## Revision of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs (Codified version)

At a meeting in Vught on 14 December 2014 the agricultural ministers of Germany, the Netherlands and Denmark signed a joint declaration on animal welfare. In the declaration the three countries underlined that some of the current provisions of the EU need to be adjusted to the latest scientific findings and called upon the European Commission to propose an updated, comprehensive clear and simple legislative framework that in addition would improve enforcement.

There is an urgent need to update Council Directive 2008/120/EC laying down minimum standards for the protection of pigs (in the following referred to as "the Directive"). This Directive is a codified version of Council Directive 91/630/EEC, which was last amended in 2001. Since 2001 new scientific evidence, practical experience, new production systems and consumer awareness indicate that a number of provisions need to be adjusted to the latest scientific findings, technical innovations and socio-economic trends. In article 7 of the Directive scientific reports and possible future amendments are foreseen on a number of topics, including:

- ✓ Systems of pig production which would be likely to reduce the need to resort to surgical castration,
- ✓ the effect of stocking density, including group size,
- ✓ the impact of stall design and different flooring types on the welfare, including health of pigs,
- ✓ the risk factors associated with tail biting and recommendations to reduce the need for tail docking,
- ✓ further developments of group housing systems for pregnant sows,
- ✓ further developments of loose-housing for sows in the service area,

These topics are still relevant, and a number of scientific opinions on pig welfare[1], which take into account further research in pig welfare, have been published by EFSA.

[1] 1) Welfare aspects of the castration of piglets, 2004
2) Welfare of weaners and rearing pigs: effect of different space allowances and floor types, 2005
3) Animal health and welfare in fattening pigs in relation to housing and husbandry, 2007

A number of other topics such as adverse indoor climate, nutritional deficiencies, number of water suppliers, competition for resources and genetic disposition are also recognised as risk factors for tail biting, but these risk factors and the multifaceted interactions between them seem to be better addressed in guidelines rather than in legislation.

In the light of this the governments of Germany, the Netherlands, Sweden and Denmark urge the European Commission to consider an amendment of the EU-legislation on pigs in the near future. In point 1- 4 below the background and recommendations are given concerning those topics, which most urgently need to be updated.

**1. <u>Reduce the number of tail docked pigs</u>**

According to the report behind EFSA's scientific opinion on the risks associated with tail biting (EFSA Journal 2007, 611, 1-13) the efficacy of tail docking to reduce the frequency of tail biting is very difficult to estimate since it depends on the level of tail biting in control undocked pigs. Indeed, tail docking is all the more efficient in current intensive housing systems for pigs since environmental and possibly also genetic hazards for tail biting are prevalent. Under common intensive farming conditions, tail docking reduces the frequency of tail biting, but does not completely eliminate the problem when unfavourable conditions persist, which in itself is an animal welfare problem.

Despite the fact that tail docking reduces the frequency of tail biting under common intensive farming conditions tail docking is not desirable, because as suggested in the EFSA opinion "tail-docking is likely to be painful, both in the short term and as a result of possible long-term pain from neuroma formation." Furthermore, it does not eliminate the frustration in pigs caused by unfavourable conditions.

Paragraph 8 of Annex 1 in the Council Directive 2008/120/EC forbids routine surgical interventions to be carried out on pigs

*"...Neither tail-docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injury to sows' teats or to other pigs' ears or tails have occurred. Before carrying out these procedures, other measures shall be taken to prevent tail-biting and other vices, taking into account environment and stocking densities. For this reason inadequate environmental conditions or management systems must be changed."*

However the paragraph also states that: 1) there has to be evidence that injury to other pigs tails have occurred and 2) other measures shall be taken to prevent tail-biting before carrying out the procedure of tail docking.

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4) Animal health and welfare aspects of different housing and husbandry systems for adult breeding boars, pregnant, farrowing sows and unweaned piglets, 2007

5) The risk associated with tail biting and possible means to reduce the need for tail docking considering the different housing and husbandry systems, 2007

6) The use of animal-based measures to assess welfare in pigs, 2012

7) A multifactorial approach on the use of animal and non-animal-based measures to assess welfare in pigs, 2014

8) Assessment of documentation provided on the use of rubber slats in the flooring area of pig holdings, 2014

Tail biting is considered as an abnormal behaviour. The need to perform exploration and foraging behaviour is considered to be a major underlying motivation. Tail biting is associated with a variety of pathological changes ranging from spinal abscesses to pyaemia in different parts of the body. Such changes may be associated with reduced growth rate or in more severe cases, total carcass condemnation. Therefore tail biting also has a negative economic impact.

