
THE INTERNATIONAL (EUROPEAN) PERSPECTIVE ON THE IMPACTS OF THE ANIMAL WELFARE MOVEMENT ON FOOD ANIMAL PRODUCTION SYSTEMS

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Introduction

In Europe, since the 19th century animal welfare has met with growing attention and has also been increasingly paid regard to in legislation. The first European act in this field, the Martin's Act, was adopted 1822 in England. With this "Act to prevent the cruel and improper treatment of cattle," England implemented the first modern and detailed Animal Welfare Act of the world. The different German States followed some years later. In 1838 Saxonia implemented the first German Animal Welfare Act. Additional animal welfare legislation was adopted at least in all Northern European States during the 19th and 20th centuries.

For the time being, in Northern Europe, welfare of farm animals—their keeping, transport, stunning, and slaughtering—as well as problems in animal procedures (research and education) are important items of general public concern.

For this development there are different reasons.

- People in Northern Europe have a strong feeling for animals. (You never should see it "black and white," but—whatever the reasons are—people in countries following the roman tradition, such as France, Italy, Portugal, and Spain, are less interested in this item than people in Denmark, Germany, the Netherlands, Sweden, Switzerland, or the United Kingdom.)
- Whereas in the past, when most people in Europe were farmers or lived at least in the countryside, people had close links to farm animals or to horses used for riding and needed for transport, these links have often been interrupted in the meantime. Many people have pet animals, and in many cases to a certain degree these pets even replace human beings.

- However, the main problem from my point of view is the fact that, for hygienic and economic reasons, modern intensive stock-farming, transport, and slaughtering systems have been developed and implemented that often are not ethologically sound, that often do not fulfill the animals' needs, and that therefore are not compatible with good farm or good slaughterhouse practice.

Television programs and print media convey that information to the consumer, who often reacts in a very emotional way. People protest against those developments, criticizing members of parliament and governments. It is because of that, that animal welfare legislation in the Netherlands, the United Kingdom, Sweden, and Switzerland, as well as in my country, has a high political impact.

The impact on agriculture is similarly important, especially in economic terms. At least a part of the last year's decrease in eggs and meat consumption will be due to this animal welfare discussion. Vegetarianism, for ethical reasons, can particularly be found among young and well-educated people such as students.

A lot of animal welfare organizations are lobbying for animal-friendly consumer behaviour and for rigid animal welfare legislation. Whereas most groups agree that animals may be "used" for human purposes but argue to avoid unnecessary stress, pain, and suffering, a minority of animal welfare organizations fights for animal rights, saying that animals must be liberated like slaves were liberated in history.

Since the end of the 1960's it has not only been on the national level but also within the Council of Europe and the European Community that legislative projects in the field of animal welfare were deliberated and decided upon. Thus the fact is recognized that the nations of Western Europe are growing closer and closer together and that, because of the intensive exchange of ideas and goods, the best way to attend the cause of animal welfare would be to support and advance it in concert.

There is a close interrelationship between the different levels—Council of Europe, European Community, and national legislation. The following is aimed at giving a brief outline of existing conventions, recommendations, and directives, and at describing the topical set of problems. In this context particular importance is attached to the field of livestock farming.

Council of Europe Initiatives

The Council of Europe is the oldest political organization among those existing in Western Europe but still the one representing the largest number of nations. This organization was founded in 1949. The Council of Europe's headquarters are in Strasbourg. It should not be confused with the European Economic Community (EEC).

Today this organization encompasses 26 member countries. Apart from the 12 EEC member states, these are: Austria, Bulgaria, Cyprus, Finland, Hungary, Iceland, Liechtenstein, Malta, Norway, Poland, San Marino, Sweden, Switzerland, and Turkey.

As well as dealing with many other activities, the Council of Europe also turned its attention to animal welfare. Initiatives to improve animal welfare were already taken at early stages by this forum. The following five conventions under international law have been drafted in this sector:

- the European Convention for the Protection of Animals during International Transport of 13 December 1968,
- the European Convention for the Protection of Animals kept for Farming Purposes of 10 March 1976,
- the European Convention for the Protection of Animals for Slaughter of 10 May 1979,
- the European Convention for the Protection of Vertebrate Animals used for Experimental and Other Scientific Purposes of 18 May 1986, and
- the European Convention for the Protection of Pet Animals of 13 November 1987.

Such Conventions, which are drafted by an ad hoc Committee consisting of government officials and other experts and which have to be approved by the Committee of Ministers, require the consent and later ratification or acceptance by the individual member countries. When a European Convention is ratified it ensues, if this was not yet the case beforehand, that national laws have to be harmonized with the provisions of the convention.

