
STATUTORY INSTRUMENTS

1987 No. 2020

ANIMALS

PREVENTION OF CRUELTY

The Welfare of Battery Hens Regulations 1987

Made - - - - - *23rd November 1987*

Coming into force - - - *1st January 1988*

The Minister of Agriculture, Fisheries and Food and the Secretaries of State for Scotland and Wales, acting jointly in exercise of powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968⁽¹⁾ and now vested in them⁽²⁾, and of all other powers enabling them in that behalf, and after consultation with such persons appearing to them to represent any interests concerned as they have considered appropriate, hereby make the following Regulations, a draft of which has been approved by resolution of each House of Parliament:

Title, extent, commencement and interpretation

1.—(1) These Regulations may be cited as the Welfare of Battery Hens Regulations 1987, shall apply to Great Britain and shall come into force on 1st January 1988.

(2) In these Regulations—

“battery cage” means an enclosed space intended for laying hens in a battery system;

“battery system” means an arrangement of cages in rows or tiers or rows and tiers;

“laying hens” means adult female domestic fowls (*Gallus gallus*) which are kept on agricultural land for egg production.

Requirements as to battery cages

2.—(1) Subject to paragraph (2) below, no person shall keep or knowingly cause or permit to be kept any laying hens in a battery cage unless the following requirements and the further requirements laid down in the Schedule to these Regulations are complied with—

(a) the minimum cage area, measured in a horizontal plane, for each laying hen shall be—

- (i) 1000 cm² where one hen is kept in the cage, (ii) 750 cm² where two hens are kept in the cage, (iii) 550 cm² where three hens are kept in the cage, and (iv) 450 cm² where four or more hens are kept in the cage;

(1) 1968 c. 34

(2) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272

- (b) the minimum cage area for each laying hen shall be capable of being used without restriction and may include the area where the non-waste deflection plate (otherwise known as the egg guard) is placed so long as that area is capable of being so used;
 - (c) a feed trough of a minimum length of 10 cm multiplied by the number of hens in the cage and capable of being used without restriction shall be provided;
 - (d) except where nipple drinkers and drinking cups are provided, the cage shall have a continuous drinking channel which shall be—
 - (i) of the same length as the feed trough mentioned in paragraph (c) above, and (ii) capable of being used without restriction;
 - (e) where drinking points are plumbed in, there shall be a minimum of two nipple drinkers or two drinking cups within reach of the cage;
 - (f) the height of the cage, measured vertically from its floor to the nearest point in its roof, shall be not less than 40 cm over 65% of the minimum cage area and not less than 35 cm at any point over that area;
 - (g) the floor of the cage shall be constructed so as to support adequately each of the forward facing claws of each foot;
 - (h) the slope of the floor shall not exceed 14% or 8 degrees, when made of rectangular wire mesh, and 21.3% or 12 degrees for other types of floor.
- (2) Until 1st January 1995, the requirements laid down in sub-paragraphs (a) to (h) above shall not apply to battery cages which were built and put into use before, and are not reconstructed after, the coming into force of these Regulations.

Offences

3. A person who contravenes or fails to comply with any provisions of these Regulations shall be guilty of an offence under section 2 of the Agriculture (Miscellaneous Provisions) Act 1968.

Disapplication of intensive units regulations

4. The Welfare of Livestock (Intensive Units) Regulations 1978(3) shall cease to apply to laying hens kept in battery cages.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd November 1987.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

22nd November 1987

Sanderson of Bowden
Minister of State, Scottish Office

23rd November 1987

Peter Walker
Secretary of State for Wales

SCHEDULE

Regulation 2

FURTHER REQUIREMENTS CONCERNING LAYING HENS KEPT IN BATTERY CAGES

1. Battery cages shall be designed, constructed and maintained in such a way, and the materials used shall be such, as to prevent any injury or unnecessary suffering to laying hens to the extent possible in the existing state of technology.

2. The design and size of the cage opening shall be such that laying hens can be removed without causing any injury or unnecessary suffering.

3. The cages shall be suitably equipped and maintained to prevent laying hens escaping.

4. All laying hens shall have access to adequate, nutritious and hygienic feed each day and to adequate fresh water at all times, except in the case of therapeutic or prophylactic treatment.

5. Insulation and ventilation of the building in which laying hens are kept shall ensure that air velocity, dust level, temperature, relative air humidity and gas concentrations are kept within limits that are not harmful to the hens.

6. In the case of artificial lighting, the laying hens shall have an appropriate resting period each day during which the light intensity shall be reduced in such a way that the hens can rest properly.

7. The laying hens shall be cared for by a sufficient number of personnel with adequate knowledge and experience of laying hens and of the production system used.

8. The flock or group of laying hens shall be thoroughly inspected at least once a day and for this purpose a source of light shall be available which is strong enough for each bird to be seen clearly and, if need be, thoroughly inspected.

9. More than three tiers of cages shall not be used unless suitable devices or measures make it possible to inspect thoroughly all tiers without difficulty.

10. Where laying hens do not appear to be in good health or show behavioural changes, steps shall be taken to establish the cause and appropriate remedial action (e.g. treatment, isolation, culling or correction of environmental factors) shall be taken. If the cause is traced to an environmental factor in the production unit which does not require to be corrected immediately, remedial action shall be taken as soon as practicable and not later than when the accommodation is emptied and before the next batch of laying hens is put in.

11. All automatic and mechanical equipment essential for the health and welfare of the laying hens shall be thoroughly inspected at least once daily. Where defects are discovered these must be rectified immediately or, if this is impracticable, appropriate steps taken to safeguard the health and welfare of the laying hens until the defect has been rectified. Alternative ways of feeding and of maintaining a satisfactory environment must be available for use in the event of a breakdown.

There shall be an alarm system to warn the stock-keeper of failure of any essential automated ventilation equipment.

12. Every time all the cages housed together are emptied they shall be thoroughly disinfected before the next batch of laying hens is put in. While the cages are occupied, the surfaces and all equipment shall be kept satisfactorily clean.

EXPLANATORY NOTE

(This note is not part of the Relations)

These Regulations implement Council Directive [86/113/EEC](#) (O.J. No. L95, 10.4.86, p.45) which lays down minimum standards for the protection of laying hens kept in battery cages. The main requirements of the Regulations relate to the construction and size of battery cages; feeding and watering of the hens; insulation and ventilation of the buildings in which the hens are kept; daily inspection of the flock and of any automatic and mechanical equipment; taking of remedial action where the hens do not appear to be in good health and rectifying any defects in such equipment; cleansing and disinfection of the cages and the taking care of the hens by competent personnel (regulation 2 and the Schedule). Where four or more hens are kept in a cage, the minimum area for each hen must be 450 cm². The height of the cage over 65% of the minimum cage area must not be less than 40 cm and not less than 35 cm at any point over that area.

Those requirements of the Regulations which are set out in the Schedule apply to all battery cages as from 1st January 1988. However the application of the requirements set out in sub-paragraphs (a) to (h) of regulation 2 is postponed until 1st January 1995 in respect of cages which were built and put into use before 1st January 1988 and are not reconstructed after that date (regulation 2(2)).

By virtue of regulation 4, the Welfare of Livestock (Intensive Units) Regulations 1978 cease to apply to laying hens kept in battery cages.