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FINAL REPORT OF A MISSION  
CARRIED OUT IN THE UNITED KINGDOM  
FROM 15 TO 19 MAY 2006  
CONCERNING ANIMAL WELFARE ON FARMS

*Please note that a number of modifications have been made following the comments made by the United Kingdom authorities on the draft version of the report. Clarifications provided by the Competent Authorities of United Kingdom are given as footnotes, in bold, italic, type to the relevant part of the report.*



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## EXECUTIVE SUMMARY

*This report describes the outcome of a mission carried out by the Food and Veterinary Office (FVO) in the United Kingdom, from 15 to 19 May 2006.*

*The main objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms in particular, the measures put in place to give effect to Council Directives 91/630/EEC, 98/58/EC, 99/74/EC, Commission Directive 2002/4/EC and Commission Decision 2000/50/EC and to follow up the recommendations from the report DG SANCO/7019/2004 regarding laying hens. The mission also looked at how measures taken in relation to the above have been integrated into the approach required by Regulation (EC) 882/2004.*

*Although the legal transposition of most of the recent EU requirements for pigs and laying hens was late, there was already additional national legislation regarding group housing systems for sows which goes beyond EU requirements and this sector has generally responded well to comply with the legal provisions, having to adjust housing systems well in advance of the deadline in Directive 91/630/EEC. The laying hen sector has not had as much time to adjust to the changes introduced in legislation and major non-compliances remain more common. The system of CA instructions for inspections and enforcement activities is well developed and generally comprehensive; however, the effect of follow-up actions taken following a previous FVO mission on laying hens has been limited. Although information is provided on many issues, certain clarifications provided in these instructions do not comply with EU requirements and sometimes instructions were insufficient to ensure that all requirements were adequately checked. Overall inspections were competently performed; however, although procedures for enforcement are well defined, these were not sufficiently followed.*

*The report makes a number of recommendations addressed to the competent authorities of the United Kingdom, aimed at rectifying the identified shortcomings and further enhancing the control measures in place.*

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## **1. INTRODUCTION**

The mission took place in the United Kingdom from 15 May to 19 May 2006, as part of the planned mission programme of the Food and Veterinary office (FVO).

An opening meeting was held with the competent authorities of the United Kingdom on 15 May 2006. At this meeting, the objectives of, and itinerary for, the mission were confirmed by the inspection team and additional information required for the satisfactory completion of the mission requested.

The inspection team comprised two inspectors from the FVO and one Member State expert, and was accompanied throughout the mission by a representative from the Central Competent Authority (hereafter: CCA).

## **2. OBJECTIVES OF THE MISSION**

The main objective of the mission was to verify the implementation of EU animal welfare legislation applicable to pig and laying hen farms, in particular the measures put in place to give effect to Council Directives 91/630/EEC<sup>1</sup>, 98/58/EC<sup>2</sup>, 99/74/EC<sup>3</sup>, Commission Directive 2002/4/EC<sup>4</sup> and Commission Decision 2000/50/EC<sup>5</sup> and to follow up the recommendations from report DG SANCO/7019/2004 (hereafter: report 7019/2004) regarding laying hens.

The mission also looked at how measures taken in relation to the above have been integrated into the approach required by Regulation (EC) 882/2004<sup>6</sup>.

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<sup>1</sup> Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs, OJ L 340, 11.12.1991, p.33 (hereafter: Directive 91/630/EEC).

<sup>2</sup> Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.98, p. 23, (hereafter: Directive 98/58/EC).

<sup>3</sup> Council Directive 99/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens, OJ L 203, 3.3.99, p. 53, (hereafter: Directive 99/74/EC).

<sup>4</sup> Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC, OJ L 30, 31.1.2002, p. 44 (hereafter: Directive 2002/4/EC).

<sup>5</sup> Commission Decision 2000/50/EC of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes, OJ L 19, 25.01.2000, p. 51. (hereafter: Decision 2000/50/EC).

<sup>6</sup> 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 OJ L 165, 30.4.2004 corrected and republished in OJ L 191, 28.5.2004, p.1 (hereafter: Regulation (EC) 882/2004).

