Evaluation of the EU Policy on Animal Welfare

Copa-Cogeca contribution on policy options for the new Action Plan 2011 – 2015

Copa-Cogeca welcomes the final report from the evaluation of the EU policy on animal welfare. It also welcomes the Commission’s recognition of the need to assure the competitiveness of European farmers while guaranteeing that the existing animal welfare legislation is correctly enforced across Europe and that equivalent standards are met by third countries which compete with EU producers.

EU farm income is at a critical level (less than 50% of average earnings in other European sectors). There are currently a decreasing number of farmers across Europe, increasing production costs, a generally weak position in price negotiations with food companies and retailers and unfair competition from third country imports and on third country markets where animal welfare is not recognised as adding value to the product. Therefore, the main new challenge facing the Action Plan 2011-2015 is providing concrete benefits and opportunities to European farmers who meet the highest animal welfare standards in the world and helping them to contribute to reaching the EU2020 goals.

Although the European Commission has presented some general policy options (DG SANCO) for the new Action Plan 2011-2015, it remains difficult to fully understand how they will function, especially when addressing the issue of third country imports complying with EU standards. As a policy option for the new Action Plan 2011-2015, the European Commission (DG SANCO) has designed a framework law based on animal welfare indicators with a co-regulation system, a European Network of Reference Centres and a communication and awareness strategy including third countries.

Given the challenges ahead, Copa-Cogeca would like to make some specific comments on certain aspects which we consider to be crucial for the development of the new Action Plan.

- **Proper enforcement of existing legislation before any new legislative initiatives**

  If legislation is not properly enforced, this distorts Europe’s level playing field and is to the detriment of those producers who are willing to invest or have already invested in more animal welfare-friendly farming practices. Therefore, Copa-Cogeca believes that before developing new legislative requirements, the European Commission must first ensure that existing animal welfare legislation is correctly enforced. Harmonisation and implementation are crucial.

  Before issuing penalties, it is important to understand why livestock farmers in some MSs are not able to fulfil the requirements (lack of resources, lack of communication and awareness, different interpretation at MS level, complexity and rigidity of legislation, lack of political will, etc.). Prescriptive and more stringent regulations, as well as penalties, do not always resolve the problem of enforcement. On the contrary, a framework of concrete incentives may be far more effective in achieving better enforcement across the EU. It is our experience that non-legislative instruments, such as sector-specific guidelines, communication and education campaigns, are very helpful in improving animal welfare conditions at farm level. Offering greater market access to farmers who invest in improved animal welfare is a key incentive.
Monitoring and inspection systems are important tools for effective enforcement and compliance with EU legislation both for EU products and third country imports. Resources are often inadequate and this leads to significant differences in the degree to which inspections are carried out by authorities in different MSs. In addition to this, the Commission’s own FVO does not appear to have the resources necessary to carry out sufficient inspections or to enforce corrective action in cases of non-compliance. NGOs are taking on a greater role in identifying cases of animal welfare non-compliance and this unfortunately provides consumers with a biased view, where the poor behaviour of a minority becomes a problem for the responsible majority of livestock handlers. This is unacceptable.

Copa-Cogeca believes that CAP cross-compliance measures provide a guarantee for European consumers that animals are raised in compliance with high standards of traceability, animal health and welfare and environmental conditions. However, cross compliance should not replace monitoring and inspection measures carried out by competent authorities both at EU and MS level. Given the considerable administrative burden that farmers are faced with, simplification of cross-compliance measures is needed for the post-2013 CAP. European farmers would not accept being forced to comply with further measures at farm level.

- **General framework law based on welfare indicators**

  Copa-Cogeca has always been in favour of common standards and Community animal welfare legislation based on objective, practical and scientific criteria, provided that the implementation of these standards does not jeopardise European production in the sectors concerned.

