

**ANNEX**

Commission services' assessment of the Action Plan submitted by the competent authorities of Spain in response to Report ref. DG(SANTE)/2017-6126-MR of the audit carried out from 18 September 2017 to 22 September 2017 in order to evaluate Member State activities to prevent tail-biting and avoid routine tail-docking of pigs

<i>N°</i>	<i>Recommendation</i>	<i>Action Proposed by the competent authority</i>	<i>Commission services' assessment of the competent authority's response</i>
1	<p>The competent authority should provide inspectors with suitable instructions and guidance (compliance criteria) to enable them to effectively 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, including how they should assess evidence of tail and ear lesions on farm and what constitutes sufficient measures by farmers to change inadequate environmental conditions or management systems before resorting to tail-docking of pigs, including the situation where tail-docked pigs are purchased from rearing farms which have shown no evidence of tail-biting. Conclusions 51, 53. Findings 41, 42</p>	<p>At the coordination meeting on 1 February 2018 between MAPAMA, AECOSAN and the competent authorities of the Autonomous Communities, it was agreed to set up a Coordination Board for the Prevention of Systematic Tail Docking. Made up of representatives of the Autonomous Communities, MAPAMA, AECOSAN and the producer sector, the Board will discuss and approve common working documents containing information for livestock farmers, the checklists used as support by inspectors when carrying out animal welfare controls on pig farms and the measures to be taken when shortcomings are detected. The Coordination Board for the Prevention of Systematic Tail Docking will meet for the first time on 13 March 2018.</p> <p>It will draw up a road map proposing the compilation and adoption of elements such as the following:</p> <p>factsheets on every holding;</p>	<p>Unsatisfactory</p> <p>The actions proposed by the Competent Authorities do not clearly state that compliance criteria will be produced to enable inspectors to effectively enforce the provision on the prevention of tail-biting and avoidance of routine tail-docking. This should be clearly defined.</p> <p>Nor do they make reference to what constitutes sufficient measures by farmers to change inadequate environmental conditions or management systems before resorting to tail-docking of pigs, including the situation where tail-docked pigs are purchased from rearing farms which have shown no evidence of tail-biting (although this is mentioned in the response to recommendation 3 below). This should be clearly defined.</p> <p>The actions proposed do not included deadlines for their completion. Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p>

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		<p>guidelines for quantifying the level of cannibalism on holdings;</p> <p>an analysis of the risks of cannibalism;</p> <p>an action plan for minimising the risk of cannibalism, drawn up by producers.</p> <p>The matters raised and the conclusions reached in the meetings of the Coordination Board for the Prevention of Systematic Tail Docking will be disseminated by means of meetings or courses aimed at different target audiences, among others.</p>	<p>For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the Commission services. This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.</p>
2	<p>The competent authority should provide inspectors with suitable compliance criteria to enable them to effectively enforce legal requirements of Council Directive 2008/120/EC and Council Directive 98/58/EC that are related to risk factors for tail-biting. Conclusions 52, 53. Findings 41, 42, 44.</p>	<p>The Coordination Board for the Prevention of Systematic Tail Docking will draw up a road map including guidelines for monitoring and managing manipulable material and quantifying the level of animal interaction with it.</p> <p>The matters raised and the conclusions reached in the meetings of the Coordination Board for the Prevention of Systematic Tail</p>	<p>The original recommendation 2 has been replaced by the above wording. The original recommendation was erroneously too narrow in its scope of seeking proposals to the issue of risks for tail biting arising from deficiencies in the provision of enrichment material: the revised recommendation covers the broader range of risks for tail-biting and is supported by the relevant findings and conclusions. This has been communicated to the Spanish authorities- who have agreed to</p>

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		<p>Docking will be disseminated by means of meetings or courses aimed at different target audiences, among others.</p>	<p>respond to the new recommendation.</p> <p>Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p> <p>Please send an updated response to the amended recommendation. For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the Commission services.</p> <p>This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.</p>
3	<p>As required in Article 4.2 (a) of Regulation (EC) No 882/2004 The competent authority should assess the incidence of tail-biting and the effectiveness of improvement measures taken on farm as required in point 8 of Chapter I, of Annex I to Directive 2008/120/EC, including when piglets are going to be sent to rearing farms for further fattening, instead of relying on veterinary statements.</p>	<p>The Coordination Board for the Prevention of Systematic Tail Docking will draw up a protocol making it easier for farmers to check and record incidents of tail-biting on their farms and the factors which could condition this so as to contribute to correct analysis of the circumstances on each holding and thus to</p>	<p>Unsatisfactory</p> <p>The response, whilst mainly satisfactory, in principle, gives no indication of proposed actions concerning the present and future role of veterinary practitioners signing attestations which are not based upon demonstrable evidence. Proposals in this regard should be included in updates to the</p>