In pursuit of these objectives, the following meetings were held and sites visited:

VISITS			Comments
Competent authority	Regional level	2	Opening and closing meetings with the CCA and CA of Scotland and Northern Ireland were held in Edinburgh and Belfast respectively.
	District level	2	One district office in each of the two regions was visited. Reports of inspections where infringements had been detected and the subsequent actions taken were reviewed.
Farms		4	A local inspector carried out a check of a laying hen farm and a pig farm in each region. One battery cage and one free range laying farm was visited. The farms were selected by the inspection team from a list of farms in the districts visited.

### 3. BACKGROUND

A previous mission concerning the welfare of laying hens took place in United Kingdom from 26 to 30 January 2004 (ref: DG(SANCO)/7019/2004). This report concluded that implementation and surveillance of the requirements of Directive 99/74/EC were mostly adequate, although CCA interpretation on the use of the extended fronts for cages and, when the recommendation of Council of Europe is also considered, perches in alternative systems, were not fully in compliance with the Directive's requirements. The checks of alternative systems were not fully comprehensive.

### 4. LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation<sup>7</sup>, in particular Articles 9 of Directives 99/74/EC and 91/630/EEC, Article 7 of Directive 98/58/EC and Article 45 of Regulation (EC) 882/2004.

### 5. MAIN FINDINGS

#### 5.1. Competent Authority

The organisation of the Competent Authorities (hereafter: CA) is described in report DG(SANCO)1102/2000 (hereafter: report 1102/2000) and report 7019/2004.

The regional CA for animal welfare for Scotland is the Scottish Executive Environment and Rural Affairs Department (hereafter: SEERAD), and for Northern Ireland is the Department of Agriculture and Rural Development – Northern Ireland (hereafter: DARD) which is responsible for both animal welfare policy and delivery in Northern Ireland, with delivery carried out by the Department's Veterinary Service.

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<sup>7</sup> Legal acts quoted in this report refer, where applicable, to the last amended version.

The State Veterinary Service (hereafter: SVS), which has the responsibility for carrying out inspections in Great Britain, is now an Executive Agency of the Department for Environment, Food and Rural Affairs.

The Egg Marketing Inspectorate (hereafter: EMI) is responsible for registration of laying hen holdings. In Northern Ireland where EMI is a part of DARD's Quality Assurance Branch they perform also the measurement of the battery cages for laying hens. There are six Egg Marketing Inspectors (hereinafter: EMIs) in Scotland and three in Northern Ireland.

Veterinary Officers (hereafter VO) and technical officers, called Animal Health and Welfare Inspectors (hereafter: AHWIs) in Northern Ireland and Animal Health Officers in Great Britain, who work in both the SVS and DARD's veterinary service, have been provided with training courses on animal welfare including specific training on laying hens and the measurement of cages. Training courses for EMIs are also available.

There is specific guidance on enforcement provided in the SVS instructions. For Northern Ireland, an equivalent guidance is found in the on-farm welfare veterinary instructions. Here there is also a Central Enforcement Team to ensure consistency of approach on enforcement issues. Where there is a breach of the animal welfare legislation, the main options are to provide an advisory letter with a follow up visit or to serve a notice requiring corrective action. Failure to resolve the requirements of the notice is a criminal offence.

Further information on the CA can be obtained at the central CA website: [www.defra.gov.uk](http://www.defra.gov.uk) and on regional CA websites: [www.scotland.gov.uk](http://www.scotland.gov.uk) and [www.dardni.gov.uk](http://www.dardni.gov.uk)

## **5.2. Legislation**

Following a review of a selection of the transposing legislation, the inspection team noted that:

- The amendments to the legislation concerning pigs came into operation on 2nd October 2003 in Scotland and on 1st June 2003 in Northern Ireland, which was ten and six months late respectively. These provisions should have been in force since 1<sup>st</sup> January 2003.
- The requirements of Directive 1999/74 concerning laying hens were also late coming into operation, as the national legislation came into effect on 2 July 2002 in Scotland, and on 30 July 2002 in Northern Ireland, whereas Directive 1999/74 should have been in force from 1<sup>st</sup> January 2002.
- There has been a ban on the use of sow stalls since 1.1.1999, whereas EU legislation requires that they be phased out by 1.1.2013. There are also requirements for group housing which go further than the EU requirements as stalls can only be used during service and the code recommends that the sows should be returned to group housing after 30 minutes, whereas Directive 91/630/EEC, Article 3. 4. (a) allows sows and gilts to be kept in individual stalls for up to four weeks after service.

