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Defra On Farm Animal Welfare Team
Scottish Government Rural Directorate Animal Welfare Policy Team
Welsh Assembly, Office of the CVO Wales

20 April 2009

Dear Sir/Madam

Consultation on New Regulations and Code for Meat Chicken Welfare

FAWC would like to thank DEFRA and the Scottish Government for the opportunity to comment on the implementation of Directive 2007/43/EC on the protection of meat chickens and on proposed new Regulations and a new Code of Recommendations for the Welfare of Livestock: Meat Chickens and Breeding Chickens in England.

FAWC understands that the new Welfare of Farmed Animals and Mutilations (Permitted Procedures) (England) (Amendment) Regulations 2009 is drafted to facilitate the transposition of European Council Directive 2007/43/EC and that similar legislation will be drafted in Scotland and Wales.

This European Directive (the "Broiler Directive") has passed through many phases of discussion and with many changes from original plans. FAWC has been involved in providing advice and feedback to Defra during many of these phases over the years leading up to the final Directive 2007/43/EC agreed at European level in 2007.

While FAWC remains disappointed that a number of the welfare outcome measures proposed within earlier drafts of the Directive have subsequently been withdrawn, it believes the resultant new legislation contains many changes (e.g. a maximum legal stocking density, defined housing conditions, defined stockmanship standards, output measures and feedback systems) which will positively impact broiler welfare in future.

FAWC is also encouraged by the survey data reported within the Impact Assessment that households would be prepared to pay more per annum on chicken products, following implementation of the new Directive. FAWC holds the view that any financial benefit must be shared with farmers for the changes to be sustainable.

The attached notes respond directly to the particular areas Governments are seeking feedback on; comment on any particular changes which are being proposed outwith these areas and reconcile to any past comments made by FAWC where appropriate.

Comments are limited to the implementation proposals as opposed to further comment on the Directive itself.

Separate comments are made on both the Legislative changes and the changes to the Welfare Code. The latter document is considered a critical guide to implementation of regulations and as is traditional, advises beyond the minimum requirements of the new legislation and so is worthy of detailed comment.

With kind regards,

Yours sincerely

Richard Aram
FAWC Secretary

Commentary on Legislative Changes

Legislative Changes – general comments

- The following systems - holdings with less than 500 birds, hatcheries, breeding chickens, extensive indoor, free-range and organic - are excluded from the new legislation, just as they are excluded from the Directive 2007/43. Instead the proposed changes are targeted at what are considered more intensive forms of broiler growing referred to as 'conventionally reared' systems. This new term is defined as those systems which are not on the excluded list. There are, therefore, 2 tiers of broiler growing each with their own welfare input requirement but only one with more defined welfare output measures.

Given that 'conventional' indoor broiler growing is regulated within the proposals up to 33kg/sq m by default (then 39 & 42 by derogation) and 25kg/sq m at the lower limit by definition of 'extensive indoor' systems, it would be helpful to spell this out more clearly as different rules apply to each, i.e. category 1 =<25kg/sq m, category 2 =25-33kg/sq m, category 3 = 33-39 kg/sq m, category 4 = 39-42 kg/sq m and that 'conventionally reared' covers stocking rates from 25-42 kg/sq m.

- Extending the new proposals beyond Directive 2007/43 requirements to include all meat chicken systems rather than 'conventionally reared' only may be interpreted by Defra as 'gold plating' and against Government policy.

The Impact Assessment has not covered this option explicitly and therefore the case for excluding certain systems from the legislation – with the implication that the legislation would confer disadvantage on those systems – seems tenuous. It should not be assumed that the excluded systems are advantageous for bird welfare as assessed by the output measures required for conventionally reared systems – mortality, slaughter plant downgrades and post mortem findings. It also seems incongruous that the requirement for anyone responsible for the welfare of chickens to be trained and assessed to a high standard does not apply to all systems. This requirement is an additional, direct safeguard to bird welfare and the reassurance that this offers is critical to consumer and public confidence that all broiler growing is managed to acceptable standards, one of the original objectives of the EU Directive.