The occurrence of tail biting has a multi-factorial origin but there is some evidence that the absence of straw and a too high stocking density is more important than many other known factors. According to the report behind EFSA's Scientific Opinion on the risks associated with tail biting (EFSA Journal (2007, 611, 1-13) maintaining pigs in systems on floors without straw bedding is a major hazard for tail biting. The report also states that stocking density, associated with lack of enrichment and fully slatted floors, is a significant risk for tail biting.

It follows from the above mentioned that in order to reduce the need for tail docking several actions could be taken. This would at least entail that initiatives should be taken on enrichment material, on space allowance, and on floors. Furthermore the responsibility for keeping tail docked pigs throughout the whole production chain needs to be reviewed. The production chain includes the piglet producer, the keeper of weaner pigs and the keeper of rearing pigs.

***1.1 Revision regarding of the conditions under which tail docking can be carried out***

Tail-docking is performed on the new-born piglet, while tail-biting typically occur in the weaning and rearing farms. But often tail-docking is performed without knowledge and without provable essential need in the weaning and rearing farm. Therefore, and in the light of the aforesaid the present provisions regarding tail-docking need a revision, which includes that the conditions, which apply before tail docking can be carried out, also shall apply for the keeping of tail-docked pigs. Furthermore a provision is needed, which stipulates that the receiver of tail-docked weaner or rearing pigs has to prove:

- That despite of having taken measures with the aim to minimize the risk of tail biting, the risk is still prevalent
- That he/she fulfills the legal requirements for keeping tail-docked pigs

It seems inevitable to tighten up and clarify current provisions in order to enhance the integration and the responsibility of the whole production chain.

This requirement not to keep tail docked piglets, weaner and rearing pigs – unless the need can be proven, as tail biting can occur despite having optimized the space allowance, the access to enrichment material etc. - should apply for all Member States. The Commission is consequently urged to amend the legislation to take this into account.

***1.2 Provision of enrichment material***

Pigs investigate their environment and manipulate objects for many reasons partly depending on their physiological situation: Looking for bedding materials or a place to lie down, curiosity about their living area and searching for food. The latter, usually referred to as foraging is a combination of rooting and biting, confirming food value by smell and taste.

The legislative requirements for all groups of pigs are defined by paragraph 4 of Annex 1 in the Directive:

*"...pigs must have permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities, such as straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such, which does not compromise the health of the animals."*

Pigs that cannot engage in investigation and manipulation activity may become frustrated and redirect their behaviour towards body parts of pen mates e.g. their tails.

The important work carried out by the Commission in preparing draft guidelines on the provision of enrichment material for pigs and a draft guideline on the risks of tail biting in pigs and avoidance of tail docking is highly acknowledged. These guidelines have been produced in order to aid understanding of the legislative requirements for pigs as defined by the Directive.

The presence of an adequate amount of materials for investigation and manipulation is very important e.g. in order to avoid the need for tail-docking but also in order to satisfy the most basic need of animal behaviour. Therefore the first step towards a uniform understanding of the importance of the provision of enrichment materials and avoiding tail docking in the EU is for the Commission to approve the above mentioned draft guidelines. However, the guideline on the risks of tail biting should be updated with the guidance for piglets as mentioned in the EFSA opinion from 2014 concerning a multifactorial approach. Furthermore a toolbox should be added, which merge the practical measures, which can be taken in case of an outbreak of tail biting.

### *1.3 Space allowance*

In the EFSA opinion from 2014 on a multifactorial approach a high stocking density is mentioned as a risk factor for tail biting in weaner and rearing pigs. In the conclusions from the risk assessment in the EFSA opinion from 2007 on the risks associated with tail biting it is stated that stocking density, associated with lack of enrichment and fully slatted floors, is a significant risk for tail biting. It also appears from the conclusions of that opinion that historical studies and field studies as well as industry experience indicate that increased stocking density may lead to a greater risk of tail biting. This experience is also reflected in the conditions set up by for the production under animal welfare label systems, which have a non-tail docking policy. In such label systems there is typically a requirement that weaner and rearing pigs shall be given approx. 30 % more space than what follows from the EU requirements.