The European Convention for the Protection of Animals Kept for Farming Purposes aims at common provisions in the member countries of the Council of Europe, in particular in modern intensive stock-farming systems. Its general principles apply to the keeping, care, and housing of animals which are bred for the production of food, wool, skin, or fur, or for other farming purposes. Finland, Cyprus, Malta, Norway, Iceland, Slovenia, Sweden, Switzerland, and all EEC member countries, as well as the European Economic Community itself, are contracting parties to this Convention.

The contracting parties undertake to adhere to the following principles.

- Animals shall be housed and provided with food, water, and care in a manner which—having regard to their species and to their degree of development, adaptation, and domestication—is appropriate to their physiological and ethological needs in accordance with established experience and scientific knowledge.
- The freedom of movement appropriate to an animal, having regard to its species and in accordance with established experience and scientific knowledge, shall not be restricted in such a manner as to cause it unnecessary suffering or injury. Where an animal is continuously or regularly tethered or confined, it shall be given the space appropriate to its physiological and ethological needs in accordance with established experience and scientific knowledge.

- The lighting, temperature, humidity, air circulation, ventilation, and other environmental conditions, such as gas concentration or noise intensity in the place in which an animal is housed, shall—having regard to its species and to its degree of development, adaptation, and domestication—conform to its physiological and ethological needs in accordance with established and scientific knowledge.
- No animal shall be provided with food or liquid in a manner, nor shall such food or liquid contain any substance, which may cause unnecessary suffering or injury.
- The condition and state of health of animals kept in modern intensive stock-farming systems must be thoroughly inspected at least once a day. The technical equipment must also be thoroughly inspected at least once a day in order to take, should the occasion arise, the measures necessary to safeguard the welfare of the animals.

Currently, an amendment of the Convention is on the way to ratification. The main amendments are the following.

- No other substance with the exception of those given for therapeutic or prophylactic purposes shall be administered to an animal unless it has been demonstrated by scientific studies of animal welfare or established experience that the effect of the substance is not detrimental to the health or welfare of the animal. (This amendment is proposed also having regard to such new biological developments as bovine somatotropin.)
- Member States shall ensure that natural or artificial breeding or breeding procedures which cause, or are likely to cause, suffering or injury to any of the animals involved are not practiced; no animal shall be kept for farming purposes unless it can be reasonably expected, on the bases of its genotype or phenotype, that it can be kept without detrimental effects on its health or welfare. (This proposal was elaborated to avoid the risk of suffering for farm animals being modified by the application of modern forms of biotechnology.)

As the provisions of this Convention are kept in relatively general terms, a Standing Committee was established under the Convention having the task to draft and adopt recommendations to be submitted to the Contracting Parties. These recommendations are to contain detailed implementing regulations for the above-mentioned general principles. Unanimity in the Standing Committee is a prerequisite for the adoption of these recommendations. This Committee is composed of representatives from the respective Contracting Parties who are, as a rule, government officials. Representatives of the different international organizations participate as observers.

This Standing Committee is somewhat like an international workshop where published scientific evidence and practical experience of the different European regions are brought together. There are questions where scientific evidence is

not available. In these cases, for the time being, practical experience must “close the gap.” Not all questions can be answered on a scientific basis, but the benefit of the doubt may be used for the animals’ welfare.

After long and intensive deliberations since 1986, recommendations on the keeping of

- laying hens,
- pigs,
- cattle,
- fur animals,
- sheep, as well as
- goats

have been adopted by the Standing Committee. These recommendations—and it is a pity that in this context it is not possible to dwell on their contents—must be put into effect by the Contracting Parties (member countries) either by legislation or administrative practice. This also includes recommendations having an advisory character.

Currently, a recommendation on the keeping of poultry for slaughter is being prepared. A recommendation for the keeping of fish (aquaculture) will be the next item.

The weak point is, however, that these Conventions and recommendations are only international law. The Council of Europe, as an international organization, has no sovereign power over the member countries. Therefore, the Contracting Parties cannot be forced to implement them into binding legislation.

European Economic Community Initiatives

In this regard, the European Economic Community (EEC) is very different. The European Community is a supranational organization endowed with the corresponding sovereign power. And I am lucky that in the field of animal welfare legislation there is a close interrelationship between the Council of Europe and the European Economic Community. This is particularly evident in the field of the protection of animals kept for farming purposes.

But first it is important to mention that, within the EEC, there is one single market without border controls or comparable restrictions. Therefore, member states can’t differ too much in their animal welfare policy.

Switzerland and Sweden are not now part of the EEC. Therefore, these countries have border checks and high import levies, giving the possibility also to implement very high animal welfare standards.

The Treaty of Rome, the basic law of the European Community, does not mention animal welfare; therefore, legislation in this field was adopted mainly under the aspect of setting equal conditions for competition.

My government's efforts to amend the Treaty of Rome in this field were not successful until now, but the Maastricht-Summit (1991), the meeting of the European governments, adopted a declaration on animal welfare, which—following my translation—reads as follows.

