will be incorporated as a mandatory requirement in the sector's production standard *le porc français* in 2020. It will then migrate to a mobile platform (App) which will include training and enable centralisation of data so that farmers can compare their farm rating against national averages. Introductory training has already been given to a pilot group of 50 farmers and further training will be given through cascade. There is no provision made for applying this monitoring tool for sows and gilts or piglets, the latter category being relevant for addressing tail biting risks at an early age. It has not been decided if this data will be available to the CA or how the BEEP assessment will be taken into account during official controls ⁽⁴⁾ as this is the only form of mandatory risk assessment being considered.

23. DGAL and INAPORC have funded a French version of the German SchwIP tail-biting intervention programme (*Schwanzbeiß Interventions Programm*) which will be available to veterinarians and technicians by end 2019. The programme is not intended for routine use on farms but to help identify risks for tail-biting in problematic farms. It is not clear how the tool will be utilised: by whom ⁽⁵⁾, and at what frequency, nor how farms are defined as "problematic" or by whom. The sector wish to collate data on the outcomes to gain an overview of the common problems/solutions found.

Recording of ear/tail lesions on farm

24. The pig sector distributed in May 2019 a sheet for recording evidence of tail and ear lesions on farms which requires farmers to record incidence and severity of bites in one house for each category of pigs throughout the rearing period. It includes space to record any changes to environmental conditions on farm. Whilst this is progress, registering data from only one house in farms that have two or more houses would not provide an overview of the farm situation in relation to evidence of tail biting. This would not satisfy the requirement for evidence described in paragraph two of Point 8 of Chapter I, Annex I, of the Pig Directive.

Monitoring sheets can be easily integrated into basic farm management procedures as every house already has a management/health monitoring sheet. This would give a representative picture of the situation on holdings, where biting problems may vary from location, or type of housing/ climate, over the whole premises within the different categories.

Actions involving private veterinarians

25. Private veterinarians have been integral to the activities of the DGAL working group on tail docking and are working with the sector on implementing measures and trials rearing pigs

⁽⁴⁾ *In their response to the draft report the competent authority noted that, to date, the BEEP tool is being deployed and training courses are organised. The BEEP, which is intended for livestock farmers, is a self-diagnostic tool on animal welfare in general, in particular to alert the farmer in the event of problems with tail-biting.*

⁽⁵⁾ *In their response to the draft report the competent authority noted that the use of the SchwIP tool to review one set of more than 80 risk factors related to tail-biting (individual diagnosis of tail-biting) should be addressed during official controls and should be taken into account in the assessment of the official services. The latter tool is still being deployed.*

with intact tails. The intention is that they will no longer sign attestations justifying the need to tail dock from 2020. Almost all the specialist pig practitioners have undertaken an intensive two day training course in pig welfare run by national society of veterinary technical groups (SNGTV) and are now training farmers (250 in 2019). SNGTV have drawn up a guidance document for the care of tail-bitten pigs which also refers to potential risk factors that could be investigated after an incident.

Improvement Measures

26. There is information provided to the sector in the IFIP brochure "Pain Prevention in Pigs" (*Prévenir la douleur chez le Porc*) which gives suggestions on how to address risks for tail biting and improve certain environmental conditions.
27. There are CA proposals to fund health visits in 2022 to 2023 by veterinary practitioners to review implementation of training, risk factors and monitoring tools and by 2024 that individual farm plans will be used by the CA in the context of official controls. However, there are at present no proposals in the Action Plan for farmers to implement the legal requirement of paragraph 2 Point 8 of Chapter I of Annex I to the Pig Directive relating to improvement measures in a coherent and consistent way.

Enforcement through official controls

See section on official controls.

Additional findings on the Action Plan

28. There has been a wide distribution of information on actions to reduce tail biting from DGAL and the pig sector.
29. There are no intervention levels for tail biting defined to establish when farmers should/can start trials on keeping pigs with intact tails. It is notable that some Member States have already set intervention levels for when these should start. The only mention of rearing small groups of pigs with intact tails as "control groups" within existing premises is one sentence in the *fiche* for recording evidence of tail/ear biting which states: "*If few bites have been observed for six months, have you thought of contacting your technician or veterinarian in order to set up a 'whole tail' trial?*". As there is no definition of what is "few bites" and no threshold has been set for any move to rearing pigs with intact tails, this will at present only be on a voluntary basis whereas the legal requirements of paragraph 2 Point 8 of Chapter I of Annex I to the Pig Directive clearly state that routine tail docking is prohibited. The staff working document accompanying Commission Recommendation (EU) 336/2016 also states in Point 9 that "*When tail-biting has stopped, then some batches (1-2 litters) of undocked tails should be trialled – with a view to stopping the docking of tails.*"
30. Trials for rearing pigs with intact tails are ongoing within France (44 since 2015) and the results are now being collated and shared in a standard reporting format and within one coordinating body's database (*Coop de France*) which should result in better knowledge sharing and more consistent comparative analysis. The protocol for running/monitoring trials does not mention maximising all the management and environmental factors in the system to be assessed before starting the trial.

31. There are no proposals for dealing with the trade in tail docked pigs, including from other Member States. Some Member States are working together to draft proposals to deal with this issue which will require close cooperation to ensure the provisions of the Directive are complied with.
32. DGAL proposes to upgrade the collection of data in slaughterhouses by the end of 2020 to enable the collation of better data on the frequency and type of tail lesions in pigs. See also paragraph 60.
33. The pig sector intends to propose a farmer training initiative at the end of 2019 involving the existing training given by SNGTV but adding additional elements relating to BEEP, the recording of tail/ear lesions etc. resulting in at least one trained animal welfare officer on each pig holding.

Conclusions on implementing measures

34. DGAL has worked with stakeholders to implement an Action Plan on tail docking as part of the overall animal welfare strategy. It has taken actions to develop criteria for certain legal requirements that are related to tail biting risk factors on tail docking of pigs to enable inspectors and farmers to make a judgement on whether individual farms comply with EU requirements but these have not yet been implemented. Tail docking is still routinely carried out and the CA is not yet enforcing the corresponding legal requirements.
35. The relatively high levels of lesions detected during a survey in two slaughterhouses indicate serious animal welfare problems in a significant number of French farms and a need for an enforcement strategy aiming at improved compliance with minimum requirements as well as serious improvement measures to reduce the incidence of tail biting.
36. The sector has started to record evidence of tail/ear biting lesions. However, procedures for the assessment of lesions are incomplete. Farm risk assessment tools are still being developed and there is no robust framework in the Action Plan for improvement measures or when farms should transition to rearing pigs with intact tails. These last three components need to be put in place quickly in order to start making tangible progress to improve compliance with the Directive. In addition, the extended CA deadlines (end 2022 to 2024) mean that without a focus on shortening deadlines and sufficient priority, full compliance with legal requirements will not be reached within the next four years.
37. An error in the interpretation of legal requirements in official guidance and inspection checklists means that the legal requirement for all categories of pigs to have access to enrichment materials is not being enforced.
38. Docked pigs received from other farms may present a challenge for the competent authorities to change management practices on the farms receiving these animals which is not addressed in the Action Plan.

