

Commission services' response to the competent authority's comments on draft report DG (SANTE)/2017-6123–Denmark– evaluate Member State activities to prevent tail-biting and avoid routine tail-docking of pigs

12 February 2018

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	Whole report	In the whole report (English version) please change SEGES to Pig Research Centre (PRC) as this is the correct English name.	Accepted			
I	2 nd paragraph, 3 rd line	<p><u>Executive summary</u></p> <p>The DVFA suggests that "better compliance with the provisions of the directive with regard to the avoidance of routine tail-docking in pigs" is replaced by "a reduction in the number of tail-docked pigs". The justification for this amendment is that the objective of the action plan on better pig welfare is to reduce the number of tail-docked pigs.</p> <p>Furthermore, it is the opinion of the DVFA that in general routine tail-docking is not carried out. The provision in Directive 2008/120/EC has from a legal point of view so to say two "legs". The first states that tail-docking can be carried out only where there is evidence that injuries to pig's tails have occurred. When the farmer can give this evidence/documentation, tail-docking can be carried out, and this can't be regarded as routine tail-docking. This is typically the case in a control situation, also when the issue of export of weaner pigs is taken into account. If the farmer can't give evidence/documentation that injuries to tails have</p>	<p>Not accepted</p> <p>The first part of the comment ("<i>The DVFA suggests (...) number of tail-docked pigs</i>") can be accepted as it is correct that the objective of the action plan on better pig welfare is to reduce the number of tail-docked pigs and not to improve compliance with the tail-docking provision of the Directive.</p> <p>However the second part of the comment ("<i>Furthermore it is the opinion of the DVFA (...) sanctions will be given</i>") cannot be accepted as:</p> <p>In the view of the audit team the presented instructions and guidance were not sufficient for inspectors to be able to properly assess if evidence of tail lesions justified the need for tail-docking.</p> <p>Furthermore the audit team has seen no written evidence / documentation of the recording and evaluation of tail injuries on</p>		partly	

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		occurred, a sanction will be given, and this was the case for one herd in 2017. The second "leg" requires that measures have been taken to prevent tail-biting. If it during a welfare control in a pig herd is assessed that the measures taken by the farmer are not sufficient, e.g. insufficient access to suitable enrichment material, sanctions will be given.	<p>farms or in inspection reports.</p> <p>In addition 98,5% of pigs born in Denmark continue to be tail-docked and this is in contradiction with the fact that only one sanction has been given in 2017 because of non-compliance with the tail-docking provision in more than 453 inspected herds (453 herds had been inspected up to 24th September 2017).</p> <p>Therefore it can be concluded that tail-docking was carried out routinely in Denmark.</p> <p>With regard to the measures that need to be taken to improve inadequate environmental conditions and management systems before resorting to tail-docking, the Danish CA stated that these were addressed by inspectors in an oral discussion with the farmer.</p> <p>However, no clear procedures for this were presented during the audit and it was not clear how improvement measures were assessed to be adequate and sufficient as instructions and guidance were not found to be sufficiently clear to do this.</p>			
I	4 th	The DVFA suggests that "fattening farms" is replaced	Accepted			

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	paragraph, last line	by "herds with slaughter pigs" to be in accordance with current Danish terminology, according to which "fattening pigs" are now called "slaughter pigs". Furthermore, "herds" instead of "farms", cf. the comment to the first paragraph in chapter 4 Background. This comment applies <i>every time "fattening farm(s)" occur in the document.</i>				
I	5 th paragraph, first line	The DVFA suggests that "piglets" is replaced by "weaner pigs", as it is weaner pigs that are exported.	Accepted: "piglets" has been replaced by "weaner pigs" or "30 kg weaner pigs" where appropriate.			
I	Last paragraph, first line	In accordance with the comment to the second paragraph above the DVFA suggests that the word "routine" is deleted.	Not accepted. See comment to the 2 nd paragraph above.			
I	Last paragraph, 3 rd line	The DVFA suggests that the following "or another type of" is inserted after "more". It may not only be a question of quantity of enrichment material, but also of the type of enrichment material. The same comment applies to the <i>third line of the last paragraph in chapter 6 Overall Conclusions.</i>	Accepted			
I	Last paragraph, 4 th line	The DVFA suggests that "piglets" is replaced by "weaner pigs", cf. the comment above.	Accepted: "piglets" has been replaced by "weaners pigs" or "30 kg weaner pigs" where			

