



European Commission Health & Consumers Directorate General

Legal interpretation of Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens

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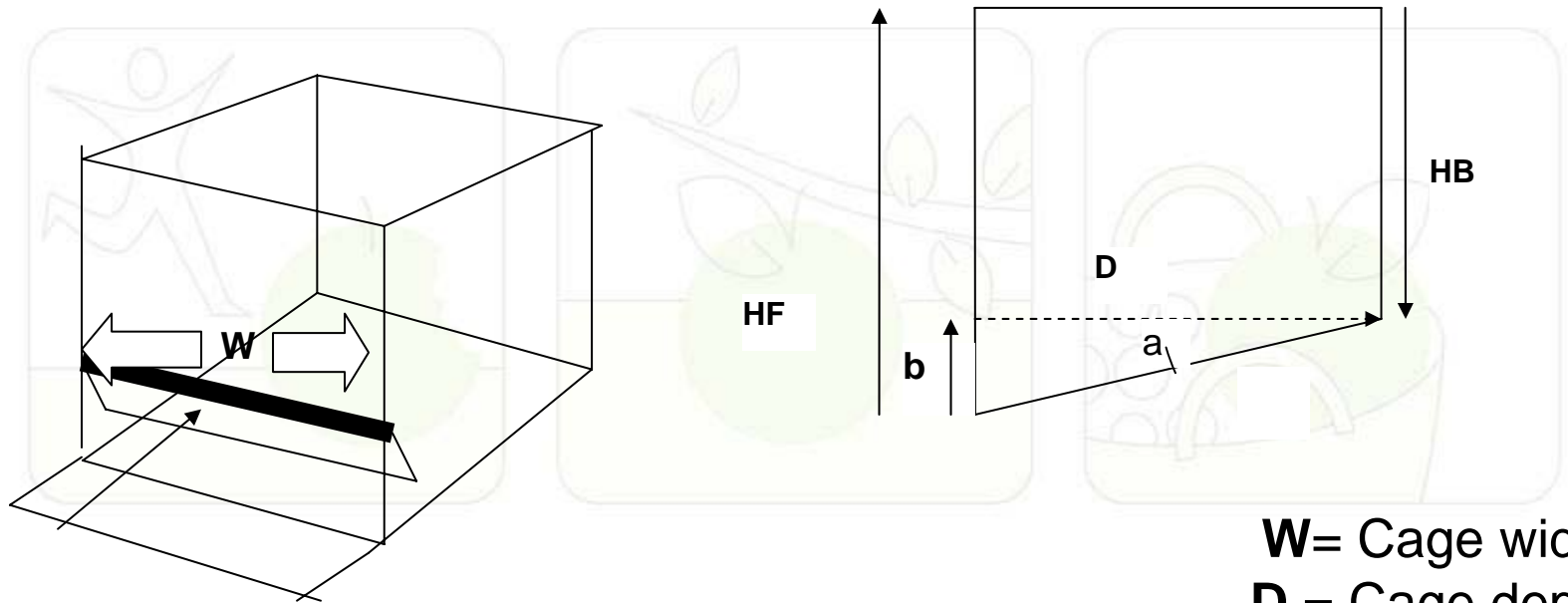
*The views expressed may not in any circumstances be regarded as stating
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SCFCAH
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The need for legal clarity

- Interpretation divergences as regard minimum requirements for enriched cages and alternative systems laid down in Council Directive 1999/74/EC arose between SANCO services and MSs during FVO inspections.
- Further requests of clarifications were received
- Guidance from the Legal Service of the Commission
- Focus on Article 4 and 6 of Council Directive 1999/74/EC

The Cage



Deflection plate

W = Cage width
D = Cage depth
HF = Height at the Front
HB = Height at the Back

General Definitions and Enriched cages

Article 2(2)(d) – **USABLE AREA:**

"an area at least 30 cm wide with a floor slope not exceeding 14 %, with headroom of at least 45 cm. Nesting areas shall not be regarded as usable areas"