5.2 ECONOMIC FACTORS

Legal requirements

Article 33 of Regulation (EU) No 1305/2013 ⁽⁶⁾

Findings

European and National Funding Measures in the Pig Sector

39. There are no specific programmes in France for animal welfare measures on pig farms currently financed or co-financed by the European Union Fund for Rural Development (EUFRD).
40. However, the 2014-2020 EUFRD programme funding for France has resulted in substantial amounts of aid for pig premises to renovate and modernise their farms on the basis of different objectives: primarily environmental or premises and machinery upgrades. No detailed information on the breakdown of funding to pig farms during this period was available.
41. The second farm visited had received EUFRD funding to replace the flooring and ventilation systems in one section of the premises with notable benefits for animal welfare (improved climate, decrease in respiratory lesions and better health) despite this not being the primary objective as the funding was given for modernising the premises and to reduce ammonia emissions to comply with environmental requirements.
42. The pig sector has proposed a range of proposals for funding improvements to pig premises to DGAL for the next EUFRD programme. DGAL proposes to work with the General Directorate for Economic and Environmental Performance of Enterprises (DGPE) to ensure proposals put forward fulfil animal welfare and other objectives in a coherent way.

Conclusions on economic factors

43. EU funding incentives have not been used in any coordinated way to reduce tail biting and avoid routine tail docking of pigs through improving environmental or management systems. The pig sector has made proposals for future funding and DGAL, and DGPE are working to ensure that future funding measures are coordinated with animal welfare objectives and take into account the management commitments necessary to rear pigs with intact tails to comply with existing legal requirements.

5.3 OFFICIAL CONTROLS

Legal requirements

Directive 2008/120/EC

Directive 98/58/EC

Article 5 of Regulation (EC) No 854/2004 in connection with Section I, Chapter II, point B (1) and point C. of its Annex I and the relevant provisions of Section II, Chapter I of that Annex

⁽⁶⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 (OJL 347, 20.12.2013, p.487) on support for rural development by the European Agricultural Fund for Rural Development.

Findings

44. The annual national inspection plan sets out the priorities and instructions for the implementation of official controls on animal welfare including a 1% sample of farms subject to cross-compliance inspections which are carried out at the same time where appropriate. Planning for risk selection of farms is coordinated between the relevant services responsible for cross compliance and animal welfare and was implemented as described in procedures.
45. The CA has prioritised inspections on pig farms particularly on the risk factors relating to tail-docking in their 2019 guidance for the annual control plan for official controls. It is concentrating on the legal requirements for water and light and enrichment materials as non-compliances relating to these have been reported frequently and on a recurrent basis since 2015 in the main pig producing areas.
46. The CA in the largest pig producing areas moved to carrying out unannounced inspections in 2017 to address the high levels of recurrent non-compliances detected on the small sample of farms (1% for animal welfare) visited, in particular in the provision of light, water and enrichment material. In 2017, 63% of inspections found non-minor or serious non-compliances. In 2018, this rose to 74%. The CA took enforcement action issuing 39 corrective action notices and five administrative sanctions in 2017 and 29 and 4 respectively in 2018. The table below gives an indication of the major non-compliances detected in the largest pig producing area for 2015 and 2017:

Non compliances	Insufficient/No access to water: majority with liquid feeding	Enrichment (minimum of a chain)	Light
2015	30%	25% at least one group with no enrichment	20% no light 40% insufficient light
2017	70%	47% - as above	40% either no light or insufficient lighting

47. The compliance criteria for water and light have been agreed with the sector (though see paragraph 50 below). The assessment of enrichment material is solely based upon its presence or absence as the final compliance criteria have not yet been agreed with the sector; though work is ongoing and at an advanced stage (see Annex II). On an interim basis the CA accepts chains as a minimum acceptable level of enrichment material. The presence of chains (which are classed as a marginal material in the Staff Working Document accompanying Commission Recommendation (EU) 336/2016 and is not acceptable as a sole enrichment material) does not fulfil the legal requirement of paragraph 4 of Chapter I, Annex I of the Pig Directive;
48. The planning, execution and follow up of official controls were carried out according to the existing procedures in place. However:
- DGAL and the local CA acknowledge that the existing guidance for legal requirements relating to risks for tail biting to official veterinarians (OVs) to carry out and report the results of inspections consistently is not fully satisfactory but is a work in progress. In addition there has been no training on the implementation of the new guidance and

checklists given to official veterinarians at District level although all those met were aware of the Action Plan and the ongoing developments related to it;

- Article 3 (2) of Regulation (EC) No 882/2004 requires that official controls should be unannounced. Official controls on pig farms are not routinely unannounced in all regions of France;
- Existing procedures do not include: defined criteria for certain legal requirements relating to tail biting risks to enable inspectors to assess farmers' compliance; nor do they contain any framework or instructions for assessing the evidence of tail/ear lesions and improvement measures in farms that rear docked pigs;
- The *vademecum* cites Council Directive 91/630/EEC as the main legal base for inspection requirements. This directive has been amended a number of times and superseded by the Pig Directive;
- The legal requirements on the prohibition of tail docking are being incorrectly assessed by inspectors as compliant: even when routine tail docking is practised on almost all farms, the recording of evidence of tail/ear injuries has only recently started, and farms are not required to put in place improvement measures to improve environmental conditions in order to prevent tail biting;
- There are serious implications for cross compliance payments as the question on mutilations (PB 3 of the cross compliance inspection form) is being interpreted only in relation to whether tail docking itself was performed in a satisfactory way, and not whether it was legally justified to tail dock on the farm. A non-compliance rate averaging 4% was recorded during 2014 to 2018 when the true situation is actually nearer to 100% according to DGAL and the pig sector.
- Due to a mistake in interpretation of the Pig Directive, point D0303 of the inspection *vademecum* and the related animal welfare inspection checklist report (*Protection animale en élevage grill d'inspection l'élevage de porcs*) only require the provision of enrichment material to pigs in groups, and sows and gilts in groups of more than 10 animals. Point PB7 of the cross compliance checklist indicates that the requirements for enrichment material are not applicable to sows and gilts in stalls.

49. DGAL intends to:

- Intensify official controls on pig farms at the end of 2019 once the inspection *vademecum* has been updated, including increasing unannounced inspections and incorporating improved enforcement and follow up procedures trialled in the largest pig producing area to improve the consistency of controls and their impact in 2020;
- Hold specific animal welfare training in 2020 for official vets dealing with pigs, including on the updated inspection *vademecum* and in the Districts to organise trainings for farmer groups based on non-compliances detected in local farms;
- Work on incorporating/using the results of risk assessment tools in the framework of their controls;
- Take phased enforcement measures to rectify the mistakes in the transposition of requirements for all pigs to receive enrichment material. DGAL informed the sector that

in June 2019 that all pigs must receive enrichment materials not only those kept in groups. However, there is no timeframe for these actions defined and until this issue is addressed the sector will not be in compliance with the requirements of point 4 of Chapter I, Annex I of the Pig Directive.