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			appropriate.			
2	4. 1 st paragraph, 1 st line	<u>4 Background</u> <i>First paragraph, first line:</i> The number (3300) of farms (in Danish “bedrifter”) mentioned here, is the number given by Statistics Denmark. This reflects an economic entity /business, and may include a number of herds (in Danish “besætninger”) on different locations. As it is herds that are selected for animal welfare controls, the number (8675) given in finding no. 41 is larger. To be consistent with this the DVFA therefore suggests that “farm(s)” is replaced by “herd(s)” and that “on farm” is replaced by “in the herd” in the rest of the document, including the recommendations and the annex. The DVFA also suggests that this is explained in a footnote.	Accepted. “farms” has been changed in “herds” with some exceptions as sometimes the term “on farm” cannot be satisfactory translated by “in the herd”.			(5)
3	4. 2 nd last paragraph, last line	No footnote 5 has been inserted.	Footnote 4 gives the legal references to the Commission Recommendation and the Staff Working Document already			
4	5.1 (2) 3 rd +4 th line	The DVFA suggests that "Order no. 1462 of 7 th December 2015" is replaced by "Order no. 1324 of 29 th November 2017, as the order has been amended. The	Accepted			

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		amendment doesn't affect the part about tail-docking.				
4	5.1 (4) Last line	The DVFA suggests that "the animal welfare Act no. 50 of 11 th January 2017" is replaced by "Order no. 20 of 11 th January 2018, which codifies the animal welfare Act". The animal welfare Act has been amended to include a legal basis for the minister to issue legislation on education.	Accepted			
4	5.1 (5) 2 nd line	According the Country Profile (page 28) enforcement notices include both injunctions (indskaerpelse) and prohibitions (paabud/forbud). The most common sanctions are injunctions, but also a few prohibitions are given. Therefore the DVFA suggests that "enforcement notices (indskaerpelse)" is replaced by "enforcement notices (injunctions (indskaerpelse) or prohibitions (paabud/forbud))".	Accepted			
4	5.1 (6) First line	The DVFA suggests that "routine tail-docking" is replaced by "number of tail-docked" as the national strategy is a part of the action plan for better pig welfare, cf. the comment to the second paragraph in the Executive Summary.	Accepted			
	5.1(8)	The DVFA suggests that "the organsiation groups" is replaced by "DOSO (the organisation ... groups", as	Accepted			

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	2 nd line	DOSO is the most commonly used in Denmark.				
	5.1 (8) 5 th +6 th line	The DVFA suggests that “Meat products” is replaced by “Meat”, as meat products could first be labeled by December 2017.	Accepted			
	5.1 (8) Last line	The DVFA suggests that "the lowest (one heart) level has already achieved a share of 25 % of the national marked" is replaced by "labelled meat has already achieved a share of 25 % of the national marked, with the largest increase in meat from the lowest (one heart) level", as this will better reflect the actual situation.	Accepted			
	5.1 (11) 3 rd line	The DVFA suggests that "harmonise the implementation" is replaced by "exchange experience and as far as possible harmonise enforcement" as this would better describe the objectives of the group.	Accepted			
	5.1 (12) 1 st paragraph, last line	The DVFA suggests that the words "or other consultant" is inserted after “veterinarians”, as there may be a need to consult others, e.g. in case of ventilation problems. The same comment applies to <i>conclusion no. 30</i> .	Accepted			
	5.1 (13)	The Association of Danish Pig Producers has joined	Accepted			

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	3 rd line	the group; the DVFA therefore suggests that this association is mentioned.				
	5.1 (13) Last line	The DVFA suggests that practicing veterinarians are mentioned together with farmers, as it is the intention that the information campaign should also target them.	Accepted			
	5.1 (18) 3 rd line	The DVFA suggests that “the one heart level of” is inserted after “in”, as this would reflect the current situation.	Accepted			
	5.1 (20) 1 st line	The DVFA suggests that "SEGES research institute and" is deleted, as the Pig Research Centre did not participate in this study.	Accepted			
	5.1 (25) Last sentence	The DVFA suggests that “(VETREC)” is substituted with “VetReg”, as this is the correct name.	Accepted			
	5.1 (30) Last line	The DVFA suggests that "routine" is deleted; cf. the comment to the second paragraph of the Executive Summary.	Not accepted. See response to comments on the 2 nd paragraph of executive summary.			
	5.1 (32)	The DVFA suggests that "piglets" should be replaced	Accepted			

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	First line	by "weaner pigs".				
	5.2 (33)	The DAA suggest to delete "50% of funding is from the EU Rural Development Programme." as the Green Development programme is a purely nationally funded programme and is not part of the Danish Rural Development Programme.	Accepted			
	5.2 (35)	Please note that neither the Danish Agricultural Agency nor the Danish Environmental Agency, provide EU funding to promote pig welfare within the scope of the audit. The conclusion should be modified accordantly.	Accepted			
	5.2 (36) First line	The DVFA suggests that "routine" is deleted; cf. the comment to the second paragraph of the Executive Summary.	Accepted. "avoiding routine tail-docking" was replaced by "rearing pigs with intact tails" as this correctly reflects what causes the extra costs.			
	5.3 (39) 3 rd line	It is the opinion of the DVFA that the guideline on animal welfare controls in pig herds gives sufficient guidance on mixing of pigs in chapter 5.3.10. Examples are given on possible measures to prevent fighting, including on how pigs should be given a possibility to escape and hide from other pigs. The	Accepted			

