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Animal Welfare Legislation in the European Union and the United States

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DG AGRI, Civil Dialogue Group meeting
International Aspects of Agriculture, Brussels, 8th October 2015



Article 13, Lisbon Treaty

“the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals”

Places animal welfare on equal footing with other key principles mentioned in the TFEU, such as gender equality, sustainable development, consumer and data protection



EU global leadership in animal welfare through trade policy

▪ **EU-Chile FTA**

- Animal welfare objective under SPS chapter
- Animal Welfare included in the Veterinary Equivalency Agreement (SPS Annex)
- Development of animal welfare standards for stunning & slaughter of animals, but scope may be extended
- Information exchange on progress on developing animal welfare standards

▪ **EU-South Korea FTA**

- Enhancing cooperation between parties on animal welfare issues
- Exchange of information, expertise & experiences on animal welfare, plus development of working plan
- Cooperation in international fora, particularly on stunning & slaughter of animals

▪ **CETA**

- *A step backwards for EU trade policy with animal welfare relegated to article on regulatory cooperation activities*



Joint Ministerial Declaration on Animal Welfare, 14th December 2014

Danish, Dutch and German Ministers of Agriculture called on the Commission to:

- promote in trade agreements and international forums, EU standards and knowledge as regards the protection and welfare of animals and work towards the full recognition of animal welfare as a non-trade concern in the framework of the WTO
- set conditions – in the framework of trade agreements – to the welfare of animals when their products may be imported into the EU



89% of EU citizens believe that animal welfare standards should be the same for products imported from outside the EU

The EU public's views on the importance of this subject are unrelated to social or demographic factors.

Whatever one's opinion on animal welfare in general, the idea of unequal standards between the EU and third countries leads to the reaction that EU producers should not be disadvantaged by unfair competition.



- All species in EU bred or kept for production purposes granted basic level of animal welfare protection under the terms of Directive 98/58/EC.
- Additional species-specific legislation laying down minimum standards for pigs, laying hens, meat chickens and calves
- Legislation that protects animals both during live transports and at the time of killing.

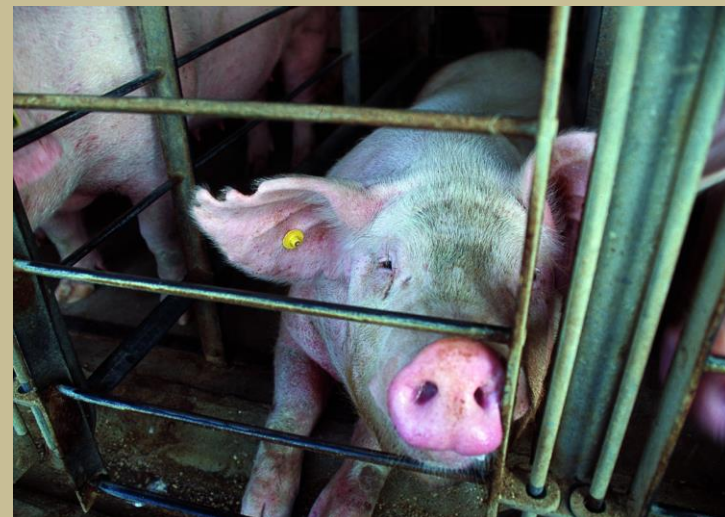


- Few US federal protections for farm animals.
- The 1966 Animal Welfare Act excludes farm animals from the definition of an animal
- Humane Methods of Slaughter Act does not apply to poultry
- Animal transport regulation (1873!) allows live transports for 28 consecutive hours & only applies in US territory.
- A few states have passed legislation relating to the production standards for pigs, laying hens and veal calves, but these are the minority.



Council Directive 2008/120/EC laying down minimum standards for the protection of pigs

- Applies to all pigs kept for breeding, rearing & fattening
- All animals to be kept in stable groups, except farrowing sows & boars
- Use of sow stalls prohibited after 1st four weeks of pregnancy
- Tethering of sows prohibited
- Implementation of measures to fulfil basic needs & prevent aggression (i.e. enrichment)
- Aggressive & injured animals kept away from group
- Bans *routine* tail-docking & teeth cutting
- Establishes feeding, housing standards, noise limits, parasite control & inspection regimes



No Federal legislation

9 US States have banned or phasing-out sow stalls:

Florida, Arizona, Oregon,
Colorado, California, Maine,
Michigan, Ohio & Rhode Island



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

- Bans use of unenriched battery cages
- Establishes housing conditions & dimensions for alternative systems, incl. access to outdoor runs for free-range hens
- Establishes housing conditions & dimensions for hens kept in enriched cages (i.e. perches, nest, drinking systems, claw shortening devices, plus minimum aisle width & space between cages & floor)
- Establishes traceability system for eggs
- Establishes inspection regime



No Federal legislation

4 US States have banned or restricted use of battery cages:

- California, Michigan, Oregon & Washington
- Ohio has moratorium on new battery cage facilities



California – Assembly Bill No. 1437

It is the intent of the Legislature to protect California consumers from the deleterious health, safety and welfare effects of the sale and consumption of eggs derived from egg-laying hens that are exposed to significant stress and may result in increased exposure to disease pathogens, including salmonella.

Commencing January 1, 2015, a shelled egg may not be sold or contracted for sale for human consumption in California if it is the product of an egg-laying hen that was confined on a farm or place that is not in compliance with animal care standards set forth in Chapter 13.8 legislation passed in 2010.



Council Directive 1999/74/EC laying down minimum standards for the protection of calves

- Bans use of veal crates
- Establishes rules on (group) pen construction to allow visual/tactile contact between animals, space, flooring & bedding requirements & other housing requirements (ventilation & lighting)
- Establishes dietary & feeding requirements



No Federal legislation

8 US States have banned the use of veal crates

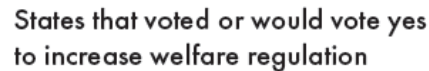
- Arizona, Colorado, California, Kentucky, Maine, Michigan, Ohio & Rhode Island





50% of the continental U.S. would vote in favour of laws to protect farm animals if put to ballot today.

42% of Americans consider animal welfare more today than five years ago.



“Animal Welfare Is on the Minds of Voters and Politicians,” prepared by Jason Lusk, Professor of Agricultural Economics at Oklahoma State University, February, 2014.



Major retailers driving force behind the advancement of farm animal welfare in the US

- McDonald's announces plans to switch to 100% cage free eggs for US & Canadian operations within next 10 years; *following in footsteps of Burger King, Nestle, Sodexo, Aramark, Heinz, Compass Group & others.*
- Nearly 100 major US companies, incl. McDonalds, Wendy's and Subway, have made public commitments to eliminate sow stalls from their US supply chains.

***Will demand for higher welfare animal products provide a strong enough incentive to change US production practices?
Will this also create market opportunities for EU producers?***