50. The sector's interpretation on the provision of water through liquid feeding systems does not comply with the requirement in point 7 of Chapter I of Annex I to the Pig Directive to provide pigs over 2 weeks of age with permanent and fresh water as there is no separate fresh water supply system, in addition to the existence of feeding troughs used for the delivery of liquid feed to pigs. The sector wishes to provide fresh water between liquid meals through the existing liquid feed supply systems. However, inspection results demonstrate that:

- when inspections are announced water is found in the troughs;
- there is frequently no water found in the feeding troughs when inspections are unannounced;
- even when water is provided through the liquid feeding systems the water is often stagnant or leads to excessive spillage into the pens, or pigs playing with and fouling the liquid feeding troughs. Such a mixture cannot be considered fresh water;
- pigs have no access to fresh water when the food is in the troughs;
- there is a pattern of the above inspection findings since 2017 reported countrywide.

51. The Working Group on pigs acknowledges that the provision of accommodation for sick and injured pigs for sows and gilts in group housing has not been met.

The CA allows a blanket acceptance of the use of corridors as suitable accommodation for sick and injured fattening pigs and does not evaluate their suitability on a case-by-case basis. Given the characteristics of existing pig rearing premises and management practices it is highly unlikely that corridors comply with the requirements laid down in Point 4 of the Annex to Council Directive 98/58 /EC and Article 3(8) of the Pig Directive, in particular concerning: bedding, isolation for health and recovery (appropriate care) reasons, permanent access to water, and climatic conditions; see also Annex 2 of this report. Nor does that interpretation agree with the sector's Guide to Good Hygiene and IFIPs brochure on Pain Prevention. Individual pens for accommodation for sick and injured pigs were available in both farms visited and while they were not particularly clean, and in the first farm quite high levels of ammonia were noted, they complied with basic requirements for access to water, feed, isolation and had solid/part solid flooring.

52. The audit team visited two pig farms (both breeding and fattening; all pigs were tail docked on both farms). The first farm had older buildings (fully and part slatted floors and controlled environment in the farrowing and some fattening units). The visit was scheduled as a follow up inspection to assess if rectification of non-compliances in lighting, provision of water and enrichment material had been completed. The deficiencies had been rectified to the standards accepted under the existing *vademecum*. The conditions in the weaner accommodation were satisfactory. Fattening buildings in the first farm were basic, not ideal, with quite dirty pens and pigs and what seemed like quite high levels of ammonia noted in certain pens. Two types of chains (plain or with discs) and hanging objects (compressed maize) had been provided as

enrichment material; other pens had additional wooden logs. Most pigs paid little attention to the chains. Tail biting was reported at an incidence of between 1 and 2%. The new recording sheet had recently been implemented.

53. The second farm had renovated sections for weaners where the environment was much better than the older pens used for further fattening. In general, rearing conditions were compliant with the existing *vademecum*. All pens had, as a minimum, chains for enrichment material, some pens used additional rope. The animals' intense interaction with the new ropes suggested that this was a much better material than the chains.
54. No serious non-compliances with basic rearing conditions were noted on either farm. Animals in both farms were in satisfactory condition with only one or two cases of fresh tail/ear/flank biting of a minor nature noted. (See also Annex 2 of this report).
55. OV's carried out official controls on pig farms, and completed checklists using the existing checklists and *vademecum*. For questions where compliance criteria have not yet been suitably defined, they assessed the requirements mainly using their personal judgement and professional experience of mainly animal-based indicators to assess legal requirements, e.g. enrichment material, cleanliness of pigs and housing, requirements for dry comfortable bedding and suitable accommodation for sick or injured animals, suitable provision of feed and water, and maintaining temperatures within limits which are not harmful to the animals and maximum gas concentrations (see also Annex 2 of this report).
56. In the slaughterhouse visited severe tail lesions were recorded as a relevant result within the meaning of Regulation (EC) No 854/2004 both during *ante* and *post-mortem* inspections at a very low level. The slaughterhouse assumes the cost of disposing of the unsaleable meat but the farmer loses the value of the meat and may also suffer a downgrading in carcase quality. This information is sent from the slaughterhouse to the farmer.
57. Official vets and slaughterhouse staff use the "*Guide to good practice for evaluating the fitness for transport of pigs*" drawn up by a European stakeholder group to assess what constitutes serious tail and ear lesions of live pigs. Slaughterhouse staff grade carcasses according to national meat sector standards. There is no official guidance for Official Veterinarians (OV's) for the assessment of tail/ear lesions at *post-mortem*. Official veterinarians and auxiliaries make individual subjective assessments on what constitutes a serious lesion during *post-mortem* inspections.
58. Slaughterhouse *post-mortem* part carcase condemnations relating to tail and tail area lesions were 0.38% between January and early May 2019. Five warnings were issued by OV's in the area visited in relation to the detection of serious tail lesions and followed up by the CA in 2019 through warning letters. In addition, findings from other slaughterhouses also resulted in targeted inspections as part of the national control plan for animal welfare. However, the breakdown of the data on the main conditions detected at *post-mortem* in pigs e.g. lung and liver lesions or spinal and other abscesses is not utilised in France as a potential indicator of poorer farm rearing conditions which could be related to risk factors for tail and ear biting.
59. DGAL is modifying its data collection system in slaughterhouses. The proposed modifications (deadline 2020) will enable collection of information on parts of carcasses (or entire) that are

detained and link them to the reasons for the detention. Whilst nothing specific has been planned for tail lesions, it will be possible to modify the system to do this. Article 3(1) of Regulation (EC) No 882/2004 requires CAs to perform official controls taking into account food business operators' past records and the reliability and results of own controls. Article 9 1(d) of Regulation (EU) 2017/625 which applies from 14 December 2019 extends this requirement to include private quality assurance schemes.

