



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.01.1996  
COM(96) 21 final

96/0029 (CNS)

Proposal for a  
**COUNCIL DIRECTIVE**

amending Directive 91/629/EEC laying down minimum standards  
for the protection of calves

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(presented by the Commission)



## EXPLANATORY MEMORANDUM

On 19 November 1991 the Council adopted Directive 91/629/EEC laying down minimum standards for the protection of calves<sup>(1)</sup>. Article 6 of that Directive requires the Commission, not later than 1 October 1997, to submit to the Council a report, drawn up on the basis of an opinion from the Scientific Veterinary Committee, on the intensive farming system(s) which comply with the requirements of the well-being of calves from the pathological, zootechnical, physiological and behavioural points of view, as well as the socio-economic implications of different systems, together with proposals relevant to the report's conclusions.

The Council of Agriculture Ministers, in its meeting of January 1995, called on the Commission to make this report as soon as possible. The Scientific Veterinary Committee, at the request of the Commission, drew up an opinion on the welfare of calves which was accepted at their meeting of 9 November 1995.

The Commission has transmitted a communication to the Council and the European Parliament on the welfare of calves<sup>(2)</sup>, based on their opinion. The attached proposal is also based on their opinion.

The protection of calves is an exclusive Community competence. The proposed amendment to the existing Directive, which sets out minimum standards for space allowance, is the simplest means of achieving the desired objective.

The opinion of the Scientific Veterinary Committee makes recommendations in respect of several aspects of the welfare of calves which are covered by Directive 91/629/EEC. Most of these matters are subject to the provisions of the Annex to the Directive, which will be amended by the Commission following a Standing Veterinary Committee procedure. The Commission intends to adopt the necessary amendments at the appropriate time.

The attached draft Directive proposes to the Council amendments to Directive 91/629/EEC, to bring it into line with the recommendations of the Scientific Veterinary Committee in respect of housing and space allowances, and to allow a suitable period for farmers to adjust to the new conditions.

The Council is requested to consult the Parliament on this proposal.

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(1) OJ No L 340, 11.12.1991, p. 28.

(2) COM(95) 711 final.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Whereas pursuant to Article 6 of Council Directive 91/629/EEC<sup>(3)</sup>, the Scientific Veterinary Committee has given an opinion on 9 November 1995, on the basis of which the Commission has drawn up a report which has been submitted to the European Parliament and to the Council;

Whereas on the basis of the conclusions of that report, it is appropriate to amend certain provisions of Directive 91/629/EEC in order to ensure that the rules are based on scientific evidence and do not go beyond what is necessary to enable the organization of the common market in calves to function effectively;

Whereas the harmonization of rules concerning the conditions of calf-rearing in the framework of the common organization of the markets is necessary to ensure the rational development of production under satisfactory conditions of competition; whereas in this regard it is recognized scientifically that calves should benefit from an environment corresponding to their needs as a herd-living species; whereas for that reason they should be reared in groups; whereas calves, both group housed and individually penned, need sufficient space for exercise, contact with other cattle, and for normal movements when standing up or lying down;

Whereas it is necessary to allow time for holdings to make the necessary arrangements to comply with the new rules;

Whereas the Annex to Directive 91/629/EEC will be amended by the Commission in the line of the opinion of the Scientific Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 91/629/EEC is amended as follows:

1. Article 3(3) is replaced by the following text:

"3. From 1 January 1998, the following provisions shall apply on all newly built or rebuilt holdings and all those brought into use for the first time after that date:

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(1) OJ No C

(2) OJ No C

(3) OJ No L 340, 11.12.1991, p. 28.

- (a) No calf shall be confined in an individual pen after the age of eight weeks, unless a veterinarian has certified that its health or behaviour requires it to be isolated in order to receive treatment. The width of any individual pen for a calf shall be at least equal to the height of the calf at the withers, measured in the standing position, and the length shall be at least equal to the body length of the calf, measured from the tip of the nose to the caudal edge of the tuber ischii (pin bone), multiplied by 1.1.
- (b) For calves kept in groups, the unobstructed space allowance available to each calf shall be at least equal to the height of the calf at the withers, measured in the standing position, multiplied by the body length of the calf, measured from the tip of the nose to the caudal edge of the tuber ischii (pin bone), multiplied by 1.1.

From 1 January 2008, the provisions of the first subparagraph shall apply on all holdings."

2. The second indent of Article 3(4) is deleted.
3. Article 4(2) is deleted.
4. In Article 6, the date "1 October 1997" is replaced by "1 January 2006".

#### Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions, including any sanctions, necessary to comply with this Directive not later than 1 January 1997. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. However, as from the date set in paragraph 1, Member States may, in compliance with the general rules of the Treaty, maintain or apply within their territories stricter provisions for the protection of calves than those laid down in this Directive. They shall inform the Commission of any such measures.

#### Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Communities.

#### Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Council  
The President

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