FAWC recommends strongly that the legislative requirements should apply to all meat chickens.

Legislative Changes – comments in response to specific questions

1. The definition of 'Person Responsible' would benefit from further clarification covering use of such terms such as 'owners' and 'keepers'. This would help separate corporate responsibilities from local farm management responsibilities and also cover variable use of the different terms throughout the documentation.

2. The stocking density option up to 42kg/sq m should not be adopted in the UK. We note the low proportion of growers likely to take this option if it were available (estimated at 5% of holdings in England and Scotland: only 4 or 5 farms in Scotland). The high proportion of broiler growers who are members of the ACP scheme among others, have been operating at a limit of 38kg/sq m for some time. Research has indicated that welfare problems increase as stocking densities of 40kg/sq m and higher are approached. If the high density option were to be allowed, it would be important to have welfare outcomes for this higher category defined before farmers can stock at this level and not retrospectively.

3. The training requirements in general are supported by FAWC, and using the existing level 2 NVQ standard seems sensible, although provision of proof of an equivalent qualification should be accepted. This may reduce some of the anticipated cost by allowing private training schemes which could undertake in-house assessment as opposed to external. Reference to 'keeper of chickens' in the draft Statutory Instrument creates some doubt as to who must be certified competent – is it all people involved in husbandry? This should be clarified.

4. 'Grandfather rights' seem a sensible and practical means of progressing to a recognised qualification standard over time and without incurring additional cost or potential for staff shortages. The competency requirements should be extended to part-time farmers and to all categories of broiler growing. We also acknowledge and support the need for continuous professional development.

5. We support the need for at least 2 inspections of meat chickens per day, which should apply to all systems. Once per day is insufficient for any system.

6. With regard to slaughterhouse monitoring, FAWC has some concerns about the collection, collation and analysis of the larger quantities of data collected to 'within-house' (batch) level, and looks for the timely review of this information to allow appropriate follow-up and inspection where necessary. We understand that electronic data collection is being introduced in slaughterhouses from April 2009 and the data collected will be used to define threshold criteria for follow-up on farm. Existing systems for collecting and collating such data have not recently had a record for clarity and transparency, probably because of commercial sensitivities, and FAWC seeks reassurances that data collected will be formalised and fully reported.

7. The interaction of 4 separate groups (Meat Hygiene Service, Animal Health, Local Authorities and producers) in the follow-up process will slow this process and may lead to confusion and lack of authority to act quickly. It is also unclear how standardisation within UK and Europe will be applied, particularly at slaughterhouse level where action on post-mortem findings (especially for hock burn and pododermatitis) is at the discretion of local OVs. However, FAWC supports the collection of such information, and expects there to be stakeholder access to such datasets at both local and national level to aid transparency.

8. The use of cumulative mortality rate as opposed to cumulative daily mortality rate is practical. The threshold level trigger principle is supported but the determination of actual trigger level is critical. FAWC repeats an earlier expressed

opinion that any trigger system should be designed in such a way that it does not itself drive down levels of on-farm culling, which could have serious bird welfare concerns. Basing an assessment on the current routine for collecting 2009 data might be difficult and potentially misleading, as this is not particularly transparent, is not reported nationally and does not allow good awareness of trends over time. There are, therefore, some concerns over the accuracy of data collection from which triggers may be derived. This needs active industry involvement.

9. In the Welfare Code the repeated system qualifiers make the Code more difficult to follow quickly. Given the comments above, the Code would benefit from removal of the segregation of system categories altogether, on the basis that what should apply to some should apply to all in promotion of good welfare practice.

10. Emphasis should be added to the Welfare Code on the importance of following Breeder recommendations for management of genotypes. There is a paragraph counselling growers on choosing appropriate genotypes for systems, but the reciprocal need also needs to be addressed, to rear birds in ways that breeders or other specialists recommend.

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Code of Recommendations for the Welfare of Livestock: Meat Chickens and Breeding Chickens.