## **5.3. Measures supplementary to checks**

Codes of recommendations for the welfare of livestock for laying hens and pigs are widely distributed among veterinarians and farmers. Codes are also available on the internet. The codes provide further guidance and interpretation of legislation and are widely distributed through the local CA offices. The farmers met were aware of many of the details of the requirements and can refer to these codes in order to provide

instructions to persons attending pigs (Directive 91/630/EEC, Article 5a (2)). The details contained in the codes can also be referred to by the CA when taking enforcement actions.

Training of pig stockpersons was provided by producer associations<sup>8</sup>, but this had not been assured by the CA that it contained aspects relating to the welfare requirements (Directive 91/630/EEC, Article 5a (2)).

Industry driven farm assurance schemes for laying hens usually don't go further on welfare standards than the minimum requirements; however, some (non-cage) producers are members of a scheme which has higher welfare standards, such as defined quality and depth of litter and recording of lighting regimes.

The Chief Egg Marketing Inspector<sup>9</sup> sent a letter to all producers using alternative rearing systems, reminding them that all requirements of Directive 99/74/EC, Article 4, will have to be met by 1.1.2007.

The British Egg Industry Council issued a Code of Best Practice for beak trimming in 2004 which is meant to reduce unjustified damage by poor operator technique by using the best practice by trained, skilled operators<sup>10</sup>.

#### **5.4. Pigs**

The system of inspections and staff instructions in Scotland is described in report 1102/2000. For Northern Ireland, Animal welfare on-farm staff instructions are equivalent to the SVS staff instructions.

The inspection team noted that:

- There are approx 10,446 pig holdings in GB and 147 inspections are programmed each year, a proportion of which are allocated to each region. In Scotland, the CA is required to inspect 14 pig farms. This model for selecting the number of farms was chosen to meet the requirements for checks of a statistically representative sample of farms (Directive 91/630/EEC, Article 7), and will give a 95% probability of finding a contravention on a random inspection on a farm if the prevalence of deficiencies is 2%. Report 1102/2000 indicates that in 1998 the percentage of random inspections of pig holdings where a deficiency was detected was 2%.

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<sup>8</sup> *In their response to the draft report, the United Kingdom Authorities noted that in addition to training provided by producer organisations, there is also veterinary training and training delivered to stock-keepers by ADAS on behalf of the Competent Authority on a series of welfare topics each year. Additionally, there are National Vocational Qualifications (NVQs) available on pig husbandry in agricultural colleges throughout England and Wales (and similar arrangements in Scotland and Northern Ireland), which include modules on animal welfare. These are assured by the Government's Qualifications and Curriculum Authority*

<sup>9</sup> *In their response to the draft report, the United Kingdom Authorities noted that a similar letter was also sent out in Northern Ireland.*

<sup>10</sup> *In their response to the draft report, the United Kingdom Authorities noted that in Northern Ireland inspections are carried out at pullet rearers to ensure that beak trimming is carried out on chicks less than 10 days old.*

- A report to the Commission, as required by Decision 2000/50/EC, indicates that overall infringements were detected on 5% of holdings in 2003.
- In Scotland results of inspections in 2005 indicated that deficiencies were detected on 23.1% of breeding units and on 31.6% of fattening units.
- In Northern Ireland, results of inspections in 2005 indicated a detection rate of deficiencies of 12% of pigs units.
- After the CCA allocates the number of farms to be selected for inspection on a random basis, the farms are selected by the regions themselves. However, in Northern Ireland, the selected farms were sometimes changed by the local inspectors for reasons such as there were no animals currently present on the farm or the keeper was not available at the time of inspection. In addition, targeted visits in Scotland were sometimes recorded as programmed inspections. In the district in Scotland visited, the four inspections planned for 2005 had been performed, but in the district in Northern Ireland none of the three inspections planned for 2005 had been carried out. The CA here explained that this was due to the lack of human resources and the prioritisation of other tasks.