  Copa-Cogeca would support the development of a general framework law which would avoid the proliferation of restrictive, sector-based directives, but which would include co-regulation (e.g. guidelines, codes of best practices). This framework law should set out clear, general principles, while engaging private national food chain operators to work together with MS authorities to develop practical guidelines for the care of specific animal groups taking into account existing practises in the field (e.g. practical guidelines for the transport of animals in the framework of Reg. 1/2005 or certain private schemes).

  It is of paramount importance to ensure flexibility and a more practical application of the general principles of animal welfare, while ensuring increased responsibility from private actors.

  In order to ensure better coordination and harmonisation between Member States, Copa-Cogeca would support permanent exchanges of information between MSs and sector representatives on current national implementation of welfare principles included in the general framework. This would facilitate the monitoring and sharing of information on current implementation at European level well ahead of implementation deadlines in EU legislation.

  Copa-Cogeca can support the use of welfare indicators provided that these have been developed in close co-operation with operators and are simple, practical and easy to implement without incurring costs at farm level due to additional burdens. Wherever implementation of the use of such indicators does lead to costs, these should be borne by buyers, retailers and consumers.

  The EU-funded Welfare Quality Project produced three protocols outlining the procedures and requirements for the assessment of welfare in cattle, pigs and poultry. We have considered the implementation of the protocols in the field and concluded that there is still a great deal of work to be done in order to achieve practical applications. The existing results require further development and refinement before creating additional protocols or considering implementation by industry. It is crucial to ensure the correct interpretation and application of the criteria by the competent authorities in a harmonised way in all EU Member States.

  In our experience, the indicators suggested in the existing protocols are not practical, nor are they easy to apply at farm level. Some parameters are open to subjective interpretation leading to over-fulfilment of standards and are often based on “human welfare feeling”: emotional state of the animal (relaxed, comfortable, agitated, confident, depressed, calm, content, tense, inquisitive, etc.).

  The standards for on-farm welfare assessments and information systems must be simplified and resource and cost implications must be reduced. Considering the complexity of the final results, Copa-Cogeca is only likely to use elements of Welfare Quality (WQ) and potentially cherry-pick...
those points which make practical sense. It is important that the use of WQ indicators be harmonised in the EU in order to avoid any further distortion of competition.

On-farm welfare assessment could be used in research or as a voluntary tool in Member States’ private quality schemes, but not as a full legislative package.

In addition to this, given the complexity of the WQ protocols and their limited potential for practical use in the field for the moment, Copa-Cogeca, does not recommend that existing WQ results are included in EU or national legislation.

Finally, it is important that before developing new WQ indicators for other sectors, lessons should be learned from the first WQ project. This means that operators should be actively involved from the start of projects as equal partners for long-term development and innovation and not just as stakeholders who should be consulted as one of the boxes to be ticked during the process. This may require a change in attitude on the part of Commission services, research institutes and consultants.

- **Incentives are needed**

Incentives are needed to ensure that farmers are suitably rewarded for their animal welfare activities and are able to cover the high costs created by complying with legislative requirements for animal welfare at farm level.

More flexible competition rules are needed in order to allow price agreements between farmers and retailers. When discussing competition law among food chain stakeholders (from farm to fork) it becomes clear that farmers are still unable to recover their investments made into improving AW standards. The Commission’s Communication “A better functioning food supply chain in Europe” dated October 2009 states: “an unequal bargaining power has a negative impact on the competitiveness of the food supply chain as smaller but efficient actors may be obliged to operate under reduced profitability, limiting their ability and incentives to invest in improved product quality and innovation of production processes.” The Commission recognition of the problem has led to the formation of the High Level Forum (HLF) for a Better Functioning Food Supply Chain with a mandate to run until the end of 2012.

The HLF’s work should also include animal welfare related issues. Farmers would like to innovate and invest in improved animal welfare standards, but they are unable to do so due to financial pressures. This does not help European farming to contribute to reaching the EU 2020 goals and penalises growth and employment potential in rural areas.

The focus in the food chain is normally on price and it is unclear whether benefits are being properly distributed among stakeholders or how this is done. The WTO does not accept AW as a basis for trade measures. Enforcing animal welfare legislation therefore leads to old housing systems being withdrawn, as it is often the case, or to small farms being forced out of the market as they are unable to profit from “economies of scale”.