1. The purpose of the Welfare Codes is to provide practical guidance regarding the Regulatory provisions and in relation to the welfare of meat and breeding chickens.
2. These Codes are highly regarded and frequently referred to at all levels within the industry and remain a key mechanism for interpreting requirements. However, they aim to relay good practice rather than just minimum legislative requirement, i.e. they go beyond the law in many areas but can be used as a benchmark for collecting evidence of unnecessary suffering.
3. The transposition of the European Broiler Directive using legislative means has resulted in a proposed new Statutory Instrument - Welfare of Farmed Animals and Mutilations (Amendment) (England) Regulations 2009 - and similar legislation will be drafted in Scotland and Wales. The Codes have been written with frequent references to the current 2007 Regulations and schedules therein with virtually no references to 2009 Regulations, which is extremely confusing. This could perhaps be clarified in the preface.
4. The first criterion for system category is defined by stocking density and as proposed earlier it would be clearer if a numbered category system was cross referenced in each of the section recommendations (perhaps with the list of categories included as a footnote on every double page). However, FAWC believes that most recommendations should apply to all systems, including those not defined as conventionally reared, and would like to see this change.

Stockmanship and Staffing (including catching)

5. As well as the Five Freedoms, FAWC's 3 essentials of stockmanship are a welcome addition.
6. The recommendations on certification of the keeper of chickens in this section should apply to all systems rather than to 'conventionally reared' only, for reasons already referred to above.
7. Paragraph 16 – the recommendation has been enhanced to catch and carry birds by both legs unless they are caught and carried around the body using both hands. The previous wording omitted 'both' but did refer to 'legs' in the plural. This revision leaves less room for doubt in interpretation. However, *catching* of broilers and breeders in extensive barn type systems would be difficult by this method, particularly at depletion, given the need to catch and crate large numbers of birds quietly and speedily but without injury. We suggest a phrase such as "should be caught with care and carried by two legs."

Feed and Water

8. The conditions applied to 'conventionally reared' should apply to all systems.

9. Paragraph 18 – the wording of this paragraph need not single out ‘growth rate’ *per se*. It may not necessarily be true in all situations that slowing growth will improve the incidence of these conditions. It would be more appropriate to recommend that nutrient density of the diet should be managed according to breeders’ recommendations (or those of other specialists) to address the issues of leg health, ascites and sudden death syndrome.

10. Paragraph 22 – the reference to feed being withheld for more than 12 hours before birds are ‘delivered to a new farm’ may be interpreted as applying to day-old chick placements, so clarification is required.

Inspection

11. The requirement that conventionally reared chickens must be inspected twice daily while chickens reared in other systems need only be inspected once per day is not logical, especially where particular reference is made to husbandry systems ‘in which welfare depends on frequent human attention’. The general recommendation stated here is twice per day or three times daily for young stock, yet the regulatory proposal is once for excluded systems. A regulatory change is needed.

12. Inspection could be interpreted as adequately achieved remotely, using photographic or audio equipment without the need to enter the house. While we believe that such equipment can have a role in monitoring house conditions we do not believe that the technology is sufficient to eliminate the need for stockmen to have close contact with livestock during inspections. We suggest adding a phrase such as “inspection by a person moving among the birds.”

Disease Control and Slaughter/Killing on Farm

13. There is no justification for a distinction in health control between conventionally reared birds and the excluded systems. With the prevalence of rapidly spread viral diseases such as HPAI it is important to recommend that all systems are cleaned to the same high standards.

14. Paragraph 32 indicates that ‘singing’ is an indicator of good health with the implication that lack of it may be an indicator of poor health. We are puzzled by this inclusion and suggest it should be deleted. ‘Singing’ in young broiler birds is not a commonly observed behaviour even in good health.

15. Paragraph 35 – dead birds ‘removed without delay’ should also be disposed of appropriately and without delay to alleviate any risk of infection.

