
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Mutilations (Permitted Procedures) (England) Regulations 2007 (S.I. 2007/1100) (“the 2007 Regulations”) to remove the ban on the beak trimming of poultry that are intended to become laying hens. The Regulations make further provision about the procedures which may be carried out in the case of conventionally reared meat chickens and laying hens (including chicks that are intended to become laying hens). The 2007 Regulations specify the permitted procedures to which the offences in section 5(1) and (2) of the Animal Welfare Act 2006 (c. 45) do not apply if such procedures are carried out in accordance with the relevant requirements.

Regulation 2(2) inserts a definition of “conventionally reared meat chicken”. Paragraph A1 (All procedures in the section on birds in Schedule 1) of Schedule 4 (Birds: Requirements When Carrying Out Certain Permitted Procedures) is amended to limit the procedures which may be carried out on conventionally reared meat chickens (regulation 2(3)(a)). The changes implement paragraph 12 of Annex I to the Council Directive 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production (OJ No L182, 12.7.2007, p 19).

Regulation 2(3)(b) substitutes a new paragraph 5 in Schedule 4 to the 2007 Regulations. Sub-paragraphs (4) and (5) of the replacement paragraph 5 introduce changes to the procedure for beak trimming of laying hens and chicks that are intended to become laying hens on establishments with 350 or more laying hens. The changes implement the derogation in paragraph 8 of the Annex to Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens (OJ No L 203, 3.8.1999, p 53).

The effect of sub-paragraph (4) of the relevant paragraph 5 is that a trained person may only use infra-red technology to remove up to one-third of lower and/or upper beaks of birds under 10 days of age in order to prevent feather pecking or cannibalism. Sub-paragraph (5) disapplies the requirement to use infra-red technology and only to perform the procedure on birds under the age of 10 days where beak trimming is carried out in an emergency to control an outbreak of feather pecking or cannibalism. But in such a case the requirements in sub-paragraphs (1), (2) and (3) will still apply.

The effect of sub-paragraph (6) of the relevant paragraph 5 is that the beak trimming of conventionally reared meat chickens is allowed where the birds are aged under 10 days in order to prevent feather pecking or cannibalism. Such a procedure must be carried out by a suitably trained person following consultation and advice from a veterinarian.

An impact assessment has been placed in the library of each House of Parliament; copies can be obtained from the Animal Welfare Team, Department for Environment, Food and Rural Affairs, 9 Millbank, c/o Nobel House, 17 Smith Square, London SW1P 3JR.

Changes to legislation:

There are currently no known outstanding effects for the The Mutilations (Permitted Procedures) (England) (Amendment) Regulations 2010.