It is important to ensure that the market works in favour of farmers. When consumers pay a higher price for a product which complies with higher animal welfare standards, this added value must be passed on to farmers, as it is farmers who have added most of the value by tending their animals on a day-to-day basis. Throughout the entire food chain, it is farmers who are left to bear almost all of the cost of additional welfare requirements.

Since both the Eurobarometer and the AW policy evaluation show that a large majority of European citizens are in favour of high animal welfare standards, Copa-Cogeca requests concrete derogations to EU competition rules for farmers and their buyers in order to make possible collective agreements on how to deal with the costs of higher AW standards. The price of higher animal welfare standards should be better explained to consumers so that they are able to understand that this is in their interest. Copa-Cogeca suggests adding this subject to the agenda of the High Level Forum.

Further incentives (e.g. derogations on inspection measures and better access to markets) are needed for those farmers who are voluntarily part of private quality schemes which ensure that welfare standards which go beyond the minimum requirements are respected.
For those farmers who are very willing to provide animal welfare friendly products which go further than the EU’s already high standards, Copa-Cogeca is of the opinion that this should be possible on a voluntary basis as part of the second pillar of the CAP. In order to be successful, there must be real financial incentives for farmers to undertake the additional work and bear the extra costs.

In many cases, however, rural development programmes being implemented in different ways at regional or national level can help or hinder the implementation and harmonisation of legislative requirements for animal welfare. It is possible that within a Member State, funds for improving animal welfare and implementing EU regulations are available to farmers in one region but not in another. As implementing animal welfare requirements involves significant investment (laying hens and grouping of sows), and this is often a serious barrier to development, a degree of consistency is needed in order to ensure that all farmers have equal access to adequate funds and relevant measures within the CAP, regardless of their location and the willingness of local governments to provide cofinancing.

- **Communication and raising awareness**

The European Union already has a vast array of legislation that assures a high level of protection for animals. However, European citizens and consumers need to be better informed about the high level of welfare demanded from livestock farming by the existing legislative framework.

Consumers are constantly faced with the choice of purchasing European products, which have been produced in line with EU standards to improve animal welfare, and products from third countries which are often less expensive, but which offer no guarantees of equivalence in terms of animal welfare.

Consumer choices are often price-driven and do not take into account the efforts made by European farmers to produce healthy products which comply with strict legislative requirements for welfare.

Copa-Cogeca believes that the highest priority should be given to action aimed at informing consumers and raising awareness, starting with existing legislation. This will enable them to make informed purchases rather than choices based on emotive assumptions and perceptions.

Correct and objective awareness campaigns for the general public should start as early as primary school, as children are tomorrow’s consumers. DG SANCO is very actively promoting the concept of *farmland* in primary schools. We are convinced that this tool misleads the general public with unbalanced information and is not representative of modern farming. It shows animals walking freely around the farm. This undermines farmers’ efforts to control disease, to maintain health and safety in the workplace and to protect the welfare of animals and farm personnel. This is not a constructive tool. Moreover, the EU did not take into account the complaints from the egg sector when creating its key messages. Instead, it used photos from certain animal welfare organisations. This is a perfect example of bad communication and distortive awareness raising.

The EU budget for communication projects needs to be spent in a more responsible way, ensuring that they target citizens’ real concerns. The EU model of production should be put forward as the whole concept rather than focusing on individual parts of it (i.e. welfare).

Farmers are already engaged in raising awareness among consumers on how animals are treated and reared on farms. Open farm days and teaching farms play a crucial role in raising public awareness, but this is not enough. The European Commission should play a role in informing consumers about the high standards farmers comply with on a daily basis. This should be done in close cooperation with farmers’ organisations and other operators, such as consumer organisations and retailers.