The conference calls upon the European Parliament, the European Council, the Commission and the Member States to ensure that concerning the elaboration and application of common legislation in the field of common agricultural policy, transport, internal market and research, they shall pay full regard to animal welfare requirements.

This underlines the political importance of animal welfare items.

Despite a host of problems and severe difficulties, the EEC Council of Ministers by a qualified majority adopted seven years ago, in March 1986, a Council directive on minimum requirements for the protection of laying hens kept in battery cages.

This directive—a modest but nevertheless very important initial step of the Community to improve the animal welfare of laying hens—should not be underestimated. The directive contains, above all, the following elements.

- Since 1 January 1988 a minimum standard of 450 cm² of cage area per laying hen was introduced for new cages.
- From 1 January 1995 the minimum standard of 450 cm² will come into force for all cages.
- During the transition period national minimum requirements can be laid down for existing establishments.
- The Commission has to submit a report before 1 January 1993 to take account of the progress in the development of animal husbandry systems fulfilling animal welfare needs by making adequate proposals; this is a sort of review clause. The report has not yet been published, but we hope there will be good proposals for a continuous improvement of the existing systems and the increasing use of alternative colony systems.

EEC member countries had to transform this directive into national law. As it is a matter of minimum standards, it is in this context, however, possible to issue somewhat more rigid provisions on the national level. The United Kingdom, Denmark, and Germany have made use of this possibility.

In Germany, this decision was motivated by the following:

- the great public concern about the very poor battery cage system and
- the requirements of our national Animal Welfare Act, which obliges any person, keeping, caring for, or required to care for an animal:
 1. to provide the animal with food, care, and housing appropriate to its species, needs and behaviour; and
 2. not to restrict the animal's freedom of movement to such an extent as to cause the animal pain or avoidable suffering or harm.

In November 1991 a Council directive laying down minimum standards for the protection of calves and a Council directive laying down minimum standards for the protection of pigs were adopted by the EEC.

Following the calves directive, member states shall ensure that from 1 January 1994 and for a transitional period of four years, all holdings newly built or rebuilt and/or brought into use for the first time after that date shall comply with at least the following requirements.

- Where calves are housed in groups, they must have sufficient unobstructed floor space to be able to turn round and lie down without hindrance of at least 1.5 m² for each calf of 150 kg live weight.
- Where calves are housed in individual boxes or by tethering in stalls, the boxes or stalls shall have perforated walls and their width must be no less than 90 cm plus or minus 1%, or 0.80 times the height at the withers.
- The duration of use of installations built before 1 January 1994 which do not meet the requirements shall under no circumstances extend beyond 31 December 2003.

In an Annex of this directive, a lot of detailed technical requirements also are implemented.

Not later than 1 October 1997, the Commission shall submit to the Council a report, drawn up on the basis of an opinion from the Scientific Veterinary Committee, on the intensive farming systems which comply with the requirements of the well-being of calves from the pathological, zootechnical, physiological, and behavioural point of view, as well as the socio-economic implications of different systems, together with proposals relevant to the report's conclusions.

As member states have to implement such an EEC directive, Germany adopted a "regulation for the protection of housed calves" in December 1992. On many points, the German regulation goes further than the EEC directive. Calves older than eight weeks must be kept in groups except in cases where

- on the farm there are no more than five calves that are appropriate for being grouped together in terms of age or body weight, or
- other housing standards are necessary to prevent a risk of infection, during a quarantine.

It must be safeguarded that each calf is supplied with food and water in sufficient quantity and quality. No later than four hours after the calves are born they must be provided with colostrum. For calves up to a weight of 70 kg, milk replacer must have a minimum iron concentration of 30 mg / kg related to a dry matter content of 88%. To ensure good health, well-being, and adequate growth, a sufficient iron supply must also be secured for heavier calves. Any calf older than two weeks must have permanent access to water of sufficient quantity and quality. Calves must be fed at least twice daily.

Beginning from no later than the eighth day of life, calves must be provided with roughage or another structured fodder rich in crude fibre; it must be provided to

1. calves reared for breeding ad libitum,
2. veal calves up to eight weeks in age in amounts of no less than 100 g daily, and
3. veal calves older than eight weeks in amounts of no less than 200 g daily.

Where calves are kept in buildings in which artificial lighting, because of low light levels even during hours of daylight, is necessary to render handling and care possible, the building must be artificially lighted no less than 10 hours a day. On the animal's level, light intensity shall be no less than 80 lux and follow the day-night-rhythm. After a long transitory period, natural lighting must be provided for all housed calves by an appropriate construction of the building.