Regarding the more recent requirement for certain inspections to be carried out following a risk analysis (Regulation (EC) 882/2004, Art 3.1.), the CCA has not yet established the relevant criteria. In Northern Ireland the CA has tended to target farms with more than 50 sows. A representative of the CA explained that they are reviewing procedures for selecting farms for inspection and that this is expected to be completed in 2007.

There are comprehensive instructions and guidance in both Scotland and Northern Ireland for carrying out inspections. The instructions include a description of the main changes introduced with the amendments to Directive 91/630/EEC, a description of how visits to pig units should be performed, actions to be taken following inspections, involvement of local authorities, liaison with Headquarters staff and guidance notes for the inspections.

The guidance notes included, amongst other issues, the following information:

- Environmental enrichment: that all pigs have permanent access to a sufficient quantity of manipulative materials to enable proper investigation and manipulation activities. The material must enable the pig to satisfy its need to manipulate and investigate while the choice of material is a secondary consideration.
- Space allowances and specific provisions for different categories of animals: regarding the measurement of group pens for dry sows and gilts, the entire area of the pen, excluding the space occupied by the feeding trough or other intrusions, is calculated. If free access stalls are used, this area is included in the calculation of total unobstructed floor area, provided that a pig is able to back straight out, to the full length of its body, until its head is clear of the pen.
- Regarding weaners and rearing pigs, a graph has been provided with a line drawn between the lowest point of each step representing the space allowance for each category of pig. The VO is advised that space allowances under this line should result in a notice for corrective action being served, and if the space allowance is between the line and the step, which can be up to 20% overstocking for certain categories of pig, the farmer should be advised to produce an action plan.



The VOs and AHWIs performing the on the spot inspections on the farms were competent in performing the inspections and most deficiencies were detected during the visits. The following points were noted:

- The inspectors carrying out the inspections during the visits, lacked sufficient knowledge on the choice of material to enable proper investigation and manipulation (Directive 91/630/EEC, Annex, chapter 1.4)<sup>11</sup>. In the farm in Northern Ireland plastic items were considered as suitable, even though the legislation only lists natural materials, which do not compromise the health of the animals. In the farm in Scotland, wooden logs, heavily contaminated with faeces, were considered suitable. Nevertheless, in the district in Scotland lack of enrichment materials was found in two out of the four farms checked in 2005.
- The space allowances were visually assessed and if there was a suspicion of overstocking then measurements were taken. There was no problem with overstocking in either farm visited and reports of previous inspections on other farms had not indicated that this was a problem.
- Since the inspections are based on the CCA guidelines which did not provide any specific guidelines on what checks should be made on the use of medications (Directive 98/58/EC, Annex, 5)<sup>12</sup>, the inspector indicated that this issue was left to the private veterinary practitioner responsible for the farm.
- Criteria for an alarm for the ventilation system, routine feeding of medicated feeding stuff for newly weaned pigs and recording of mortalities were not addressed during the inspection in Scotland, but the inspector was under some duress as the farmer was not entirely co-operative during the inspection.

### **5.5. Laying hens**

The system of inspections and staff instructions in Scotland is described in report 7019/2004. For Northern Ireland, Animal welfare on-farm staff instructions are equivalent to the SVS staff instructions.

The inspection team noted that:

- Regarding the requirement for the CA to carry out checks to monitor compliance (Directive 99/74/EC, Article 8), the CCA have adopted the same model as for pigs (147 randomised checks to find a contravention with 95% probability in a population with a prevalence of deficiencies of 2%).
- Overall in the UK deficiencies were detected in 14% of battery units and 8.9% of other systems in 2005.
- There are approx 31,219 holdings with laying hens in the UK. The CCA requires the CA in Scotland to inspect 10 randomly chose laying hen farms. Here deficiencies

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<sup>11</sup> *In their response to the draft report, the United Kingdom Authorities noted that the CA are advised that this is not an exclusive list and could include other materials.*

<sup>12</sup> *In their response to the draft report, the United Kingdom Authorities noted that relating to checks on the use of medications, there is detailed guidance for veterinary inspectors on this issue and these are contained in a separate SVS Chapter of the on-line instructions (Chapter 44).*

were found on 33.3% of battery units and 50% of alternative laying hens units<sup>13</sup>. All battery cage farms in Northern Ireland had been checked by EMI, the results of which indicated that 55% of farms did not meet the requirements for space allowance in 2004 (Directive 99/74/EC, Article 5.1.1.).