Conclusions on official controls

60. Official controls have not yet started to enforce compliance criteria for legislative requirements related to risks for tail biting though this is planned for 2020 once guidance is revised. Whilst the premises visited complied with the existing *vademecum*, they did not comply with existing legislative requirements on enrichment material and the requirements prohibiting routine tail docking.
61. Official controls in the main pig producing regions have focussed since 2017 on raising basic standards related to the provision of light, water and enrichment materials and have taken enforcement action to rectify these non-compliances with increasingly successful outcomes. Inspection reports from unannounced visits indicated that often these requirements were not being provided at all and that these types of inspections were more productive in improving standards on farms.
62. The authorities propose measures to ensure that non-compliances relating to these basic provisions are followed up and sanctioned consistently and effectively throughout the whole country.
63. Mistakes in the interpretation of legal requirements for enrichment material and interpretation of requirements on mutilations mean that animal welfare and cross compliance inspections massively underreport the high rates of non-compliance for these two items with serious implications for cross compliance payments.
64. The provision of water through liquid feeding systems does not ensure that all pigs over two weeks of age have permanent access to a sufficient quantity of fresh water.
65. It is unlikely that corridors can provide suitable accommodation for sick and injured pigs in most building and management scenarios. Blanket acceptance of the use of corridors by the CA without strict conditions and a case-by-case assessment intended to ensure that these areas are suitable for all the objectives specified in the relevant legislation is not in accordance with these legal requirements.
66. Feedback from the slaughterhouse ensured that the most severe cases of tail biting were forwarded to the District of origin allowing follow-up investigations which were included in risk targeting of inspections. Routine *post-mortem* data sent to farmers also makes them aware of potential risk factors for tail biting. However, slaughterhouse data is not utilised or evaluated by the authorities as a potential animal indicator of on-farm conditions which could be used for risk profiling of premises or for targeting follow-up actions to improve welfare standards in farms.

6 OVERALL CONCLUSIONS

The French authorities and the pig sector (and others) have developed an Action Plan which contains some of the main elements that are required to improve farm rearing conditions. However, at this point, only very few tangible actions have been taken to improve compliance with the provisions of the Pig Directive and to reduce tail biting and avoid tail docking of pigs, which is still carried routinely out in the country. The high incidence of tail biting injuries in docked pigs reported in a study in two slaughterhouses indicates an urgent need for improvement of rearing conditions in the pig sector. This is underpinned by a high percentage of non-compliances with regard to basic legal requirements found by official controls.

The Competent Authority, together with the sector have agreed compliance criteria and guidance for most of the legislative requirements related to risk factors for tail biting and are working on finalising compliance criteria for the remainder before the end of summer 2019. However, the plan lacks any threshold to take the next steps of transitioning to rearing pigs with intact tails and the deadlines set for bringing the sector into compliance with the requirements on the prohibition of routine tail docking are too long (2022 to 2024). There is no robust framework for ensuring that farmers will put in place improvement measures where required or any guidance for the inspectors' assessment of those measures.

The pig sector is fully aware of the national Action Plan and has actively engaged in its development and implementation. It has committed to incorporating a self-assessment tool in its farm production standard by the end of 2019 and a non-mandatory risk assessment tool for use on farms by 2020. It has also made proposals for Union funding to improve farm conditions beyond minimum legal requirements; for mandatory animal welfare training for farmers; and has set up a network to record, compare and share best practice from trials of rearing pigs with intact tails.

Official controls have not yet started to enforce compliance criteria for legislative requirements related to risks for tail biting though this is planned for 2020 once guidance is revised. However, official controls in the main pig producing regions have focussed since 2017 on raising basic standards related to the provision of light, water and enrichment materials and have taken enforcement action to rectify these non-compliances. Inspection reports indicate that often these requirements were not being provided at all. The authorities are taking measures to ensure that non-compliances relating to these basic provisions are followed up and enforced consistently and effectively throughout the whole country.

7 CLOSING MEETING

A closing meeting was held on 21 June 2019 with representatives of the competent authorities, at which the main findings and preliminary conclusions of the audit were presented by the audit team. The competent authorities commented that they are committed to working with the sector to complete and implementing the remaining parts of the Action Plan and improve animal welfare standards.

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 finalise the provision to farmers and inspectors of clear compliance criteria so that farmers have a clear indication of what is required and inspectors can more effectively enforce the legal requirements of Council Directive 2008/120/EC and Council Directive 98/58/EC that are related to risk factors for tail biting.</p> <p>Recommendation based on conclusions 35, 36, 37, 39, 60, 63, 64 and 65. Associated findings 16, 17, 20, 47, 48, 49, 50, 51 55 and audit findings in Annex II.</p>
2.	<p>To provide inspectors with instructions and guidance which enable them to enforce the provision on the prevention of tail biting and avoidance of routine tail docking, as laid down in the second paragraph of point 8 of Chapter I of Annex I of Council Directive 2008/120/EC, in particular:</p> <ul style="list-style-type: none"> • how they should assess the evidence of tail and ear lesions on farm; • at what point farmers should start trialling batches of pigs with intact tails; • what constitutes sufficient measures by farmers to change inadequate environmental conditions or management systems before resorting to tail docking of pigs. <p>Recommendation based on conclusions 34, 35, 36, and 38. Associated findings 9, 23, 24, 27, 29, 31, 48, 49 and audit findings in Annex II.</p>
3.	<p>To ensure effective implementation of the requirements of point 7 of Chapter I of Annex I to the Pig Directive to ensure that all pigs over two weeks of age have permanent access to a sufficient quantity of fresh water.</p> <p>Recommendation based on conclusions 61 and, 64. Associated findings 17, 45, 46, 47 50, 55 and audit findings in Annex II.</p>
4.	<p>To ensure the provision of suitable accommodation for sick and injured pigs which complies with the requirements laid down in Point 4 of the Annex to Council Directive 98/58 /EC and Article 3(8) of Council Directive 2008/120/EC.</p> <p>Recommendation based on conclusion 65. Associated findings 51 and 55 and audit findings in Annex II.</p>
5.	<p>To ensure official controls are unannounced as required by Article 3 (2) of Regulation (EC) No 882/2004.</p> <p>Recommendations based on conclusion 61. Associated findings 46, 48, 49 and 50 and audit findings in Annex II.</p>

No.	Recommendation
6.	<p>To consider the inclusion of <i>post-mortem</i> indicators of suboptimal rearing conditions, to improve the risk profiling of pig farms for inspection and mitigate risks for tail biting on these premises in line with the general requirements of Article 3(1) of Regulation (EC) No 882/2004 requiring official controls take into account food business operators' past records and the reliability and results of own controls and article 9 1(d) of Regulation (EU) 2017/625 which applies from 14 December 2019 and extends this requirement to include private quality assurance schemes.</p> <p>Recommendation based on conclusion 66. Associated findings 57, 58 and 59 and audit findings in Annex II.</p>
7.	<p>To consider optimising coordination with other Government departments responsible for funding new and renovating existing buildings where pigs are to be kept with the assistance of European funding under Article 17 of Regulation (EU) No 1305/2013.</p> <p>The goal should be to ensure not only that payments related to such facilities are suitable to commitments going beyond the relevant mandatory standards where they are related to animal welfare but that in general all funded facilities, as a minimum, comply with relevant mandatory requirements (of Directives 2008/120/EC and 98/58/EC) and that future funding measures are coordinated with animal welfare objectives and take into account the management commitments necessary to rear pigs with intact tails to comply with existing legal requirements.</p> <p>Recommendation based on conclusion 43. Associated findings 40, 41 and 42.</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=2019-6603

