

Consultation on the Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens

August 2017

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Part 1 - Introduction

Purpose of this consultation

1. The purpose of this consultation is to seek views on a new statutory Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens, for England.
2. The purpose of the existing statutory code is to provide owners and keepers of meat chickens and meat breeding chickens with guidance on how to comply with relevant welfare legislation. The new statutory code aims to provide up-to-date guidance on the current legislation, maintain animal welfare standards, reflect the latest scientific and veterinary knowledge and be presented in a clear and relevant way for farmers.
3. The purpose of the consultation is to invite comments on whether and how well the draft statutory code published with this consultation document achieves these aims.

Scope

4. This consultation relates solely to a new statutory Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens, for England. The Northern Irish, Scottish and Welsh Governments issue their own farm animal welfare codes.

Audience

5. Anyone may respond to the consultation. However, Defra would particularly like to hear from anyone involved in the keeping of meat chickens and meat breeding chickens. Others who may have an interest include:

Trade bodies and meat chicken companies

Animal welfare organisations

Local authorities

The veterinary profession

Academic institutions

Farm assurance schemes

Retailers

Responding to the consultation

6. This consultation started on 11 August 2017 and closes on 6 October 2017. During the consultation, if you have any enquiries or wish to receive hard copies of the documents, please contact: animalwelfare.consultations@defra.gsi.gov.uk.

7. We would prefer you to respond online using <https://consult.defra.gov.uk>. Our preferred method of receiving responses is online because it is the fastest and most cost effective way for us to collate and analyse responses. However, responses can also be sent by email or post to:

The Animal Welfare Team

Defra

Area 5B

Nobel House

17 Smith Square

London SW1P 3JR

Or email: animalwelfare.consultations@defra.gsi.gov.uk

Responses must be received by 6 October 2017.

After the consultation

8. When this consultation ends, we will summarise the responses and place this summary on our website at: <https://www.gov.uk/defra>. This summary will include a list of organisations that responded but not personal names, addresses or other contact details.

9. Copies of responses will be made available to the public on request. If you do not want your response (including your name, contact details and any other personal information) to be publicly available, please say so clearly in writing when you send your response to the consultation. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under Freedom of Information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential. Please note, if your computer automatically includes a confidentiality disclaimer, this will not count as a confidentiality request.

10. This consultation is in line with the Government's consultation principles which can be found at: <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>.

Part 2 – Consultation

Issue being addressed

11. Standards of farm animal welfare are contained in existing primary and secondary legislation. Guidance to owners and keepers on how to comply with those statutory requirements is provided through a series of species-specific statutory codes (“the codes”). These codes also implement species-specific Council of Europe recommendations. Under the Welfare of Farmed Animals (England) Regulations 2007, those responsible for farmed animals must not attend to the animals without being acquainted with the relevant code and without having access to the code.

12. The 10 existing farm animal welfare codes in England were all made under the Agriculture (Miscellaneous Provisions) Act 1968. This new code will be made under the more recent relevant legislation (the Animal Welfare Act 2006) and will therefore be called a code of practice rather than a code of recommendations, as under the 1968 Act, although in practical terms this will make no difference to its effect.

13. The existing statutory code for meat chickens and breeding chickens has not been updated since it was published in 2002. It does not reflect the additional rules relating to the welfare of conventionally reared meat chickens which came into force in 2010. Guidance on these requirements was published in 2011 in a separate document “Interim guidance for keepers of conventionally reared meat chickens in relation to the Welfare of Farmed Animals (England) Regulations 2007 as amended by the Welfare of Farmed Animals (England) (Amendment) Regulations 2010”.

14. The Government considers that preparing a new code under the more recent legislation is the most effective way of ensuring that owners and keepers have up-to-date guidance on how to comply with meat chicken welfare legislation.

Proposal

15. The proposal is to revoke the existing statutory Code of Recommendations for the Welfare of Livestock: Meat Chickens and Breeding Chickens (2002) and to replace both it and the interim guidance described in paragraph 13 with a new statutory code (provided in draft as part of this consultation).

16. The objectives are to maintain animal welfare standards; reflect the latest scientific and veterinary knowledge; ensure owners and keepers have access to clear, up-to-date guidance on how to comply with the current legislation; and to help all those who care for meat chickens and meat breeding chickens to practise good standards of stockmanship to safeguard chicken welfare.

Q1. Do you agree that the new statutory code (provided in draft as part of this consultation) provides clear guidance to owners and keepers on how to comply with the relevant farm animal welfare legislation? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Q2. Do you agree that the new statutory code (provided in draft as part of this consultation) maintains animal welfare standards as set out in the existing statutory code and the interim guidance? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Q3. Do you agree that the new statutory code (provided in draft as part of this consultation) reflects the latest scientific and veterinary knowledge? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Impact of proposal

Livestock industry

17. The new statutory code should provide benefits to industry in terms of clarifying current expected practices. Whilst the underlying legislation is not changing, updating the guidance in the new statutory code will have the wider benefit of supporting better compliance. This may be associated with improved welfare on the ground and may also reduce industry's ongoing costs in complying.