16. Paragraph 39 – advising on a ‘maximum’ distance between houses on the same site may not be sensible. What distance constitutes a separate site? If the houses are run as separate epidemiological units this advice may apply, with the aim of isolating houses. However, the opposite approach may actually be advantageous: reducing distance and linking houses together by a shared access corridor where the site is being run as one epidemiological unit. This would enhance overall biosecurity by reducing the exposure risk of repeatedly walking outside then inside.

17. The distance between houses should also take into account the need for air intake and exhaust to improve air quality and reduce cross infection, and therefore a minimum recommended distance between sheds.

Leg Health

18. Paragraph 40 – We propose rewording:

‘Leg disorders with associated lameness can be a key cause of poor welfare particularly in meat chickens. There are many causes of leg disorders leading to poor leg health but with the majority currently linked to nutrition, genetics, and microbial infection. Nutritional deficiencies and imbalances including calcium, phosphorus and Vitamin D can lead to an increase in bone deformities and lameness. Choice of genotype (including use of slower growing strains) should also be carefully considered based on experience or breeders’ claims and availability of supporting advice. Lameness may also be caused by bone or joint infection so effective prevention and control of viral and bacterial disease plus good litter management are essential.’

19. Paragraph 43 – reference is made to obtaining technical advice from the breed supplier in response to a lameness problem. Advice from breeders or other specialists in advance may help prevent the occurrence of problems and this should be stressed as well.

20. Paragraph 48 uses the term ‘legally fit to travel’ with regard to lame birds. Guidance on a definition of this would be helpful. Guidance on the animal transport legislation on fitness to travel could be repeated here.

Mutilations

21. While stressing the need for avoidance it would be helpful to list the permitted procedures quoted within the 2007 Regulations so that only those permitted are used.

Beak Trimming

22. This is only permitted in conventionally reared birds when undertaken before 10 days (although this is not a routine procedure on broilers).

Laparoscopy

23. Conventionally reared birds are singled out again, with this procedure not permitted. However, this is likely only to apply to sexing of day-old chicks which, in broilers, is more usually undertaken by examination of feathering. Paragraph 51 states what laparoscopy is but not what it could be used for. It would benefit from listing sexing and caponising as possible uses.

Buildings and Accommodation

GENERAL

Ventilation and Temperature

24. Requirements for conventionally reared birds are much more onerous than for other systems, which again implies that two input standards are acceptable but without defining welfare output.

25. Paragraph 56 – rather than referring to ‘low’ and ‘high’ temperatures, this should specify that birds on restricted feed are more susceptible to temperature deviations from an optimum of 18-21 C.

26. Paragraph 61 - during hot and humid conditions birds should be checked ‘more frequently’, not just ‘frequently,’ to ensure that inspection visits are undertaken in all conditions.

Lighting

27. There is a mixed example here of going beyond the regulatory requirements, without good reason. Paragraph 65 states that chickens which do not have access to *daylight* should be given ‘an uninterrupted period of darkness of at least 6 hours’. The WoFAR requirement proposed (following the Directive) is for a minimum of 6 hours of darkness per 24 hours with at least one uninterrupted period of 4 hours. The case for 6 hours continuous darkness from 7 days of age, in absence of sunlight, is not compelling and should be dropped or advantages quoted with some supporting evidence. Paragraph 65 could start ‘Meat chickens under artificial lighting should be given an uninterrupted period of darkness of at least 4 hours’. 6 hours continuous darkness may not be achievable throughout GB for chickens with outside access. This advice is then qualified by stating that it may produce additional back scratching and as a result require more management attention. It should also be made clear that ‘back scratching’ is an indication of impaired welfare when resulting in physical signs of feather or skin damage.

28. Paragraph 66 – an example of ‘sufficient’ lighting for day-old chicks would be beneficial, e.g. 23 hours for first 3 days at 20 lux.

Litter

29. It seems from the proposals that only conventionally reared chickens require access to litter. Extensively indoor reared don’t have this requirement which seems inappropriate. This recommendation for litter access should apply to all.