The EFSA opinion also concludes that maintaining pigs in systems on floors without straw bedding is a major hazard. As there are constraints on the use of straw bedding in a large number of Member States, it seems appropriate to disregard the use of straw bedding, when at least the space allowance is considered and adjusted.

We therefore urge the Commission to consider higher minimum space requirements than what is laid out in the Directive today, unless pigs can be kept without the need to resort to tail docking to prevent tail biting.

### *1.4 Flooring*

The type of floor surface in accommodation for pigs is of importance both for the comfort of pigs lying on the floor, for the risk of injury to legs and feet, for the possibility to give the pigs access to straw or the like, and also influence the risk of tail biting.

In the scientific report, which form the basis for the EFSA opinion from 2007 on the risks associated with tail biting, it is stated that most surveys have reported that keeping pigs on unbedded, slatted floors increases the prevalence of tail biting (in tail docked pigs), and in its opinion EFSA concludes that maintaining pigs in systems on floors without straw bedding is a major hazard for tail biting, and that in unbedded systems, a higher proportion of slatted flooring is an additional hazard.

This indicates that from an animal welfare point of view, partly slatted floors are in comparison preferable to fully slatted floors. Therefore it should be considered to create incentives in order to spread the use of partly slatted floors.

Husbandry systems for pigs with slatted floors may also be constructed as a partially slatted floor, where a part of the floor is solid or drained. The advantage of such a system is the possibility of using straw either as bedding or as enrichment material. When given the possibility pigs use separate areas for resting and dunging. Pens, in which a part of the floor is solid or drained, typically have slats in the dunging area to take advantage of this behaviour. If straw or the like is given to pigs in such a pen, it is a condition that the openings between the slats allow for a sufficient passage of manure and a manure-straw mixture. Practical experience has shown that the figures for size of openings in the Directive does not allow sufficiently for this passage. This results in clogging up the openings, and thus compromises the hygiene in the pen. It also discourages the farmers from using straw in the pen.

Although other enrichment materials may be of good value, the use of straw is according to the EFSA opinions highly desirable. The figures for size of openings between slats in the Directive should therefore be adjusted.

## 2. <u>Reduce need to resort to surgical castration</u>

In the EFSA opinion from 2004 on welfare aspects of the castration of piglets it is concluded that castration is painful, regardless of the surgical procedure. Physiological and behavioural reactions indicative of pain are numerous during the process and in the first hours following surgery but decrease thereafter. Some behavioural alterations persist for several days, indicating that animals suffer from long-term pain.

This animal welfare problem was recognised, and it resulted in the elaboration of the European declaration on alternatives to surgical castration of pigs. The declaration was opened for signature in 2010, and the aim is to stop surgical castration by 2018. This is an important initiative on the way to reach the goal of stopping surgical castration of piglets. However, there are some obstacles. One is the fact that only stakeholders from a minority of Member States have signed the declaration. Another is that an expert group, which was established by the signatories in order to realise the actions needed to support the aim of the declaration, has

reported that even though we are halfway through the period 2010 – 2018, we are not halfway towards achieving the goal of abandoning castration. Some companies are facing complex market barriers related to institutional, organisational and social/cultural aspects. Furthermore, the results of research to identify mutually recognised methods for the assessment of boar taint are not far enough advanced.

The support given by the Commission to the Declaration is strongly acknowledged. However, the low number of signatories to the Declaration is a serious constraint, and we therefore urge the Commission to continue its activities, which could encourage a more widespread signing of the Declaration by stakeholder organisations.

In the event that castration cannot be eliminated by 2018 entirely because of lack of market acceptance, and as certain production types might need to continue castration, we urge the commission to introduce a legislative requirement for the use of anaesthesia and prolonged analgesia as a condition for surgical castration by 2018.

### 3. Group housing systems for all pregnant sows and gilts, and for sows and gilts in the service area

The Directive implies that pregnant sows and gilts shall be kept in groups during a period starting from four weeks after service to one week before expected time of farrowing. The introduction of this provision was a major step forward for the welfare for pregnant sows and gilts.

However, the EFSA opinion from 2007 on animal health and welfare aspects of different housing and husbandry systems for e.g. pregnant sows state that housing of sows in individual stalls from weaning and until four weeks after service severely restricts their freedom of movement and causes stress. Further it does not allow sows to move and socially interact during a period of the reproductive cycle where they are highly motivated to do so.

Practical experience has now shown that it is possible to manage group housing of sows from weaning and of gilts from introduction into the service area without welfare problems and without compromising litter size. It may be necessary to isolate some sows for a few days during heat if it can be expected that they would injure themselves or others due to their mounting behaviour.