- In the district visited in Scotland, two inspections were planned for 2005 and both were performed. In Northern Ireland the CA had visited all holdings with cages in 2003 and 2004, with separate inspections made by both EMI and VOs. The CA explained that, partly due to complaints from the industry about the level of inspections, no inspections were programmed for 2005. Joint EMI/VO inspections have taken place in 2006.

Regarding the more recent requirement for certain inspections to be carried out following a risk analysis (Regulation (EC) 882/2004, Art 3.1.), the CCA has not yet established the relevant criteria. In Northern Ireland the CA have already adopted some criteria on the basis of a risk based approach, where laying hen farms have been selected on the basis of 2004 inspection results and data from EMI.

Instructions highlight the main requirements introduced following transposition of Directive 99/74/EC, providing some interpretation of the legislation, a description on how laying hen unit visits should be performed, actions following inspections, involvement of the local authorities, Agriculture advisory service and liaison with Headquarters staff. The guidance notes include requirements which have to be applied to all systems of production and specific requirements for each different system of production (conventional cages, enriched cages, alternative systems).

- Regarding the recommendation in report 7019/2004 to consider that laying hens should have access to perches enabling them to perform their natural behaviour in all newly built or rebuilt alternative systems, and in all buildings from 2007, the CCA clarified that their position remains the same as described in report 7019/2004 (i.e. part of the slatted floor can be considered as perches).
- Regarding the recommendation in report 7019/2004 that data obtained for the purposes of Directive 2002/4/EC should be made available to veterinary inspectors, the CCA sent out action notes in 2004 and 2006 instructing the SVS that this information is available from the EMI.
- The guidance includes a detailed methodology for measuring different cage types. Although it does not include a specific method for measurement of those cages, which have been modified by adding an extended front, this topic was discussed during training courses. A table with different types of cages, including those with extended fronts, provided the maximum number of birds in each case. This indicated that the maximum number per cage is increased by one bird where that cage type has been modified with an extended front.

During the mission it was noted that:

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<sup>13</sup> *In their response to the draft report, the United Kingdom Authorities noted that the apparent high percentages of non-compliance should be interpreted in the context of a small sample size and should not be taken as representative of the industry as a whole.*

