

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 406 final

Brussels, 14th July 1980

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL  
ON THE INTENSIVE KEEPING OF EGG-LAYING HENS

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DRAFT COUNCIL RESOLUTION  
ON THE PROTECTION OF EGG-LAYING HENS IN CAGES

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COMMISSION  
OF THE  
EUROPEAN COMMUNITIES

Directorate-General for Agriculture

DRAFT COMMUNICATION

FROM THE COMMISSION TO THE COUNCIL

ON THE INTENSIVE KEEPING OF EGG-LAYING HENS

(COMMUNICATION FROM MR. GUNDELACH TO THE COMMISSION)

EXPLANATORY NOTE TO THE COMMISSION

(Communication from Mr. Gundelach)

In 1979, following a request of the government of Germany, the Council invited the Commission to consider the problem of the protection of egg-laying hens in particular when they are kept in cages.

The annexed draft Communication to the Council gives a brief review of the existing state of knowledge on the problem and proposes general orientations for future actions, that is to say the establishment of minimal requirements to assure the protection of hens kept in cages and development of complementary studies and research especially into alternative systems.

The attached proposal for a Council Resolution, provides for adoption of the principle to establish rules for egg-laying hens in cages and gives an orientation for future complementary work.

These texts have been submitted to the Member States in the veterinary legislation working group, and given a favourable reception.

It is proposed that the Commission :

- adopts the annexed communication and proposal for a resolution and sends them to the Council so that they may be considered at the meeting of the 27 July.
- sends the two texts to the European Parliament for information.

DRAFT

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL  
ON THE INTENSIVE KEEPING OF EGG-LAYING HENS

1. In 1978 about 326 million laying hens laid 68 thousand million eggs in the Community Member States. The low price to the consumer of this valuable, high quality food has only been made possible by the development of systems of keeping poultry intensively. At present, about 90% of laying hens in the Community are kept in systems using battery cages. The intensive nature of these housing systems has given rise to concern that in safeguarding human food supplies the need to protect animals from unnecessary suffering should not be forgotten.

In 1979 the Council invited the Commission to study the conditions for keeping egg laying hens in the Community; in particular the current practice of keeping hens in cages and considering inter alia animal welfare aspects, social ethics, health and economic factors.

Accordingly the Commission established a research group to review the present practices and assess gaps in knowledge on this subject. As part of this work (Luxembourg, 11-13 March 1980) the Commission organized a technical seminar on the interaction of the laying hen and its environment (EUR 6877 E).

2. Due to the very diverse nature of the factors which must be taken into account, it is clear that it is necessary to establish and define clearer objective parameters. It is also necessary to be able to make a synthesis of these separate considerations in order to give the basis for any legislative proposals.

Proper keeping of hens in cages is not a simple issue which can be defined without reference to several scientific and other factors. These include for example, breeding, nutrition, behaviour, health, frustration, environment. Any assessment of welfare is therefore multidisciplinary, complex and likely to contain an element of judgement.

At the present time there are still great differences of opinion on the relative significance of these different parameters. For example, in animal behaviour there is debate on the difficulty of determining whether a change in behaviour is a compensation or adaptation to an environmental change or whether the behaviour indicates frustration, stress or suffering.

Even if it is sometimes possible to establish that the welfare of the animal is influenced in some way, it may at the same time be difficult to say to what extent any disadvantage has not been compensated for by some other aspects of the system. Similarly the interaction of changes in housing systems with questions of health, production and economics are not yet clearly defined.

One Member State where the keeping of caged laying birds was prohibited until 1979 reconsidered this ban after a thorough study of the problem. As a result, the keeping of caged laying birds is now permitted subject to compliance with specific requirements to ensure acceptable conditions for the birds.

3. Although research alone can never be expected to provide all the answers to serve as a basis for legislative proposals, a number of useful conclusions were reached at the Luxembourg seminar :
- (i) Undesirable effects can be seen in some systems largely due to badly designed cages. Consequently, a greater research effort must be made to improve poultry housing.
  - (ii) Cages in general cannot be dismissed as a method of keeping hens without more being known of the welfare of poultry kept in this way and in alternative systems. Studies of poultry welfare must therefore be continued with special reference to :
    - (a) definition of the optimal social space required by the laying hen;
    - (b) quantitative analysis of qualitative behaviour with particular reference to :
      - the need to provide an external measure of frustration/distorted behaviour;
      - the need to classify certain parts of the behavioural repertoire as essential.
  - (iii) Simultaneously, alternative systems of housing should be further researched, with a view to future development.

A detailed research programme will be discussed in July with a view to early action by the Commission and in the Member States.

4. In addition, at a later stage, rules for regular supervision, inspection and the use of fail safe devices for emergencies should be considered. Until these principles are more clearly established and defined, economic aspects of the system of egg production cannot be adequately considered.
5. With the present state of knowledge, there is certainly no practice of intensive poultry keeping which fulfils all the diverse and sometimes contradictory requirements. In consequence, it is not possible at present to recommend one specific system in preference to others.

It is probably for this reason that neither at national level nor at the international level of the Standing Committee of the European Convention for the protection of animals kept for farming purposes, which is also considering this question, has it been agreed to prohibit a specific system. Instead efforts are made to ensure that birds are protected in all existing systems.

The Commission shares this attitude because evidence is presented which may indicate that some forms of rearing hens in cages give rise to harm and suffering of the birds if certain parameters are not respected.

There is a need therefore to establish high priority parameters and define common minimal requirements to ensure the protection of birds in all intensive systems but in particular for those kept in cages.

6. The Commission therefore invites the Council to approve the annexed Proposal concerning the protection of egg laying hens in the Community.

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COUNCIL RESOLUTION  
of  
on the protection of egg-laying hens in cages

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the keeping of egg-laying hens in cages is the most widely used means of egg production in the Community and that this means largely contributes to the high productivity of this sector;

Whereas, however, this means of keeping may, in certain cases, lead to avoidable and unnecessary suffering on the part of the animal; and whereas this risk justifies the adoption of appropriate measures;

Whereas the national laws at present in force in the field of protection of intensively housed animals present differences which may create distortion of competition and in consequence have a direct effect on the functioning of the Common Market;

Whereas there is need therefore to establish high priority parameters and define common minimal requirements to ensure the protection of birds in all intensive systems;

Whereas it is necessary, as a first step, to envisage the establishment of Community measures in order to assure the protection of egg laying hens in cages; whereas to do this it is, however, necessary to provide time for adaptation;

Whereas to provide the basis for further Community measures, studies must be continued in poultry welfare not only as regards keeping poultry in cages but also in alternative systems of housing;

AGREES

1. That, the rearing of egg-laying hens in cages must be subject to compliance with the minimal standards and criteria established in order to assure the protection of these animals.
2. That the relevant rules mentioned in paragraph 1, will be adopted by the Council, acting on a proposal from the Commission, before 1 November 1981.

6

INVITES

1. The Commission to submit, in good time, a report and appropriate proposals to ensure the welfare of egg laying hens kept in cages.
2. The Commission to pursue studies on the welfare of egg-laying hens kept in different systems of housing.