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European Commission Green Paper
On Agricultural Product Quality

Response by Compassion in World Farming

Compassion in World Farming's answers to the Questions in the Green Paper are set out below. However, we would like to begin by summarising the essence of our position:

Compassion in World Farming's position

EU livestock farmers cannot compete with third country producers on cost as the latter benefit from cheaper land, labour and feed. EU farmers can only compete on quality – and high standards of animal welfare are seen by many EU consumers as an integral part of quality.

EU farmers and policy makers often assert that the EU has high standards of animal welfare. In many cases, however, this is not borne out by the reality on EU farms. Despite some significant improvements, major reforms in EU farming are urgently needed. The majority of pigs, calves, chickens, turkeys and rabbits continue to be farmed industrially. They are kept indoors throughout their lives, crammed into overcrowded, often barren, sheds. Much remains to be done before EU farming can claim to have good welfare standards.

The objective of labelling must be to give consumers accurate information about animal-derived food. Labelling must not be used to mislead consumers into believing that products derived from industrial farming have good welfare standards. For this reason we are firmly opposed to an EU label as consumers would assume that such a label signifies good welfare whereas in many cases EU legislation still fails to protect animals from many major welfare problems.

Question 1

How could the requirements and standards met by farmers that go beyond product hygiene and safety be made better known?

This Question assumes that the animal welfare standards required of EU farmers are reasonably high. We do not believe that this is the case in a number of livestock sectors.

We welcome the fact that veal crates, conventional battery cages and sow stalls are prohibited in the EU, the latter two from 2012 and 2013 respectively. Despite this a number of serious problems remain. For example:

- Council Directive 91/629/EEC (as amended) permits calves to be kept in barren, crowded indoor units without any straw.
- Reports by EFSA and the Food and Veterinary Office show widespread non-compliance with certain requirements of Council Directive 91/630/EEC (as amended) on pigs.
- Council Directive 2007/43 permits meat chickens to be farmed industrially to very low welfare standards.
- There is no species specific Community legislation on the welfare of cattle, sheep, turkeys and rabbits. It is true that all species are covered by the General Farm Animals Directive (98/58/EC) but its provisions are so broad as to be largely unenforceable and of limited practical value.

In conclusion, although significant improvements have been achieved, much remains to be done before EU farming can claim to have good welfare standards.

What would be the advantages and disadvantages of developing new EU schemes with symbols or logos indicating compliance with EU farming requirements?

We are ***strongly opposed*** to any scheme that labels (whether by symbols, logos or words) meat as being produced to 'EU animal welfare standards'. This term is likely to be interpreted by consumers as meaning that the welfare standards are good. This will mislead consumers as, as indicated above, EU legislation still fails to protect farm animals from many major welfare problems. Accordingly, products that merely conform to minimum legal standards should not carry a label that implies good welfare

This is of particular concern if symbolic labels (e.g. stars or bronze/silver/gold medals) are used. Even awarding one star or a bronze medal implies that the product is acceptable from the welfare viewpoint. That implication would mislead the consumer when applied to products raised only to minimum legal standards. 'Bronze' or 'one star' must not be used to confer undeserved merit on food produced using intensive production methods that offer poor standards of welfare.

To give just one example, EU legislation allows meat chickens to be kept at high stocking densities that have been shown by scientific research to be detrimental to welfare and allows the use of fast growing chickens that are vulnerable to leg and cardiovascular disorders. If such chickens are labelled as 'produced to EU standards', consumers will be misled into thinking that chickens produced to low welfare standards are acceptable, or even good, from the welfare viewpoint.

Question 2

Mandatory labelling of egg packs as to farming method

In the field of meat, dairy products and eggs, the EU has only one compulsory scheme that requires labelling as to farming method: egg packs must be labelled "eggs from caged hens", "barn eggs", "free range eggs" or "organic".

This scheme has been extremely helpful to consumers and to the producers of non-cage eggs. A number of Member States have witnessed a substantial move away from cage eggs to barn and free range eggs. We believe that this move has been greatly aided by the legislation that requires egg packs to be labelled as to farming method.

The crucial aspect is that packs containing battery eggs have to be labelled as such. Until 2004 the labelling of eggs and egg packs was voluntary. This voluntary scheme proved to be ineffective in providing information to consumers primarily because there was no requirement for battery eggs to be labelled as such. The scheme's defects were recognised by Council Regulation 5/2001 which introduced mandatory labelling¹, stating that "*compulsory labelling is the only way of ensuring that the consumer is able to make an informed choice between the various classes of egg on the basis of the farming method.*"

Supported by this welfare labelling, the consumption of eggs from non-cage systems has risen to 275% of its 1997 level. The success of the labelling scheme has been largely due to the fact that it has been compulsory for all methods of production, including the lower welfare systems, to identify themselves to the consumer.

We are concerned to hear some Commission officials assert that the scheme requiring the labelling of egg packs has not been a success and should perhaps be abandoned. In our view it has been instrumental in helping the move away from cage eggs in a number of Member States.

