

Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production (Text with EEA relevance)

*Article 1*

**Subject matter and scope**

1 This Directive shall apply to chickens kept for meat production.

However, it shall not apply to:

- a holdings with fewer than 500 chickens;
- b holdings with only breeding stocks of chickens;
- c hatcheries;
- d extensive indoor and free range chickens, as referred to in points (b), (c), (d), (e) of Annex IV to Commission Regulation (EEC) No 1538/91 of 5 June 1991 introducing detailed rules for implementing Regulation (EEC) No 1906/90 on certain marketing standards for poultry<sup>(1)</sup>; and
- e organically reared chickens in accordance with Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs<sup>(2)</sup>.

2 The Directive shall apply to rearing stock on holdings which have both breeding stock and rearing stock.

Member States shall remain free to take more stringent measures in the area covered by this Directive.

Primary responsibility for animal welfare rests with the owner or keeper of the animals.

*Article 2*

**Definitions**

1 For the purpose of this Directive, the following definitions shall apply:

- a ‘owner’ means any natural or legal person or persons owning the holding where chickens are kept;
- b ‘keeper’ means any natural or legal person responsible for or in charge of chickens in terms of contract or by law whether on a permanent or temporary basis;
- [<sup>F1</sup>c ‘competent authorities’ means competent authorities as defined in Article 3(3) of Regulation [<sup>X1</sup>(EU) 2017/625] of the European Parliament and of the Council<sup>(3)</sup>;
- d ‘official veterinarian’ means an official veterinarian as defined in Article 3(32) of Regulation [<sup>X1</sup>(EU) 2017/625];]
- e ‘chicken’ means an animal of the species *Gallus gallus* kept for meat production;
- f ‘holding’ means a production site on which chickens are kept;
- g ‘house’ means a building on a holding where a flock of chickens are kept;
- h ‘useable area’ means a littered area accessible to the chickens at any time;
- i ‘stocking density’ means the total live weight of chickens which are present in a house at the same time per square metre of useable area;

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- j 'flock' means a group of chickens which are placed in a house of a holding and are present in this house at the same time;
  - k 'daily mortality rate' means the number of chickens which have died in a house on the same day including those that have been culled either for disease or because of other reasons divided by the number of chickens present in the house on that day, multiplied by 100;
  - l 'cumulative daily mortality rate' means the sum of daily mortality rates.
- 2 The definition of 'useable area' in paragraph 1 point (h) with regard to non-littered areas may be completed in accordance with the procedure referred to in Article 11 following the results of a scientific opinion of the European Food Safety Authority on the impact of non-littered areas on the welfare of chickens.

#### Editorial Information

- X1** Substituted by [Corrigendum to Regulation \(EU\) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations \(EC\) No 999/2001, \(EC\) No 396/2005, \(EC\) No 1069/2009, \(EC\) No 1107/2009, \(EU\) No 1151/2012, \(EU\) No 652/2014, \(EU\) 2016/429 and \(EU\) 2016/2031 of the European Parliament and of the Council, Council Regulations \(EC\) No 1/2005 and \(EC\) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations \(EC\) No 854/2004 and \(EC\) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC \(Official Controls Regulation\) \(Official Journal of the European Union L 95 of 7 April 2017\).](#)

#### Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations \(EC\) No 999/2001, \(EC\) No 396/2005, \(EC\) No 1069/2009, \(EC\) No 1107/2009, \(EU\) No 1151/2012, \(EU\) No 652/2014, \(EU\) 2016/429 and \(EU\) 2016/2031 of the European Parliament and of the Council, Council Regulations \(EC\) No 1/2005 and \(EC\) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations \(EC\) No 854/2004 and \(EC\) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC \(Official Controls Regulation\) \(Text with EEA relevance\).](#)

### Article 3

#### Requirements for the keeping of chickens

- 1 The Member States shall ensure that:
- a all houses comply with the requirements set out in Annex I;
  - b the required inspections and the monitoring and follow-up, including those provided for in Annex III, are carried out by the competent authority or the official veterinarian.
- 2 Member States shall ensure that the maximum stocking density in a holding or a house of a holding does not at any time exceed 33 kg/m<sup>2</sup>.

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3 By way of derogation from paragraph 2, Member States may provide that chickens be kept at a higher stocking density provided that the owner or keeper complies with the requirements set out in Annex II, in addition to the requirements set out in Annex I.

4 Member States shall ensure that, when a derogation is granted under paragraph 3, the maximum stocking density in a holding or a house of a holding does not at any time exceed 39 kg/m<sup>2</sup>.