ANNEX 1 – LEGAL REFERENCES

Legal Reference	Official Journal	Title
Reg. 882/2004 - Article 45 (MS)	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. 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. 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
Regulation 1305/2013	OJ L 347, 20.12.2013, p. 487–548	Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005
Reg. 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption

ANNEX 2

Note: *DG SANTE audit findings are in italics*

Parameter Commission Recommendation (EU) 2016/336	Legal requirements Directive 2008/120/EC, 98/58/EC	Legal requirements	Existing guidance provided in DGAL's <i>vademecum</i>	Guidance proposed by French authorities and/or in Working Group on the French Action Plan on Tail docking in technical "fiche"												
			<p><i>Farm Checklists give no additional guidance-only a reference to the area of control, the corresponding guidance in the Vademecum and a judgement on compliance and applicability of requirements</i></p> <p><i>NB: DGAL acknowledge that compliance criteria have not been finalised for all parameters of Commission Recommendation (EU) 2016/336</i></p> <p><i>The IFIP brochure "Pain Prevention in Pigs" will need to be updated to be consistent with proposals regarding criteria for minimum compliance with legal requirements.</i></p>													
Enrichment material	<p>"permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities"</p> <p>(Directive 2008/120/EC Annex I, Chapter I, 4)</p>	<p>Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs</p> <p><i>Minimum requirements of Directive.</i></p>	<p>The legal requirement for the provision of enrichment material for all classes of pigs is stated in the vademecum (page 109).</p> <p>DGAL's interpretation in their guidance for inspectors and the related inspection checklists for animal welfare and cross compliance official controls is that enrichment material is only required for pigs in groups: post-weaning, growing, fattening, gestating sows and gilts in quarantine.</p> <p><i>Vademecum</i> states that further research is needed on the suitability and amount of enrichment materials and no specific guidance is indicated on what is acceptable.</p> <p>Plastic balls and plastic/PVC toys are indicated as insufficient.</p> <p>The basic inspection requirement to establish compliance is to establish whether animals have access to any type of manipulable material.</p> <p><i>No animal-based indicators are listed.</i></p>	<p>A technical guidance "fiche" is being finalised between DGAL and the sector with additional clarification to specify what is acceptable in terms of the number and type of materials that will suffice based on the opinion of the National Reference Center for Animal Welfare and working group input.</p> <p>The Reference Centre was consulted in spring 2019 on the suitability of a number of types of enrichment material. This was in the context of the legal basis of Commission Recommendation (EU) 336/2016 and the accompanying staff working document which lists suitable types of enrichment materials and their categorisation.</p> <p><i>The draft technical fiche gives information on types of enrichment materials, their composition, suitability and availability. It draws heavily from the staff working document, but lacks an assessment protocol for how/if the material is being utilised. It also focusses on objects, as opposed to the terminology of enrichment materials. The former is likely to influence producers to maintain the usage of inadequate toys and materials of marginal interest.</i></p> <p>Combinations of different types of materials and amounts have been proposed as follows:</p> <table border="1"> <thead> <tr> <th>Number of pigs/box</th> <th>Type and number of materials to be supplied</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td>< 25</td> <td>1 sub-optimal + 1 marginal interest</td> <td>1 sub-optimal is satisfactory for sows</td> </tr> <tr> <td>26 to < 40</td> <td>2 sub-optimal (or 1 if several access points) + 1 marginal interest</td> <td></td> </tr> <tr> <td>>40</td> <td>2 sub-optimal + 2 marginal interest (or 2 sub-optimal + 1 marginal interest if several access points)</td> <td></td> </tr> </tbody> </table> <p>With regard to the nature of the materials:</p> <p>A chain with a piece of wood attached is regarded as one sub-optimal material and not a sub-optimal and marginal material combination</p> <p>Guidelines for the use of plastic toys, cardboard and paper remain to be adopted.</p> <p><i>The materials and combinations proposed by the Working group (steering the Action Plan) is a reasonable attempt to define combinations of materials that could fulfil minimal requirements using</i></p>	Number of pigs/box	Type and number of materials to be supplied	Comments	< 25	1 sub-optimal + 1 marginal interest	1 sub-optimal is satisfactory for sows	26 to < 40	2 sub-optimal (or 1 if several access points) + 1 marginal interest		>40	2 sub-optimal + 2 marginal interest (or 2 sub-optimal + 1 marginal interest if several access points)	
Number of pigs/box	Type and number of materials to be supplied	Comments														
< 25	1 sub-optimal + 1 marginal interest	1 sub-optimal is satisfactory for sows														
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Parameter Commission Recommendation (EU) 2016/336	Legal requirements Directive 2008/120/EC, 98/58/EC	Legal requirements	Existing guidance provided in DGAL's <i>vademecum</i>	Guidance proposed by French authorities and/or in Working Group on the French Action Plan on Tail docking in technical "fiche"
				<p><i>examples from the Commission Staff Working Document accompanying Commission Recommendation (EU) 336/2016 within the existing production systems. However, a number of points are not satisfactory:</i></p> <ul style="list-style-type: none"> <i>There is no mention is made of optimal materials as a possibility of enrichment materials being provided, which tend to guide producers to choose only poorer materials to satisfy legal requirements;</i> <i>There is no mention of the possibility of combinations including optimal materials, or small amounts of optimal materials being used in combination with other materials;</i> <i>There is no positive list of materials and the required properties of materials are not clearly defined. E.g.in case of wood, untreated softwood is recommended in the staff working document as hard wood possesses only one of the characteristics required in Commission Recommendation (EU) 336/2016 and is considered a material of marginal interest.</i> <i>This guide is clearly focussed on minimal levels/types of materials for compliance. Minimal compliance with this and other legal requirements may not be enough to prevent tail-biting-hence the need for risk assessment and improvement measures over time, including the possibility of access/combinations of better enrichment materials, and especially when outbreaks have started;</i> <i>There is no guidance on frequency of renewal of enrichment materials.</i> <i>There is no guidance on the assessment of the requirement "permanent access" when loose materials such as straw are provided</i> <p><i>There is no agreed system for assessing the accessibility, uptake and use of enrichment material on farms. This is necessary to ensure the requirements of Directive 2008/120/EC Annex I, Chapter I, 4 on permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities can me assessed consistently. The Working Group has agreed to define criteria based on animal based indicators.</i></p> <p><i>The IFIP brochure giving an ideal pen layout has one chain hanging on the wall- it may be relevant to update the brochure in line with what is proposed by the Working Group.</i></p>
Cleanliness	<p>"a lying area physically and thermally comfortable as well as adequately drained and clean which allows all the animals to lay at the same time" (Directive 2008/120/EC, Annex I, Chapter I, 3)</p>	<p>Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs</p> <p><i>Minimum requirements of Directive.</i></p>	<p>The <i>Vademecum</i> reiterates the Pig Directive requirements and the direct incorporation of these into the French legal text.</p> <p><i>However, the inspection objective given in the vademecum is missing any reference to assessing the legal requirement on thermal comfort as part of an official control.</i></p> <p><i>In relation to pens it indicates that lying areas should be dry overall (no pooling of urine or slurry) but a damp</i></p>	<p>This parameter has been discussed in the working group and it reports that: in the opinion of the pig and veterinary profession, this regulatory point is respected by the majority of livestock farmers, with the exception of a few pens.</p> <p>No change is envisaged for the existing provisions on cleanliness. The working group indicates that guidance is already provided to the sector in the "Pain Prevention in Pigs" guide.</p> <p>In the event that the updated <i>vademecum</i> is deemed insufficiently clear, the possibility of defining a protocol adapted to inspection with a threshold relating to the cleanliness of the animals will be examined.</p> <p><i>Whilst this issue may not be viewed as not particularly problematic to the sector, and it does not feature highly on the list of non-compliances reported by the CA, this may be as a result of insufficient guidance for inspectors and others in relation to what constitutes adequately clean pens and pigs.</i></p> <p><i>No reference to cleanliness of pigs or pens could be located in the IFIP brochure.</i></p>