- Regarding the perches, the CAs in Scotland and Northern Ireland explained that only raised aerial perches are considered as suitable for birds to perform their natural behaviour and that they required their farmers to have perches which were above the slatted floor. This is more than has been required by the CCA, where part of the slatted floor is considered as a perching area. VOs in both regions pointed out that, as a result, their producers were at a competitive disadvantage in comparison to producers in England.
- The data provided from the EMI register did not contain the maximum capacity of the establishment (Directive 2002/4, Annex, 1). In Scotland EMI only record the number of birds which are there during their inspection. In any case, the data from EMI were not available to VOs and instead information from a local veterinary database was used, which also didn't indicate the maximum capacity of the establishment and the VO relied on the information from the manager of the farm. In Northern Ireland the collaboration between VOs and EMIs was better with regular exchange of data and joint inspections to assess animal welfare. Here the maximum capacity of the individual houses was assessed during the inspection and this was related to the actual number of birds first introduced into the house.
- The inspectors were competent in performing the inspections and most deficiencies were detected during the visits. During the visit to the battery cage unit in Scotland, no evaluation of the maximum capacity of the individual houses was performed during the inspection and therefore a check of possible overstocking at the time birds were introduced into the house was not made. Overstocking was present in several cages, which was also a finding during previous inspections; however the VO did not find it necessary to follow up the previous advice given to the keeper regarding the maximum number of hens per cage. In addition, the VO detected that claw shortening devices were present in only a few cages.
- In both regions, the measurement of cages with an extended front was demonstrated by the inspectors. The height of the cages in the extended front was measured from the floor of the cage and not from the point which limited the available space; the feed trough acted as a physical obstruction above which the height of the cage was less than 35 cm. Article 5.1.4 of Directive 99/74/EC requires that the cage is not less than 35 cm high at any point. The inspectors stated that they were instructed by the CCA to measure the cages with extended fronts in this way. In addition to the fundamental problem that the extended front did not comply with the height requirement, an additional bird had been placed in each cage on the basis of the CCA's classification that a greater cage area had been obtained through this modification.
- Of the 55% of battery cage farms in Northern Ireland which did not meet the EU requirements for space allowance of 550 cm<sup>2</sup> per bird (Directive 99/74/EC, Article 5.1.1.) in 2004, 12.5% of these farms did not even comply with the minimum space allowance of 450 cm<sup>2</sup> per bird which was the legal requirement in force since 1988. Advisory letters had been sent to the keepers requesting corrective actions to be taken, but no follow up visits were performed until this year. Six out of ten holdings visited so far this year were overstocked and a notice had been served on the keepers. The CA explained that at the moment no further actions are planned as they are awaiting a response from the flock-owners.
- There was no similar overview of the level of overstocking in the sector in Scotland compared to that available in Northern Ireland, as the CA only checked six battery cage units each year. In Scotland, overstocking of birds had been detected and

recorded during some of these inspections, but instead of a follow up inspection, the VO relied on a verbal undertaking from the flock-keeper that he would remove the excess birds from the cages.

## **5.6. Reporting**

In accordance with SVS staff instructions, inspections are standardised and recorded using “Vetnet”, which is the SVS inspection database and is available in Scotland. In Northern Ireland a centralised electronic database is used to collate welfare data; the APHIS (Animal Public Health Information System) is being modified to include recording of welfare data. In Scotland different criteria are used to report animal welfare inspections compared to those in Northern Ireland. In Northern Ireland the report includes 10 criteria; "Animals not kept in buildings" was added to those contained in Decision 2000/50/EC and in Scotland two extra criteria of “Animals outdoors” and “Environment” were added. It was noted that:

- Following a recommendation in report 7019/2004 regarding the recording of inspections (Decision 2000/50/EC), in particular that each visit to each holding is recorded as one inspection and that all deficiencies are recorded, the SVS records each welfare visit according to the visit type and each visit is recorded separately. If different types of production are carried out on the same holding, such as breeding sows and fattening pigs, both enterprises would be inspected and, for the purposes of reporting, only one visit is recorded. In Northern Ireland the same procedure is adopted; however, where there is more than one enterprise on a holding with laying hens, visits would be recorded on the basis of the different enterprises on that holding.
- When summarising the results of inspections, there were differences in how deficiencies were categorised in the two regions. In accordance with CA instructions lack of manipulative material for pigs was recorded in a section "Environment" in Scotland, while in Northern Ireland it would be recorded in a section "Buildings", as the category "Environment" does not exist in the Northern Irish system.

## **6. CONCLUSIONS**

### **6.1. Legislation**

- (1) The late transposition of the national legislation, applicable in Scotland and Northern Ireland, regarding the amendments to Directive 91/630/EEC concerning pigs and the requirements of Directive 1999/74 concerning laying hens, means that the relevant sectors have been adjusting to most of these provisions after the date anticipated in EU legislation with the result that certain deficiencies relating to these requirements are still relatively common, three years in the case of pigs, and three to four years in the case of laying hens, after the EU deadline.
- (2) The requirement for group housing of sows was adopted in national legislation before this requirement was introduced at EU level. Therefore, the pig sector in the UK has had to adjust housing systems, which is one of the major requirements introduced by amendments to Directive 91/630/EEC, well in advance of the EU deadline of 1.1.2013.