We urge the Commission to consider amending the legislation in order to introduce, with an adequate transitional period, a provision for group housing of sows from the time of weaning and of gilts from introduction into the service area and until one week before expected time of farrowing.

### 4. Loose housing in the farrowing pen

It is concluded in the EFSA opinion from 2007 on animal health and welfare aspects of different housing and husbandry systems for adult breeding boars, pregnant, farrowing sows and

unweaned piglets that housing of sows in farrowing crates severely restricts their freedom of movement, which increases the risk of frustration. Furthermore, it does not allow them, for instance, to select a nest site, to show normal nest building behaviour, or to leave the nest site for eliminative behaviour.

The EFSA opinion also concludes that the level of piglet welfare and mortality on farms is a major problem. It is stated that piglet mortality is a multi-factorial issue. However, mortality due to crushing has been reported higher in loose housing systems. EFSA recommends that the use of loose farrowing systems should be implemented only if piglet mortality in them is no greater than the mean level of mortality where the sow is kept in non-loose farrowing systems. EFSA points at the need for future research into the welfare of sows and piglets in farrowing systems in a number of areas.

There is at present not sufficient knowledge to introduce a provision on loose housing in the farrowing pen in EU-legislation, when both the welfare of sow and piglets has to be taken into account. However, loose housing in the farrowing pen should be aimed at in the future.

To reach this aim there is a need for large scale studies, which collect experience from existing loose housing systems, but also initiate new scientific knowledge both on important factors for the welfare of the farrowing and lactating sow, including the possibility for nest building, and also on casual factors for the welfare of the piglets, especially piglet mortality. This should – as a first step - lead to guidelines on how to keep farrowing and lactating sows in loose housing systems.

The Commission is encouraged to initiate such studies, and then subsequently draw up guidelines.

## Summary of recommendations

Under common intensive farming conditions tail docking is carried out to reduce the risk of tail biting. However, tail docking is not desirable from an animal welfare point of view, because it is likely to be painful, and even though it reduces the frequency of tail biting, it does not completely eliminate the frustration in pigs caused by unfavourable conditions. Thus here is a need to take measures to obviate the problem of tail biting and consequently **reduce the number of tail docked pigs**. To obtain this, the following recommendations are given.

The legislation shall be amended to take the following into account:

- A requirement not to keep tail docked pigs, unless the need of this can be proven, should be introduced in the legislation. This shall apply to all farms, including those keeping weaner and rearing pigs.
- Higher minimum space requirements than what is laid out in the legislation today, unless pigs can be kept without the need to resort to tail docking to prevent tail biting.
- Create incentives in order to spread the use of partly slatted floors.
- The figures for size of openings between slats in the legislation should be adjusted in order to allow the use of straw.

Guidelines shall be adopted on the following topics:

- The provision of enrichment material for pigs – a draft has been prepared, but should be adopted urgently.
- The risks of tail biting – a draft has been prepared, but it should be updated with guidance for piglets and a toolbox, which merge the practical measures, which can be taken in case of an outbreak of tail biting. The guidance should be adopted urgently.

On the **need to resort to surgical castration** in the event that castration cannot be eliminated by 2018 entirely because of lack of market acceptance, and as certain production types might need to continue castration, it is recommended

- to introduce a legislative requirement for the use of anaesthesia and prolonged analgesia as a condition for surgical castration by 2018.

**Group housing systems for all pregnant sows and gilts, and for sows and gilts in the service area** would significantly improve the welfare of these animals. Current legislation allows for keeping sows in stalls from weaning to four weeks after service. This severely restricts their freedom of movement, and their possibility for social interaction during a period, where they are highly motivated for this. Consequently it is recommended

- to introduce after a transition period a provision for group housing of sows from the time of weaning and of gilts from introduction into the service area and until one week before expected time of farrowing.

**Loose housing in the farrowing pen** would increase the welfare of the sow, as housing of sows in farrowing crates severely restricts their freedom of movement, which increases the risk of frustration. On the other hand it is reported that piglet mortality is higher in loose housing systems due to crushing, which is a major problem. This indicates that there is not sufficient knowledge to introduce a provision for loose housing in the farrowing pen in the EU-legislation at present. However, this should be aimed at in the future.

To reach this aim the Commission is encouraged to initiate further studies on this subject, and subsequently draw up guidelines.

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