Parameter Commission Recommendation (EU) 2016/336	Legal requirements Directive 2008/120/EC, 98/58/EC	Legal requirements	Existing guidance provided in DGAL's <i>vademecum</i>	Guidance proposed by French authorities and/or in Working Group on the French Action Plan on Tail docking in technical "fiche"
			<p><i>bedding area is tolerated.</i></p> <p><i>No animal-based indicators are listed in relation to pen cleanliness or thermal comfort.</i></p> <p><i>In relation to physical comfort, the guidance indicates that flooring should at least not cause injury which is not the same as being physically comfortable.</i></p> <p><i>Many of the pens and animals seen on the first farm visited (and certain of the pens in the second farm) were extremely dirty but the existing guidance is not sufficient for inspectors to assess if this farm was compliant or not.</i></p> <p><i>OVs indicated that they would make a subjective judgement in the absence of specific guidance.</i></p>	<p><i>Photographic guidance from the BEEP tool has been proposed as criteria related to the pigs' thermal comfort. No specific guidance or related measures are defined to ensure that these are met. E.g. how much additional space pigs may need to lie down together when temperature is above thermoneutral zone?</i></p> <p>The Working Group indicated that whilst density is a significant risk factor in relation to tail biting risk and also improves the zootechnical performance (GMQ, CI, carcass weight, etc.) the additional cost associated with any reduction in density is significantly higher than the zootechnical gain from the pig sector's perspective. In order to better measure the impact of this risk factor, information on the role of stocking density is obtained by the pig profession as part of intact tail trials.</p> <p>The sector is considering proposals in this regard with regard to future EUF RD funding.</p> <p><i>The issue of ensuring thermal comfort for the animals in pens has been partly addressed.</i></p>
Thermal comfort and air quality	"air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals" (Directive 98/58/EC Annex, 10)	Ministerial Decree of 25 October 1982 on the Rearing, Keeping and Holding of Animals <i>Minimum requirements of Directive.</i>	<p>The <i>Vademecum's</i> objectives for this legal requirement focus on the assessment of the adequacy of ventilation in relation to the absence of harmful draughts, and sufficient ventilation to remove harmful gasses and excess humidity.</p> <p>Non-compliance is defined as when air circulation is manifestly unsatisfactory and associated with health issues.</p> <p><i>There are no limits specified for air circulation, dust levels, relative air humidity and gas concentrations.</i></p> <p>Additional guidance on ventilation technical parameters is available to inspectors on DGAL's intranet but was not seen by the audit team.</p> <p>There is provision for a documentary control of the holding records on</p>	<p>DGAL proposes to draw up additional guidance in the <i>Vademecum</i> relating to condensation and inadequate ventilation. The Working Group also proposes to: include limits for ammonia, carbon dioxide and carbon monoxide (A limit of 2000ppm for carbon dioxide and 20ppm for ammonia is being discussed).</p> <p><i>There are no proposals in relation to setting limits which are not harmful to animals for air circulation, dust levels, temperature and relative humidity. There are no proposals regarding measures to be taken by the farmer, when temperatures exceed / fall below limits.(comfort zone) i.e. proposals that define temperature limits from which cooling or heating would be appropriate / required</i></p> <p><i>The IFIP brochure "Pain Prevention in Pigs" has a limit of 5000ppm for carbon dioxide which appears very high. According to the opinion of the Working Group levels over 3000ppm will cause toxicity in pigs.</i></p> <p>The IFIP brochure also lays down various suggested limits for ventilation changes, air speed, gas concentration and minimal temperatures (no maximum indicated) on farms. <i>Whichever limits are chosen by the Working Group, it is important that a coherent message is distributed to the sector and the CA.</i></p> <p>The Working group is proposing a framework for mandatory assessment of ventilation systems, with a frequency to be decided.</p>

Parameter Commission Recommendation (EU) 2016/336	Legal requirements Directive 2008/120/EC, 98/58/EC	Legal requirements	Existing guidance provided in DGAL's <i>vademecum</i>	Guidance proposed by French authorities and/or in Working Group on the French Action Plan on Tail docking in technical "fiche"
			<p>respiratory or ocular pathologies that could be associated with a particular building.</p> <p><i>Neither inspector met mentioned this provision.</i></p> <p>In relation to temperature, compliance is defined as when animals do not show signs of heat stress. Exceptions are made for very high temperatures where non-compliance is judged to be when more than 10% of animals experience heat stress, characterised by excessive breathing. The guidance also mentions that temperature measurement is necessary.</p> <p>A great deal of information on various temperature limit scenarios is given in the section A0401L01 but listed as for information.</p> <p><i>Due to this presentation it is not clear if these requirements are mandatory or for information. They were not mentioned by either inspector met and do not appear to have been discussed with the sector in the framework of the Working Group setting compliance criteria.</i></p> <p><i>Instructions regarding the assessment of humidity indicate that humidity must be moderate, but do not define what this means.</i></p> <p><i>Instructions regarding the assessment of dust indicate that there should not be excess dust in the air and define this in terms of how the inspector assesses this through vision and effects on mucous membranes. No limit is defined.</i></p> <p><i>OVs indicated that they would make a subjective judgement in the absence</i></p>	

