

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)

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee⁽²⁾,

Having consulted the Committee of the Regions,

Whereas:

- (1) The Protocol on protection and welfare of animals annexed to the Treaty establishing the European Community requires that in formulating and implementing agriculture policies, the Community and the Member States are to pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.
- (2) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes⁽³⁾, drawn up on the basis of the European Convention for the Protection of Animals kept for Farming Purposes⁽⁴⁾ (hereinafter referred to as the Convention) lays down minimum standards for the protection of animals bred or kept for farming purposes including provisions on housing, food, water and care appropriate to the physiological and ethological needs of the animals.
- (3) The Community is a party to the Convention and a specific Recommendation concerning domestic fowl (*Gallus gallus*) which includes additional provisions for poultry kept for meat production has been adopted within the framework of the convention.
- (4) The report of the Scientific Committee on Animal Health and Animal Welfare of 21 March 2000 on the Welfare of Chickens Kept for Meat Production (Broilers) concluded that the fast growth rate of chicken strains currently used for this purpose is not accompanied by a satisfactory level of animal welfare and health, and that the negative

effects of high stocking rates are reduced in buildings where good indoor climatic conditions can be sustained.

- (5) Specific provision for non-littered areas, to minimise the influence of genetic parameters or to include welfare indicators in addition to foot-pad dermatitis, will be made when the relevant opinions of the European Food Safety Authority (EFSA) are available.
- (6) It is necessary to establish rules at Community level for the protection of chickens kept for meat production in order to avoid distortions of competition that may interfere with the smooth running of the common market organisation in that sector and also to ensure the rational development of the sector.
- (7) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of introducing animal welfare improvements in the intensive farming of chickens to lay down minimum rules for the protection of chickens for meat production. This Directive does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with the third paragraph of Article 5 of the Treaty.
- (8) The rules should focus on the welfare problems in intensive farming systems. In order to avoid disproportionate measures applicable to the keeping of small flocks of chickens, a minimum threshold for the application of this Directive should be set.
- (9) It is important that persons attending to chickens have an understanding of the relevant animal welfare requirements and receive appropriate training to perform their tasks or have acquired experience equivalent to such training.
- (10) In establishing rules for the protection of chickens kept for meat production, a balance should be kept between the various aspects to be taken into account, as regards animal welfare, health, economic and social considerations and the environmental impact.
- (11) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽⁵⁾ and Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules⁽⁶⁾ already establish a framework for official controls including compliance with some animal welfare rules. In addition, Regulation (EC) No 882/2004 provides that Member States are to submit annual reports on the implementation of the multi-annual national control plans, including results of controls and audits carried out. For this purpose, financial support is foreseen both in these regulations and in Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽⁷⁾.
- (12) Various voluntary schemes already exist in different Member States for the labelling of chicken meat based on compliance with animal welfare standards and other parameters.
- (13) In light of the experience gained in applying such voluntary labelling schemes, it is appropriate for the Commission to submit a report on the possible introduction of a specific harmonised mandatory labelling scheme at Community level for chicken meat,

meat products and preparations based on compliance with animal welfare standards, including the possible socioeconomic implications, the effects on the Community's economic partners and compliance of such a labelling scheme with World Trade Organization rules.

- (14) It is appropriate for the Commission to submit a report based on new scientific evidence taking into account further research and practical experience in order to improve further the welfare of chickens kept for meat production including the parent stock of such chickens, in particular as regards aspects not covered by this Directive. That report should specifically consider the possibility to introduce thresholds for indications of poor welfare conditions identified during the post-mortem inspections and the influence of genetic parameters on identified deficiencies resulting in poor welfare of chickens kept for meat production.
- (15) Member States should lay down rules on penalties applicable to infringements of the provisions of this Directive and ensure that they are implemented. Those penalties must be effective, proportionate and dissuasive.
- (16) The Council, in accordance with paragraph 34 of the Interinstitutional Agreement on better law-making⁽⁸⁾, should encourage the Member States to draw up, for themselves and in the interest of the Community their own tables, which will, as far as possible, illustrate the correlation between the Directive and the transposition measures and to make them public.
- (17) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁹⁾,

HAS ADOPTED THIS DIRECTIVE:

- (1) Opinion delivered on 14 February 2006 (not yet published in the Official Journal).
- (2) Opinion delivered on 26 October 2005 (not yet published in the Official Journal).
- (3) [OJ L 221, 8.8.1998, p. 23](#). Directive as amended by Regulation (EC) No 806/2003 ([OJ L 122, 16.5.2003, p. 1](#)).
- (4) [OJ L 323, 17.11.1978, p. 14](#). Convention as amended by a Protocol of amendment ([OJ L 395, 31.12.1992, p. 22](#)).
- (5) [OJ L 139, 30.4.2004, p. 206](#). Corrected by [OJ L 226, 25.6.2004, p. 83](#). Regulation as last amended by Council Regulation (EC) No 1791/2006 ([OJ L 363, 20.12.2006, p. 1](#)).
- (6) [OJ L 165, 30.4.2004, p. 1](#). Corrected by [OJ L 191, 28.5.2004, p. 1](#). Regulation as last amended by Council Regulation (EC) No 1791/2006.
- (7) [OJ L 224, 18.8.1990, p. 19](#). Decision as last amended by Regulation (EC) No 1791/2006.
- (8) [OJ C 321, 31.12.2003, p. 1](#). Corrected by [OJ C 4, 8.1.2004, p. 7](#).
- (9) [OJ L 184, 17.7.1999, p. 23](#). Decision as amended by Decision 2006/512/EC ([OJ L 200, 22.7.2006, p. 11](#)).