## **6.2. Measures supplementary to inspections**

- (1) The well established series of codes of recommendations for the keeping of livestock, which are widely distributed, promote a good level of awareness within the various sectors and meets the specific requirements of Article 5a (1) of Directive 91/630/EEC in relation to instructions and guidance for pig stockpersons. However, although the CCA are aware that training for pig stockpersons is provided by the sector itself, in Scotland and Northern Ireland the CA had not assured that courses are available which focus on welfare aspects (Directive 91/630/EEC, Article 5a (2)).
- (2) By informing the egg sector that detailed requirements will apply to all alternative systems after 1.1.2007 (Directive 99/74/EC, Article 4), the CA has taken steps to ensure that producers make the necessary adjustments to their housing systems by the foreseen deadline.
- (3) The industry code on beak trimming promotes better operator technique and, although not an action by the CA, goes some way to ensure that the requirements of Directive 99/74/EC Annex, point 8, are respected. This is also the topic of inspection in Northern Ireland.

## **6.3. Pigs**

- (1) Not surprisingly, as new requirements were introduced into national legislation during 2003, the number of deficiencies detected has gone up in the intervening years. If the CCA's model for selecting the number of farms for inspection took account of this higher prevalence of deficiencies, fewer farms would need to be inspected to achieve the CCA's goal of finding a contravention with 95% probability. The model is therefore not appropriate to ensure that all holdings are complying with the requirements of Article 3 of Directive 91/630/EEC or the Annex to this Directive (Directive 91/630/EEC Art. 4). In addition the randomised approach to farm selection, as laid down by the CCA, is not always followed by the local level.
- (2) Targeted checks are carried out where there is information that might indicate non-compliance or to follow-up previous inspections. However, the CCA has not yet fully integrated the risk based approach laid down in Article 3 of Regulation 882/2004 into the system for inspections, criteria, such as farm size is being used in Northern Ireland to select holdings for inspection.
- (3) Planned inspections of pig farms were not always performed in Northern Ireland, due to other priorities or lack of available staff.
- (4) The CCA instructions are a useful tool to assist inspectors in carrying out checks and enforcement actions. The instructions are clear that enforcement action must be taken when growing pigs are grossly overstocked; however, less rigorous action is indicated for overstocking of up to 20%, where the farmer must draw up an action plan, but the instruction is not explicit that this must result in the minimum space requirements being respected.
- (5) The guidance does not give sufficient information on specific requirements, such as the choice of manipulative materials (Directive 91/630/EEC, Annex, Chapter 1.4).

#### **6.4. Laying hens**

- (1) The statistical model proposed by the CCA for selecting farms for inspection is not what is required by Article 8 of Directive 99/74/EC, where the CA has to carry out checks to monitor compliance, and is limited in achieving this purpose. The level of inspections in Northern Ireland, which did not follow this model, provided a more accurate picture of compliance by the sector.
- (2) Regarding perches in alternative systems, the CCA clarified that their position remains the same as described in report 7019/2004, where part of the slatted floor can be considered as a perch; however, this is not in line with Article 4 (1) (1) (d) of Directive 99/74/EC which has to be interpreted in line with the recommendation of the Council of Europe as referred to in the previous report (i.e. perches have to be considered as installations available in the third dimension). Moreover the regional differences on this issue, means that there are marked differences in the standards for rearing systems in different parts of the UK.
- (3) The data on the register of farms in Scotland was insufficient, as it did not include the maximum capacity of the establishment (Directive 2002/4, Annex, 1).
- (4) The CCA action following report 7019/2204 which encouraged co-operation between the veterinary services and egg marketing inspectors had a limited effect; however, in Northern Ireland, where a close relationship already existed, there was a better methodology in preparing and carrying out inspections.
- (5) Cages with extended fronts do not comply with the requirements of Directive 99/74/EC as they do not ensure that the cage is greater than 35cm high at any point. However, the CCA has allowed such cages to be used, and allowed an additional bird per cage, as they had considered the extended front to provide additional cage area.
- (6) There are well established procedures for enforcement which are generally followed; however, particularly in relation to overstocking in battery cage farms there has been a delay in carrying out follow up visits and subsequent measures to ensure that corrective actions are taken.