Parameter Commission Recommendation (EU) 2016/336	Legal requirements Directive 2008/120/EC, 98/58/EC	Legal requirements	Existing guidance provided in DGAL's vademecum	Guidance proposed by French authorities and/or in Working Group on the French Action Plan on Tail docking in technical "fiche"
			<i>of specific limits using their sense of smell and the presence or absence of conjunctivitis in pigs as a first indicator of poor conditions (in relation to ammonia levels and reviewing animal behaviour).</i>	
Competition for food and space	<p>1 "unobstructed floor area" (Directive 2008/120/EC, Article 3, 1a)</p> <p>2 "measures taken to prevent fighting (...) adequate opportunities to escape and hide from other pigs" (Directive 2008/120/EC, Annex I, Chapter II, D 1, 2)</p> <p>3 "feeding and watering equipment must be designed constructed and placed so that (...) the harmful effects of competition between the animals are minimised" (Directive 98/58/EC, Annex, 17)</p> <p>4 "permanent access to a sufficient quantity of fresh water" (Directive 2008/120/EC, Annex I, Chapter I, 7)</p>	<p>Ministerial Decree of 25 October 1982 on the Rearing, Keeping and Holding of Animals and Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs</p> <p>1 <i>Minimum requirements of Directive</i></p> <p>2 <i>Minimum requirements of Directive</i></p> <p>3 <i>Minimum requirements of Directive</i></p> <p>4 <i>Minimum requirements of Directive</i></p>	<p><i>No animal-based indicators are listed for requirements 3-4.</i></p> <p>1 Guidance is given on what constitutes unobstructed floor area and what must be deducted from total-area to calculate this and that the area must enable animals to have a natural body position.</p> <p>3 There is no guidance on the functionality and suitability of feeders/drinkers. Some direction is given to assess obvious visual contamination of water.</p> <p>Vademecum mentions that a working group of ANSES (French Agency for Food, Environmental and Occupational Health & Safety) should provide recommendations on water quality.</p> <p>There is some guidance on the positioning of feeders to avoid contamination. No indication of space allowances for either ad-libitum or restricted feeding and for watering equipment, no indications of number of drinkers/animals/pen.</p> <p>4 With regard to the provision of water in liquid feeding system the vademecum states that the distribution of water meals can be regarded as acceptable several times in the day, so that there is still a quantity of water remaining in the animals' troughs. There is no</p>	<p>1 No additional guidance proposed.</p> <p>2 No additional guidance proposed.</p> <p>3 The Working Group proposes space allowances/pig for feeder sizes for post-weaning (PS) and fattening pigs (E): Feeders (cm min / pig) : 4 (PS) et 6 (E) <i>ad-lib</i> feeding and troughs 23 (PS) et 33 (E) restricted feeding.</p> <p>The CA have specified that all new/renovated buildings must have separate access to water for liquid fed pigs but have not yet defined that all pigs should have permanent access to fresh water in this regard.</p> <p>A technical fiche on the provision of water to pigs has been drafted. It gives detailed information on the provision of water to pigs, including the type and location of devices, accessibility, the number of drinkers/pigs etc.</p> <p>The first draft gave 2 options for the provision of water to pigs fed with liquid feed: a separate water supply or the provision of water through the existing systems. The CA has robust findings that the second option is not being delivered in practice and has decided to move to assessing the means of providing water rather than the obligation.</p> <p><i>The provision of water through the existing liquid feeding systems does not comply with the requirement laid down in Point 7 of Annex I, Chapter I to Directive 2008/120/EC as there is no separate fresh water supply system, in addition to the existence of feeding troughs used for the delivery of liquid feed to pigs. See also paragraph 50 of this report.</i></p>

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			<p>requirement on what constitutes fresh water.</p> <p>However, the vademecum acknowledges that further updates/revision in relation to this point may be forthcoming.</p> <p><i>This does not comply with the requirement laid down in Point 7 of Annex I, Chapter I to Directive 2008/120/EC.</i></p>	
Health status	<p>1 "sufficient number of staff who possesses the appropriate ability, knowledge and professional competence" (Directive 98/58/EC, Annex, 1)</p> <p>2 "sick or injured animals shall be accommodated in suitable accommodation with, where appropriate, dry comfortable bedding" (Directive 98/58/EC, Annex, 4)</p> <p>3 "specialised housings (for piglets weaned less than 28 days of age) which are separated from housings where sows are kept" (Directive 2008/120/EC, Annex I, Chapter II, C3)</p>	<p>Ministerial Decree of 25 October 1982 on the Rearing, Keeping and Holding of Animals and Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs</p> <p><i>1,2,3 Minimum requirements of Directives</i></p>	<p>1 Vademecum indicates that the competence of personnel shall be considered as non-compliant only if the poor state of health or the condition of several animals is found.</p> <p>Assessment is on the basis of a visual assessment of the general condition of the pigs and the holding and a documentary check: presence on the holding of animal husbandry and animal welfare documents and, where appropriate, diplomas and training followed by the farmer and his employees.</p> <p><i>The above assessment criteria are vague and give no reassurance about whether staff have actually received training, what the training consisted of, when it was carried out and if it met the requirements listed in Article 6 of the Pig Directive which states that: Member States shall ensure that:</i></p> <p><i>(a) any person who employs or engages persons to attend to pigs ensures that the person attending to the animals has received instructions and guidance on the relevant provisions of Article 3 and</i></p>	<p>1 The CA and the sector acknowledge that the provision of training and the knowledge base is not optimal with regard to implementation of welfare principles and legal requirements.</p> <p>There are training courses available in agricultural schools. Almost all the specialist pig practitioners have undertaken an intensive two day training course in pig welfare run by national society of veterinary technical groups (SNGTV) and are now training farmers (250 in 2019).</p> <p>The pig sector intends to propose a farmer training initiative at the end of 2019 involving the existing training given by SNGTV but adding additional elements relating to BEEP, the recording of tail/ear lesions etc resulting in at least one trained person to function as a point of reference of animal welfare in each farm. Training courses expected to be held between 2020 and 2022.</p> <p><i>The proposals for additional training could be satisfactory-and would go beyond existing requirements if the framework and scope of the training correlate with legal requirements.</i></p> <p>2 The 2013 Good to Guide Hygiene on Pig Farms states that farms must have a dedicated isolation pen. No specific number of pens per animals is indicated for farms.</p> <p>The "Pain Prevention in Pigs" guidance indicate that there should be specific isolation facilities, dedicated exclusively to sick or injured pigs, and that not having these on farms is a risk for biting. No specific number of pens per animals is indicated for farms.</p> <p>The Working Group indicates that this issue is problematic for existing premises that were modified to accommodate group housing of sows, where this was not taken into consideration.</p> <p>It agrees that the existing guidance in the vademecum on the use of temporary corridors for fattening pigs is satisfactory. <i>No proposals are put forward to address the stated lack of facilities for sows/gilts.</i></p> <p>The Working Group proposes to have sick pens for 1% of all pigs on farm for any new or renovated construction.</p> <p><i>The proposals are not satisfactory as they do not put forward satisfactory or any proposals to address the legal requirements for sick or injured animals for fattening pigs, or sows/gilts respectively in existing accommodation.</i></p> <p><i>Corridors are not acceptable because:</i></p> <ul style="list-style-type: none"> <i>Adequate feeding and watering cannot be ensured (often portable round troughs are used – these</i>