30. Paragraph 67 – We suggest an additional word: ‘hockburn, foot pad lesions and breast blisters are usually consequences of poor litter quality’. These symptoms are also in part consequences of high humidity, dietary issues, excessive water consumption and enteric disease, so it is wrong to list litter only.

Stocking density and freedom of movement

31. Under the requirements for conventionally reared chickens (quoting Schedule 10, paragraph 4) the maximum stocking density of 33 kg/sq m should be corrected to 39 kg/sq m if paragraph 5 conditions are met.

Automatic or Mechanical Equipment

Additional recommendations for free range systems

32. Paragraph 76 – The term ‘flock’ is used in the context of routine monitoring where ‘birds’ would be consistent with previous references. These birds should be checked for symptoms indicative of a build up of pathogens.

Record keeping

33. Why is the period for keeping records set as 3 years? Is it significant that this is different from, say, the period of 2 years required for demonstrating compliance to allow higher stocking density?

Contingency Planning

Additional recommendations for breeding chickens

34. Paragraph 82 could be made clearer by starting as follows:
‘The lines which are crossed to produce commercial meat chickens have been selected for many traits including hatchability and egg production. Broiler selection includes FCR and liveweight among many other characteristics and the management dilemma in the parent breeder is balancing these potentially conflicting traits.’

Feed and Water

35. Paragraph 83 – This should read ‘current genotype(s)’.

36. Paragraph 84 – We suggest changing to ‘growth controlled’ rather than ‘growth rate reduced’ using quantitative food restriction. The phrase in brackets should be removed as it is unclear what it means.

37. Paragraph 86 – the emphasis in this paragraph is towards lowering feeding motivation and consequent behaviour consistent with extreme hunger. It should simply say this. The claim of no negative impact on egg production, weight or quality could be challenged commercially. Diluting diets using, for example, additional fibre to reduce energy content may allow a feeding regime which results in significantly larger amounts of feed to be consumed and hence lower feeding motivation and also reduced environmental pecking.

38. Paragraph 87 – this should refer also to good physical feed quality (hard pellets) if scattering feed.

Aggression & Environmental enrichment

Parent breeding chickens

39. Paragraph 94 - The evidence for a requirement of 7% weight gain week-on-week is scant for the period throughout rearing. Rather than this arbitrary figure, advice should be given to follow breeders' recommendations. This would be consistent with Paragraph 99 in which Elite birds are referred to.

Elite (pedigree) birds

40. Paragraph 99 - see above notes on Paragraphs 86 and 94 in terms of recommendations on achieving bodyweight targets.

41. Paragraph 100 – feed restriction can apply earlier than 8 weeks (usually around 6 weeks) following *ad lib* feeding.

Mutilations

Beak trimming

42. Paragraph 101 – Although it is more accurate to say that it is unnecessary to beak trim female breeding chicks routinely, FAWC advice to-date would be that if beaks are to be trimmed the infra-red method should be used at day-old in the hatchery. No reference to method is made but infra-red is recommended given the recent advice for layers.

Buildings and accommodation

43. Paragraph 103 – moving to 'laying house' should be replaced with moving to 'laying phase' to reflect that not all systems incorporate a physical movement of birds from one house (or farm) to another.

Stocking density, freedom of movement

Litter

44. Paragraph 108 – particular attention should also be paid to 'addition' of litter as required.

Catching, handling and transport

45. Please refer to the previous comment on catching of broilers, on whether there is a need for restraint of bird movement using both legs before lifting birds (paragraph 16).

Breeding Procedures

46. The second paragraph within the box should read 'use of natural or artificial breeding or breeding procedures' as per paragraph above.

Genotype Selection

47. Paragraph 111. We suggest: 'Producers should consider genotype carefully with regard to welfare and productivity of both the parent stock and broiler progeny'. The sentence on use of dwarf breeds is inaccurate and should be removed, although dwarf strains could be mentioned as one example of genotype to be considered.

Farm Animal Welfare Council
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