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	Conclusion 35, 52. Finding 29, 30 and 46.	<p>the drawing up of a tailor-made action plan.</p> <p>An assessment will also be made of the case for having documentary evidence from mother farms that their purchasers ask that their pigs have their tails docked so as to be able to check whether those fattening holdings have included improvements as provided for in the recommendation.</p>	<p>roadmap and guidelines.</p> <p>Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p> <p>For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the Commission services. This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.</p>
4	<p>The competent authority should ensure that sanctions applicable for non-compliances related to the implementation of Directives 2008/120/EC and 98/58/EC are applied at levels that are effective, proportionate, and dissuasive as required by Article 55 of Council Regulation (EC) No 882/2004.</p> <p>Conclusion 53. Findings 45, 46.</p>	<p>The Coordination Board for the Prevention of Systematic Tail Docking will draw up a document for dealing with the irregularities detected.</p>	<p>Unsatisfactory</p> <p>Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p> <p>For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the</p>

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			Commission services. This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.
5	The competent authority should ensure that the level of tail-damage and associated lesions in slaughterhouses is monitored and that high levels trigger actions on the respective farms, as required in Article 5 of Regulation (EC) No 854/2004. Conclusion 55. Findings 46, 48 and 50.	<p>Reviewing and, if appropriate, updating the working procedures of the official veterinary services in slaughterhouses so that tail-biting is included as an injury affecting animal welfare.</p> <p>Checking that this aspect is included in economic operators' working procedures so that, whenever injuries of this kind are detected when animals are delivered, the information is reported to the official veterinary services and is taken into account when animals and carcasses are inspected. When the official veterinary services detect irregularities in how economic operators apply this procedure, they should take such steps as they consider appropriate to ensure</p>	<p>Unsatisfactory</p> <p>Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p> <p>For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the Commission services. This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.</p>

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		<p>that it is applied correctly.</p> <p>The official veterinary services will report their findings of tail-biting to the livestock authorities using the established communication channels so that measures are taken on the farms concerned if the levels are high.</p>	
6	<p>The competent authority should consider liaising with other Government Agencies centrally and at Autonomous Community level responsible for funding new buildings where pigs are to be kept and renovating existing ones with the assistance of European funding under Article 17 of Regulation (EU) No 1305/2013 to ensure not only that the relevant animal welfare payments relate such facilities are suitable to commitments going beyond the relevant mandatory standards but that in addition the facilities, as a minimum, comply with relevant mandatory requirements (of Directives 2008/120/EC and 98/58/EC) including the avoidance of routine tail-docking e.g. slurry systems that can handle optimal enrichment materials, different temperature zones, suitable flooring, feeding, space allowances etc.</p>	<p>The Coordination Board for the Prevention of Systematic Tail Docking will discuss this matter and refer its conclusions to the competent authorities.</p>	<p>Unsatisfactory</p> <p>Please supply indicative deadlines, taking into account the deadlines of end 2018 referred to in the letter of DG SANTE F2 to Member State Competent Authorities (Ref. Ares(2018)162648 - 10/01/2018).</p> <p>It would be helpful to receive information with regard to existing programmes that use European financial measures for investment funding of pig premises (if any) and your considerations with regard to ensuring compliance with Directives 2008/120/EC and 98/58/EC including the avoidance of routine tail-docking in such funded premises. Please send an update on the proposed</p>

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	Conclusion 39. Findings and 23, 24, 36, 37, background paragraph 1.		actions.  For a concluding assessment it would be helpful to receive the updated roadmap and guidelines so they can be reviewed by the Commission services. This can be done in the context of updates to the Spanish Action Plan to improve controls on the prevention of tail-biting and the avoidance of routine tail-docking. Please reference the relevant sections to the recommendations in the audit report.