Also for the protection of pigs, the EEC-Council adopted a directive in November 1991 laying down minimum standards. Minimum space requirements and a lot of detailed rules are also part of this directive. For example, to fulfill the ethological needs of these animals, straw or other suitable material or objects must be available. The construction or implementation of systems in which sows or gilts are tethered will not be allowed after the 31 December 1995. Existing tethering systems may be used until the end of 2005.

Member States' Initiatives

For the time being, the importance attached to animal welfare in the different member states of the EEC differs greatly, and this is also true for agricultural structures and the competitiveness of the individual member countries. For example, the United Kingdom has banned the crate system for veal calves as well as the tethering of sows and gilts. The Netherlands are very active in developing colony system for laying hens. Among others, Germany tries to promote legislation and to be as progressive as possible in this field.

The less modern stock-farming systems fulfill the needs of the animals and the more there is sufficient or surplus production, the more the interested public will deal with the necessary protection of animals kept for farming purposes and urge partially drastic changes to be brought about.

Therefore, the Federal Republic of Germany, together with other countries, endeavours to bring her influence to bear in the Council of Europe in favour of an adoption of further animal welfare recommendations which are as far-reaching as possible and fulfill animal welfare needs, and also to find acceptance of animal welfare requirements within the EEC which are as extensive as possible.

My Government encourages the Commission of the EEC to transform the Council of Europe agreements not having a directly legally binding nature as

soon as possible into Community provisions which are binding to all member countries. This should be done, on the one hand, from the animal welfare point of view and for reasons of equal conditions for competition, on the other.

If we do not fully succeed in finding acceptance for the minimum standards which are considered necessary by us on an EEC-wide level, we will consider the possibility of maintaining an adequate degree of flexibility to be, if necessary, more rigid than EEC minimum standards. This is already done in the case of the minimum standards for laying hens kept in battery cages as well as for calves and pigs.

If the more rigid national requirements result in problems of competition, we are striving to compensate for these disadvantages by making available certain investment aids compatible with Community law.

Topical Problems

We also have to make consumers more aware of the problems involved. It is, for example, important to draw their attention to the fact that they decide what is sold in the marketplace and that they share responsibility for husbandry systems running counter to animal welfare requirements by, for instance, insisting on unnaturally white veal.

Therefore, I consider it of utmost importance to intensify the dialogue between the farming community and consumers. The majority of consumers are only inadequately informed about agricultural production conditions. The bulk of consumers, therefore, respond by spontaneously restraining from buying if terrifying news on, for example, husbandry systems running counter to animal welfare requirements, are spread by the media, but they relatively quickly relapse into their accustomed pattern of consumption.

It is, however, an important phenomenon that an obviously increasing minority with purchasing power is not satisfied with official minimum standards in the field of animal welfare.

In the meantime, there are a number of producer groups in the Netherlands, in Germany, and the United Kingdom meeting certain additional requirements with regard to farm structure, feeding, but in part also with regard to animal welfare, and they attempt to fill certain niches in the market with their specific products offered on the market.

In my opinion the Netherlands have very well come to grips with this development. *One* brand name was agreed for the respective product: Scharrel eggs, Scharrel pigs (free-range pigs), calves kept in groups. In contrast, there are a great number of competing and normally only regionally available brands in the Federal Republic of Germany in this sector. The closer European nations move together, the more it becomes necessary to improve market transparency in this field, as well. The exemplary effect brought to bear on the general farming community by such groups having a locomotive function will therefore be all the more important.

For the time being, in Europe we have great problems with the long distance transport of animals intended for slaughter. In many cases, binding rules for feeding and watering the animals within 24 hours are not fulfilled. Therefore, my Government is lobbying for a general limitation of long distance transports. But I think this item is not covered by our program, and so I do not want to go into the details.

The same comment applies to the proper treatment and stunning of animals in the slaughterhouses. Also in this field, for the time being, EEC legislation is to be amended.

Conclusion

I hope that European endeavours to improve animal welfare will also influence the development in other states, for example, in the United States of America. In order to give an impetus to the discussion, I want to mention that the Council directive laying down minimum standards for the protection of calves and the Council directive on minimum standards for the protection of pigs include an article which reads as follows.

In order to be imported into the Community, animals coming from a non-member country must be accompanied by a certificate issued by the competent authority of that country, certifying that they have received treatment at least equivalent to that granted to animals of Community origin as provided for by this Directive.

I think it will be difficult to cope with this provision, but I hope that this legislation will help to improve animal welfare and mutual understanding and not lead to distortions of good international relations.

Finally, I would like to thank you for giving me this opportunity to outline the European view on farm animal welfare. It should be our common goal to improve the welfare of the animals from which we profit and for which we bear the responsibility of care.

References

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- European Convention of 1976 for the Protection of Animals kept for Farming Purposes.
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- Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 40/425/EEC and 91/496/EEC. *Official Journal of the European Communities* No L 340, p. 17.
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