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			<p><i>Annex I;</i></p> <p><i>(b) appropriate training courses are available. In particular such training courses must focus on welfare aspects.</i></p> <p>2 The guidance permits flexibility in the interpretation of suitable accommodation: indicating that the concept of isolation can be met through the use of corridors between pens where there is no health risk.</p> <p><i>There are no guidelines for inspectors on sick and injured animals, including which pigs are required to be in a hospital pen i.e what constitutes sick and injured pigs. Criteria for " use of bedding and for what is "comfortable" are not included.</i></p> <p>3 Flexibility is permitted for exceptional cases when clinical issues with the sow mean that piglets may have to be weaned exceptionally early (< 21 days). Documentary checks of young pigs post-weaning can be undertaken to verify information on age.</p> <p><i>It is not fully clear how this is to be reviewed in particular the difficulty in interpreting often complex farm management computer programmes managing fostered piglets and nurse sows: piglets may still have been weaned earlier than the program states if the sow was used as a nurse sow.</i></p>	<p><i>are soiled easily, and do not guarantee the permanent access to feed and water that sick pigs need).</i></p> <ul style="list-style-type: none"> • <i>Climatic conditions (temperature, noxious gases, draughts) in the corridor are not suitable for sick pigs – in fact climatic conditions in corridors are not suitable for any pig at all because the climate system is designed to get the fresh air, heating and if necessary cooling into the normal pens. In the corridor there is often either too much NH3 or there is draught, or there are dunging vents.</i> • <i>If there are pigs in the corridor, this impairs observation / control of other pigs.</i> • <i>Flooring in corridors may not be suited for sick and injured pigs as these need solid flooring and many conditions (e.g. lameness, meningitis, and septicaemia with fever) require soft bedding e.g. straw bedding or rubber mats.</i> • <i>Often pigs can't turn around easily in corridors- especially larger animals.</i> • <i>If pigs are kept isolated in the corridor they are often not able to see other pigs as required in Directive 2008/120/EC Annex 1, Chapter 1, Point 3.</i> • <i>Depending on the condition, sick pigs should be kept in small groups (unless the pig is very sick it would need at least one other weaker pig to keep it company). In a corridor however this may lead to (even more) problems regarding access to food and water (one pig blocking the resources in the (narrow) corridor.</i> • <i>They provide an ideal environment for the spread of infectious disease due to the location and the intended use of this area i.e. movement by staff, animals and equipment</i> <p>3 No changes are proposed as this is not viewed as a problematic issue with no non-compliances detected.</p>
Diet	"animals are fed a wholesome diet appropriate to their age and species and	Ministerial Decree of 25 October 1982 on the Rearing, Keeping and	Limited guidance for the assessment of this requirement Some indication of animal-based	The Working Group does not intend to give any particular guidance as there is no clear scientific information on wholesome diets <i>per se</i> and no maximum/minimum limits in legislation or existing guidance.

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	<p>which is fed to them in sufficient quantity to maintain them in good health and satisfy their nutritional needs." (Directive 98/58/EC Annex, 14)</p>	<p>Holding of Animals <i>Minimum requirements of the Directive.</i></p>	<p>indicators are included: A general assessment of the overall state of the animals should be carried out. There should be no cachectic animals and not more than 5% of animals should be thin (some guidance on what constitutes a thin animal is provided). Feed should not be mouldy. Feed stocks should be inspected.</p>	<p>However, it is considering further guidance in relation to the provision and storage of feed stocks, particularly as veterinarians report that the quality of feed is not always optimum and may be a genuine risk factor.</p>
	<p>"Neither tail docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injuries to sows' teats or to other pigs' ears or tails have occurred. Before carrying out these procedures, other measures shall be taken to prevent tail biting and other vices, taking into account environment and stocking densities. For this reason, inadequate environmental conditions or management systems must be changed."</p>	<p>Ministerial Decree of 16 January 2003 Laying down Minimum Standards for the Protection of Pigs <i>Minimum requirements of the Directive.</i></p>	<p><i>There is very little guidance or information in the Vademecum on this point.</i> It states: Tail docking should not be carried out systematically, but only when tail-biting persists despite the use of preventive measures. The practice of tail docking must be justified by recurring episodes of tail-biting in livestock farming. Farmers must have taken preventive measures relating to: enrichment material; surface area per animal; air quality, temperature and draughts, adequate feeding and watering and minimal mixing of pigs. Reliance on private veterinarians' opinions on the necessity for tail docking. <i>There no guidance on what improvement measures would be considered adequate and sufficient in addition to compliance with minimum legal requirements. There is no clear guidance on what farmers should provide as evidence of improvement measures taken and their outcome and how official veterinarians (OVs) should assess this.</i></p>	<p>There is now a recording grid for farmers to record evidence of tail/ear lesions. <i>See paragraph 24 of this report.</i> <i>The essential components of farmer risk assessment and improvement measures have not been fully developed or incorporated into the CA guidance at this stage. Although work is quite well advanced on the former it has not started on the latter.</i> The sector considers that if a single bite is registered this is sufficient for tail-docking to continue on a routine basis if measures are taken to prevent tail biting, including improvements to environment and management. <i>Minimal evidence of tail/ear lesions is not sufficient to continue docking all animals on the holding. Incidental tail or ear lesions can occur even in optimal systems, which means, that there will always be some evidence of tail and ear lesions from time to time. This applies in particular to a non-docking scenario in which pigs with intact tails are reared. In countries that rear pigs with intact tails farmers deal with these cases as part of their routine management. However it also applies to farms in which tails are still docked. Obviously in such farms that work with docked pigs a lower percentage of lesions can be considered sufficient evidence for the need to dock before transitioning to a non-docking scenario. Such a low threshold that indicates which farms must transition to a non-docking scenario (trial batches with intact tails) and which farms must engage in a continuous process of improvement measures, should be set to ensure effective enforcement of this requirement.</i> <i>The failure of the sector and the competent authorities to consider any threshold for trialling batches of intact pigs on pig premises is set to continue the existing practice of routine tail docking with no end in sight. It indicates the sector is not fully engaged in complying with the requirements on prohibition of routine tail docking and that the competent authority is not considering how to effectively enforce this requirement. This does not comply with the requirements of Point 8 of Annex I of Chapter I of Directive 2008/120/EC nor the requirement of Article 3 of Council Directive 98/58/EC to ensure that owners or keepers take all reasonable steps to ensure the welfare of animals under their care and to ensure that those animals are not caused any unnecessary pain, suffering or injury.</i></p>

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			<p><i>How to address the tail docking provisions for the trade in tail docked pigs is not included in the Manual.</i></p> <p><i>There is no requirement for evidence of tail/ear lesions and how these should be assessed.</i></p>	