#### **6.5. Reporting**

- (1) Following a recommendation in report 7019/2004 regarding the recording of inspections (Decision 2000/50/EC), although the CCA clarified that each holding is recorded as one inspection and that all deficiencies are recorded, in Northern Ireland checks of different enterprise types on the same laying hen holding are recorded as two inspections resulting in a potential over-recording of inspections.
- (2) As the categorisation of deficiencies was done differently in the two regions, the overview at national level contains inconsistent data.

#### **6.6. Overall conclusion**

Although the legal transposition of most of the recent EU requirements for pigs and laying hens was late, there was already additional national legislation regarding group housing systems for sows which goes beyond EU requirements and this sector has

generally responded well to comply with the legal provisions, having to adjust housing systems well in advance of the deadline in Directive 91/630/EEC. The laying hen sector has not had as much time to adjust to the changes introduced in legislation and major non-compliances remain more common. The system of CA instructions for inspections and enforcement activities is well developed and generally comprehensive; however, the effect of follow-up actions taken following a previous FVO mission on laying hens has been limited. Although information is provided on many issues, certain clarifications provided in these instructions do not comply with EU requirements and sometimes instructions were insufficient to ensure that all requirements were adequately checked. Overall inspections were competently performed; however, although procedures for enforcement are well defined, these were not sufficiently followed.

## **7. CLOSING MEETING**

A closing meeting was held on 19 May 2006 with representatives of the CCA and regional CA. At this meeting, the main findings and conclusions of the mission were presented by the FVO team. The representatives of the CA stated that regarding reporting, there is a lack of clarity in EU legislation as to what is required. The CCA also indicated that it would be useful for all CAs to receive a copy of any clarifications of EU legislation provided by the Commission services.

## **8. RECOMMENDATIONS**

### **To the competent authorities of the United Kingdom**

Within 25 working days of receipt of the report, the Competent Authorities are requested to present a plan of actions, including a timetable for their completion, to address the following recommendations.

The CCA should ensure that measures are taken so that:

- (1) Courses are available for pig stockpersons which focus on welfare aspects (Directive 91/630/EEC, Article 5a (2)).
- (2) Inspections of pig farms, not only include a statistically representative sample of the different farming systems (Directive 91/630/EEC, Article 7), but also ensure that all holdings are complying with the requirements (Directive 91/630/EEC, Article 3 and 4).
- (3) Inspections of pig farms take account of identified risks associated with animal welfare, past records as regards compliance with animal welfare rules and any information that might indicate non-compliance (Regulation 882/2004, Article 3.1 (a),(b) and (d)).
- (4) Regarding checks of pig farms, sufficient clarification is provided on the choice of manipulative materials (Directive 91/630/EEC, Annex, Chapter 1.4).
- (5) Ensure that pigs are provided with at least the minimum space allowances at all stages of the production cycle (Directive 91/630/EEC, Article 3.1.(a)).

- (6) The monitoring of compliance in the laying hen sector (Directive 99/74/EC, Article 8) also takes account of the requirements of Article 3.1 of Regulation 882/2004.
- (7) Regarding perches, a common position is adopted throughout the UK, in line with Article 4 (1) (1) (d) of Directive 99/74/EC (i.e. perches have to be considered as installations available in the third dimension).
- (8) The maximum capacity of the establishment is included in the register of each laying hen establishment (Directive 2002/4/EC, Annex, point 1).
- (9) Cages meet the requirements of Directive 99/74/EC, in particular that the height is at least 35cm at any point (Directive 99/74/EC, Article 5.1.1).
- (10) Procedures for enforcement are followed, particularly in relation to the follow-up of cases of overstocking in battery cage farms (Regulation 882/2004, Article 55).
- (11) The data contained in the report of infringements and actions taken, is consistent (Decision 2000/50/EC).

## **9. COMPETENT AUTHORITY RESPONSE TO THE RECOMMENDATIONS**

Once the report has been published, the competent authority response to the recommendations can be found at the following link:

[http://ec.europa.eu/food/fvo/ap/ap\\_united\\_kingdom\\_8044\\_2006.pdf](http://ec.europa.eu/food/fvo/ap/ap_united_kingdom_8044_2006.pdf)