Copa-Cogeca fully agrees with continuing and extending communication campaigns and training programmes to third countries that, at present, are not frequently seen and are all too often only provided to public authorities (e.g. better training for safer food). However, concrete guarantees of compliance with EU standards are needed when these countries export to the EU market.
As regards the advisory services and training available to farmers under the CAP, Copa-Cogeca believes that the strengthening of these tools would enable a much greater and more rapid transfer to farm level of existing animal welfare knowledge and relevant applied market research. Currently, these tools are very restrictive and are not widely used by farmers. Moreover, EU training programmes should not only be accessible to government agencies but also to operators including farmers and their organisations.

Copa-Cogeca would like to stress that farmers’ organisations are already involved in several private training programmes and exchange of good practice projects within voluntary schemes aiming to spread good animal welfare practices at farm level. More could be done if authorities and operators cooperated in private-public projects.

Within training courses for private operators, it is essential to ensure that public officials also have the opportunity to learn from the practical experience and knowledge of farmers about animal welfare. Farmers are in contact with animals on a daily basis and have a great deal to teach public officials who are often based in an office and as such are far away from the real situation on the ground.

Best practice guidelines have been widely developed in the farming community for several sectors by taking into account specific national characteristics. All these guidelines have concrete goals for improving animal welfare conditions and the herd’s economic performance.

Copa-Cogeca supports the idea of setting up an EU database for gaining access to and sharing existing guidelines across the European Union.

- **Animal welfare in an international context – obtaining concrete results**

Copa-Cogeca fully supports the European Commission when it states that the EU’s objective is to ensure that trade liberalisation will not undermine the efforts made to improve animal protection and welfare.

Copa-Cogeca urges the European Commission to present concrete action in the new Action Plan 2011–2015 in order to ensure that animal welfare is adopted as a key priority in bilateral trade negotiations as well as in the WTO Doha round.

For Copa-Cogeca, it is essential to ensure that the competitiveness of our farmers is increased and that concrete results in terms of animal welfare are achieved at international level, both at the OIE and the WTO.

Copa-Cogeca urges the EU institutions to introduce appropriate measures at Community level to offset the higher production costs faced by European producers who lack the power necessary to negotiate higher prices with food companies and retailers and who also face increasing levels of imports from third countries where farmers do not necessarily have to meet the same EU standards.

- **The creation of a European Network of Reference Centres**

In principle, Copa-Cogeca would be in favour of better coordination and sharing of existing knowledge at EU level with regard to animal welfare.

If such a network is created its activity must be based purely on coordination, monitoring and knowledge sharing. Possible actions could also include practical assessments and evaluations of the real effect of implementing animal welfare standards. Scientific research should be added to with applied or on-farm research testing the assumptions before making recommendations.

Considering the work already carried out by DG SANCO and EFSA’s Scientific Panel on Animal Health and Welfare (AHAW), rather than being directly involved in scientific experiments, this network should instead coordinate the testing of new techniques and impact assessments of animal welfare standards based on the latest available information.

European farmers invest money in animal welfare through levy boards and contributions to projects, usually at national or regional level. Farmers are already major financial contributors to applied research or on-farm research. Therefore, Copa-Cogeca asks for them to be given a greater coordinating role with respect to the prioritisation of EU-funded projects in the field of animal welfare. Copa-Cogeca wants to work with the Commission’s services and national...
authorities to achieve a more efficient use of research funds from both public and farming sources. This could be done hand-in-hand with the new European flagship programme which aims to contribute to the EU 2020 goals.

Recognising the significant budgetary implications of a possible coordinating body, Copa-Cogeca asks for this to be prudently financed. In order to simplify this, we would be in favour of using existing structures available at EU/MS level without creating an additional agency as this would involve further budgetary requirements.

Finally, we believe that in order to set up a sharing oriented network, we need to involve all the relevant stakeholders, including farmers, consumers, NGOs, retailers, food companies, scientists (economists), veterinarians and national authorities. Such involvement is key to gaining the trust of all the participants, which in turn is a prerequisite to the new centre being an effective force. The new European centre should be our centre rather than simply another EU agency.