Q4. In what ways do you think the new statutory code will reduce industry's ongoing costs in complying with legislation? Can you quantify this?

18. The new statutory code will be easier and quicker to use as a manual for the industry. New owners and keepers entering the industry will have a single document with which they are required to familiarise themselves, rather than the existing code and the interim guidance, as at present.

Q5. Do you agree that the requirement to be acquainted with a single document rather than two will assist new owners and keepers, saving them time? Can you quantify this saving?

19. The only cost associated with the proposal is the requirement for owners and keepers of meat chickens and meat breeding chickens in England to be acquainted with the content of the new code. When the new statutory code is published, each owner/keeper will need to familiarise themselves with its content. We estimate this will take them each three hours. The British Poultry Council (the industry body for meat chicken producers) agrees with this estimate. This will be a one-off cost to business. We do not consider that there are any ongoing increased costs, as the new code should largely reflect current industry practice.

Q6. Do you agree with the estimate of three hours for owners and keepers of meat chickens and meat breeding chickens to become acquainted with the content of the new statutory code? If not, provide details of your reasoning.

Q7. What do you think is the most effective way for Government to make owners and keepers of meat chickens and meat breeding chickens aware of the new statutory code?

Animal welfare

20. The Government is committed to high standards of animal welfare. The objective is to ensure owners and keepers have access to up-to-date guidance on how to comply with the current legislation, thereby helping all those who care for meat chickens and meat breeding chickens to practise good standards of stockmanship to safeguard chicken welfare. Providing updated guidance is expected to result in increased welfare for meat chickens and meat breeding chickens and providing clear statutory guidance will enable compliance to be more easily enforced. The clear intention is not to weaken welfare standards contained in the existing code and interim guidance. Minimum animal welfare standards will continue to be laid down in legislation.

21. Following the public consultation, there will be full consideration of the comments received, including by the independent farm animal welfare advisory body, the Farm Animal Welfare Committee (FAWC). FAWC will be asked to confirm that the new statutory code explains how owners and keepers can comply with the legislation through good practice; that it reflects the most recent scientific and veterinary knowledge; and that it does not reduce the level of welfare coverage contained in the existing statutory code and interim guidance.

22. Following this quality assurance, the replacement Code of Practice will be laid before Parliament for a period of time before it can come into force.

Enforcement

23. The Animal and Plant Health Agency (APHA) is the enforcement body for farm animal welfare in Great Britain. Where unnecessary suffering or non-compliance with the provisions of relevant welfare legislation occurs, prosecutions can be initiated by APHA and undertaken by Local Authorities.

24. In cases of alleged contravention of animal welfare legislation and as part of routine on-farm welfare inspections, APHA will make an assessment as to whether the provisions of the law and the relevant animal welfare code are being met and whether unnecessary suffering of animals is taking place. Non-compliance with a provision of the code is not in itself an offence but, in cases that go to court for prosecution, meeting the requirements of the code, or not, can be used to help establish a person's liability.

25. In terms of enforcement, the new statutory code will be used in exactly the same way as the existing code. It is expected that the new code will aid enforcement since it will

be easier and quicker to use as a manual for APHA staff, reflecting current legislative requirements and current practices, compared to the existing code which is significantly out of date.

Consultation questions

Q1. Do you agree that the new statutory code (provided in draft as part of this consultation) provides clear guidance to owners and keepers on how to comply with the relevant farm animal welfare legislation? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Q2. Do you agree that the new statutory code (provided in draft as part of this consultation) maintains animal welfare standards as set out in the existing statutory code and the interim guidance? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Q3. Do you agree that the new statutory code (provided in draft as part of this consultation) reflects the latest scientific and veterinary knowledge? If you wish to comment on specific sections of the code, please provide the relevant paragraph number and cite references to any relevant evidence.

Q4. In what ways do you think the new statutory code will reduce industry's ongoing costs in complying with legislation? Can you quantify this?

Q5. Do you agree that the requirement to be acquainted with a single document rather than two will assist new owners and keepers, saving them time? Can you quantify this saving?

Q6. Do you agree with the estimate of three hours for owners and keepers of meat chickens and meat breeding chickens to become acquainted with the content of the new statutory code? If not, provide details of your reasoning.

Q7. What do you think is the most effective way for Government to make owners and keepers of meat chickens and meat breeding chickens aware of the new statutory code?



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animalwelfare.consultations@defra.gsi.gov.uk