5 When the criteria set out in Annex V are fulfilled, Member States may allow that the maximum stocking density referred to in paragraph 4 be increased by a maximum of 3 kg/m<sup>2</sup>.

#### *Article 4*

##### **Training and guidance for persons dealing with chickens**

1 Member States shall ensure that keepers who are natural persons have received sufficient training in their tasks and that appropriate training courses are available.

2 The training courses referred to in paragraph 1 shall focus on welfare aspects and cover in particular the matters listed in Annex IV.

3 Member States shall ensure that a system is established for the control and approval of training courses. The keeper of the chickens shall hold a certificate which is recognised by the competent authority of the Member State concerned, attesting to the completion of such a training course or to having acquired experience equivalent to such training.

4 Member States may recognise experience acquired before 30 June 2010 as being equivalent to participation in such training courses and shall issue certificates attesting to such equivalence.

5 Member States may provide that the requirements set out in paragraphs 1 to 4 shall also apply to owners.

6 The owner or keeper shall provide instructions and guidance on the relevant animal welfare requirements, including those concerning the methods of culling practised in holdings, to persons employed or engaged by them to attend to chickens or to catch and load them.

#### *Article 5*

##### **Labelling of poultrymeat**

Not later than 31 December 2009, the Commission shall submit to the European Parliament and to the Council a report on the possible introduction of a specific harmonised mandatory labelling scheme for chicken meat, meat products and preparations based on compliance with animal welfare standards.

That report shall consider possible socioeconomic implications, effects on the Community's economic partners and compliance of such a labelling scheme with World Trade Organisation rules.

The report shall be accompanied by appropriate legislative proposals taking into account such considerations and the experience gained by the Member States in applying voluntary labelling schemes.

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## *Article 6*

### **Report by the Commission to the European Parliament and to the Council**

1 Based on a scientific opinion of the European Food Safety Authority, the Commission shall no later than 31 December 2010 submit to the European Parliament and to the Council a report concerning the influence of genetic parameters on identified deficiencies resulting in poor welfare of chickens. That report may be accompanied by appropriate legislative proposals, if necessary.

2 Member States shall submit to the Commission the results of the data collection based on monitoring of a representative sample of flocks slaughtered during a minimum period of one year. In order to enable a relevant analysis, the sampling and the data requirements as referred to in Annex III should be scientifically based, objective and comparable, and laid down in accordance with the procedure referred to in Article 11.

Member States may need a Community financial contribution for the collection of data for the purpose of this Directive.

3 On the basis of available data and taking into account new scientific evidence, the Commission shall, not later than 30 June 2012, submit to the European Parliament and to the Council a report concerning the application of this Directive and its influence on the welfare of chickens, as well as the development of welfare indicators. The report shall take into account the different production conditions and methods. It shall also take into account the socioeconomic and administrative implications of this Directive including regional aspects.

## *Article 7*

### **Inspections**

<sup>F2</sup>1 .....

[<sup>F1</sup>2 Member States shall submit to the Commission by 31 August each year an annual report for the previous year on the inspections carried out by the competent authority to check compliance with the requirements of this Directive. The report shall be accompanied by an analysis of the most serious findings of non-compliance and a national action plan to prevent or decrease their occurrence for the forthcoming years. The Commission shall submit summaries of those reports to the Member States.]

#### **Textual Amendments**

- F1** Substituted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

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**F2** Deleted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

### *Article 8*

#### **Guides to good management practice**

Member States shall encourage the development of guides to good management practice which shall include guidance on compliance with this Directive. The dissemination and use of such guides shall be encouraged.

### *Article 9*

#### **Penalties**

The Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission by 30 June 2010 at the latest and shall notify it without delay of any subsequent amendment affecting them.

### *Article 10*

#### **Implementing powers**

Measures necessary to ensure the uniform implementation of this Directive may be adopted in accordance with the procedure referred to in Article 11.

### *Article 11*

#### **Committee procedure**

1 The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(4)</sup> (the Committee).

2 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

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The period referred to in Article 5(6) of Decision 1999/468/EC shall be set at three months.

*Article 12*

**Transposition**

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2010 at the latest.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

*Article 13*

**Entry into force**

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

*Article 14*

This Directive is addressed to the Member States.

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- (1) OJ L 143, 7.6.1991, p. 11. Regulation as last amended by Regulation (EC) No 2029/2006 (OJ L 414, 30.12.2006, p. 29).
- (2) OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 394/2007 (OJ L 98, 13.4.2007, p. 3).
- (3) [<sup>F1</sup>Regulation [<sup>X1</sup>(EU) 2017/625] of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ([<sup>X1</sup>HL L 95., 2017.4.7., 1. o.].)]
- (4) OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).

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