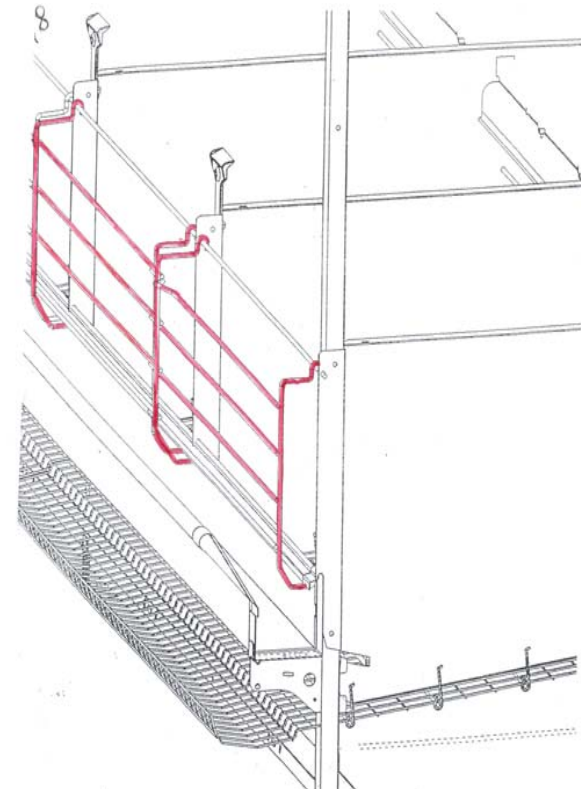
Article 6(1)(a) makes a distinction between the **total cage area** that must at least be 750 cm² per hen and the **usable cage area** that shall at least cover 600 cm² out of the total 750 cm².

The same provision stipulates that *"the height of the cage other than that above the usable area shall be at least 20 cm at every point and no cage shall have a total area that is less than 2000 cm²"*

Article 6- Enriched cages

EXTENDED FRONTS:

The additional space provided by extended fronts does not qualify as usable area nor does it qualify as cage area within the meaning of Article 6(1)(a) of Directive 1999/74/EC.



Article 6- Enriched cages

PERCHES:

perches cannot be regarded as usable area under Article 6 (1)(a) in addition to the area above which they are raised.

Birds should be able to put their claws below the perch.



Article 6- Enriched cages

HEADROOM SPACE:

Headroom space should be regarded as the height of the cage measured from the floor to the top regardless of the height of the perches, provided that hens can put their claws below the perches and that enough headroom is provided to allow birds to perch.

Article 6- Enriched cages

NEST (Article 6(1)(b)):

“**Nest**” should be understood as a suitable place (not included in the usable area) where hens can quietly lay eggs, separately in the cage, without being irritated by other hens.

If a nest is equipped with soft partitions which are not reaching the floor, it can be considered in compliance with the Directive provided that it meets the behavioural needs of the hens and the objectives of the Directive.

Article 6- Enriched cages

LITTER (Article 6(1)(c)):

Food scattered upon artificial grass mats may be used as litter in the meaning of Directive 1999/74/EC where it enables to satisfy the behavioural needs of the hens. Contamination of food must however be minimised in accordance with point 17 of the Annex to Council Directive 98/58/EC on the protection of animals kept for farming purposes.

Article 4, 6- Enriched cages and alternative systems

SLATTED FLOORS AS PERCHES (Article 4(1)(d) and Article 6(1)(d)):

Part of slatted floor cannot constitute a perch under Directive 1999/74/EC since the floor is not elevated so as to adequately satisfy the behavioural needs of the animals. Perches can meet the needs of the animals only when they are elevated, as confirmed by the scientific assessment.

Please note that the above is purely to assist you.

According to Article 19 of the Treaty on European Union, it remains the exclusive competence of the European Court of Justice to interpret EU law authoritatively.

THANKS FOR YOUR ATTENTION!