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		DVFA therefore suggests that no. 5 is deleted.				
	5.3 (41) 2 nd last line	The DVFA suggests that for clarity of the text "number of inspections carried out by " is inserted in front of "the Region/unit", which should be replaced by "Veterinary Inspection Unit".	Accepted			
	5.3 (46) Last line	The DVFA suggests that "breeding farms" is replaced by "Sow herds" both to avoid confusion with the "real" breeding herds (zootechnical), and cf. the comment to the first paragraph of chapter 4 Background. The same comment applies to <i>the third line of recommendation no. 3</i> .	Accepted			
	5.3 (47) 5 th line	The DVFA suggests that "health" is deleted, it is a superfluous word.	Accepted			
	5.3 (48) 1 st +3 rd line	In order to specify who send the data, the DVFA suggests that "by the business operator" is inserted in front of "sent".	Accepted			
	5.3 (51)	The DVFA suggests that "routine" is deleted, cf. the comment to the second paragraph of the Executive Summary.	Accepted as the word "routine" is superfluous in this context.			

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	6 1 st paragraph, 2 nd +3 rd line	The DVFA suggests that "better compliance with the provisions of the directive with regard to the avoidance of routine tail-docking in pigs" is replaced by "a reduction in the number of tail-docked pigs.", cf. the comment to the second paragraph of the Executive Summary.	Partly accepted. It is true that the objective of the Danish action plan is the reduction of the number of docked pigs and this is now reflected more correctly in the text. However the conclusion that measures taken by the Danish authorities so far have not yet resulted in better compliance with the provisions of the Directive is correct and must be maintained.			
	6 5 th paragraph, 1 st line	The DVFA suggests that "piglets" is replaced by "weaner pigs".	Accepted			
	6 Last paragraph, 2 nd +4 th line	In the <i>first line</i> the DVFA suggests that "routine" is deleted, cf. the comment to the second paragraph of the Executive Summary. In the <i>second line</i> that "fattened" is replaced by "reared" to be in accordance with current terminology, and in the <i>fourth line</i> that "piglets" is replaced by "weaner pigs".	Deleting routine – not accepted (see comment to 2 nd paragraph of executive summary) Replacing fattened by reared and piglets by weaner pigs – accepted.			
	7. Last line	The DVFA suggests that "new working groups" is replaced by "a new working group", as only the group mentioned in finding no. 13 is new.	Accepted			

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	8. 2, 3 rd line 5, 8 th line	The DVFA suggests that “routine” is deleted. This suggestion is made both with a reference to the comment to the second paragraph of the Executive Summary, and as one of the objectives of the action plan for better pig welfare is to reduce the number of tail-docked pigs as such.	Not accepted. In addition to the comment to the 2 nd paragraph of executive summary, it should be stated here that the recommendation refers to improving compliance with the tail docking provision of the Directive and not to the Danish action plan for better pig welfare.			
	Annex 2 Danish national legislation No. 1	The DVFA suggests that “Act 4, 9) is replaced by “(Act 49,9) to give the correct reference.	Accepted			
	No. 2	The DVFA suggests that "323, 12-2)" is deleted, as this order has been repealed, and that “(Act 56, 1)” is replaced by “(Act 56, 3,1)” to give the correct reference.	Accepted			
	No. 3	The DVFA suggests that “(Act 104,4)” is replaced by “(Act 56, 4)” to give the correct reference, that “”misting” is replaced by “sprinkling” as the same word should be used for the same device, and that “(Act 56, 8)” should be replaced by “(Act 49, 8)” to give the correct reference.	Accepted			

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	No. 6	The DVFA suggests that “risk” is inserted after “possible”. <i>ANNEX 2, in the column on compliance criteria Re. no. 3:</i> It is a misunderstanding that the Veterinary Inspection Units do not avail of a device to measure ammonia. This may be caused by the fact that inspectors does not use this as a routine during inspections, but assess the air quality on a sensory basis and by looking at the pigs. A measurement can, however, be used to support a sanction in case of inadequate air quality. The DVFA therefore suggest that “The CA does not avail of a device to measure ammonia levels” is replaced by “The CA does not as a routine measure ammonia levels”.	Accepted			
	No. 4	The DVFA suggests that the sentence “Inspectors use a table to assist in calculation of available space” is deleted. The DVFA is not aware of any table, maybe there is some confusion with the table used in connection with transport.	Accepted			
		<u>DVFA comments to the translated report:</u> All comments to the English version of the draft should be reflected in the Danish version. Furthermore the DVFA has the following linguistic	All linguistic comments will be passed to the translation service of the Commission for assessment/ incorporation in the Danish version of the report.			

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