Need for meat to be labelled as to farming method

Eurobarometer studies in 2005 and 2007 establish that consumers are often unable to differentiate between high and low welfare meat, dairy products and eggs. The 2005 survey found that 51% of EU citizens can very rarely or never identify from the label if the meat, milk or eggs that they are buying come from a production system that is animal welfare friendly.² Similarly, in the 2007 study 55% of consumers report that current labels do not enable them to identify welfare-friendly products.³

In light of these findings, we believe that the time has come to introduce a mandatory labelling scheme requiring meat - including that produced intensively, often to low welfare standards - to be labelled as to farming method. If consumers are to be enabled to make informed choices, effective communication of the level of welfare must be compulsory otherwise low welfare food will not be recognised as such.

At present chicken meat is subject to what the Green Paper refers to as 'optional reserved terms'. This means that if a retailer wishes to use certain marketing terms (such as free range) the chicken must have been reared to precisely defined welfare standards. There is, however, no requirement for intensively reared chicken to be labelled as such. We believe that this scheme should now be strengthened to require all chicken meat to be labelled as to farming method.

Labelling enables higher welfare producers to highlight the benefits of their products compared to those of their competitors. This can help in persuading consumers to

¹ Commission Regulation (EC) No 557/2007 laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs..

² Attitudes of consumers towards the welfare of farmed animals. Eurobarometer. June 2005.

³ Attitudes of EU citizens towards animal welfare. Eurobarometer. March 2007

pay a higher price and enable producers to recoup the extra cost of producing welfare-friendly products.

Question 3:

To what extent is it necessary to lay down definitions of ‘optional reserved terms’ in marketing standards at EU level?

As indicated above, we believe that meat, eggs and dairy products should be subject to compulsory labelling as to farming method. However, where there is no such scheme, EU legislation should lay down definitions of optional reserved terms in order to prevent consumers from being misled. This is already done for chicken meat but not for pig meat. As a result, terms such as “free range” or “outdoor bred” can be used for pork in circumstances that may mislead consumers.

Question 4:

Compassion in World Farming is opposed to the drafting, implementation and control of marketing standards being left to self-regulation, co-regulation or voluntary schemes.

Experience shows that producers and retailers are often unwilling to give consumers clear information about the welfare status of the animals that have produced meat or dairy products that are on sale. For example, battery eggs are only identified as such because retailers are required to do so by law. Similarly, producers and retailers often seek to disguise intensively produced, low welfare products by including outdoor rural scenes on the packaging in order to suggest – incorrectly – to consumers that the animals were reared outdoors.

We fear that many producers and retailers will not give accurate information to consumers unless they are required to do so by law. Accordingly, it is important that EU legislation should:

- Require animal-derived food to be labelled as to farming method
- Specify the standards that must be achieved if terms that imply high welfare standards are used.

Question 14:

Are there any pressing issues for which existing schemes and arrangements are inadequate and for which there is a strong case for an EU level scheme?

Should the Commission consider mandatory schemes in certain cases, for example, those with a complex legal and scientific background or those needed to secure high consumer acceptance?

As indicated earlier, we believe that an EU level mandatory scheme should be introduced requiring meat and dairy products to be labelled as to farming method. This scheme should be modelled on the existing successful mandatory scheme regarding the labelling of egg packs. We are pleased that the Green Paper cites animal welfare as an example of a legally and scientifically complex area that might benefit from a mandatory scheme.

The Green Paper refers to the Welfare Quality project. We have a number of serious concerns about this project’s emphasis on welfare outcomes and its tendency to downgrade the role of resources and management in determining welfare. Good

inputs, for example regarding space allowance and environmental enrichment, are essential for creating acceptable welfare outcomes. Good husbandry and management, for example good litter and air quality, are also required for the achievement of good welfare outcomes. In short, the quality of resources and management cannot be ignored as, if these are poor, one cannot expect to achieve good welfare outcomes.

We are similarly concerned about the use of 'outcome'-based labelling within systems of production with low welfare potential such as highly intensive poultry production. There is a risk that such labelling could be abused to show such systems in a good light despite the wealth of scientific evidence that establishes their detrimental impact on welfare.

Core problems with outcome-based labelling include:

- Which outcomes will be selected? Outcomes that are easy to measure may be preferred to those that are more important from the animals' point of view.
- Good scores in, say, just two outcomes may disguise the welfare problems inherent in a particular system. For example, drafts of the Meat Chickens Directive used just two outcomes: mortality and footpad dermatitis. Some Dutch producers stock broilers at 45kg/m² and claim to have low mortality and footpad dermatitis scores. A labelling system that only considered these two outcomes would approve farms stocking at 45kg/m² even though scientific research shows that such high densities are responsible for a wide range of welfare problems.
- The trigger points for the selected outcomes may be set so low that even farms with poor welfare may achieve the required score. Drafts of the Meat Chickens Directive set the score for footpad dermatitis at a level where few farms would have ever attracted a grading of "deficiency" or "severe deficiency". Under the proposed scores, 25% of a flock could have severe footpad lesions and 50% minor footpad lesions and the flock would still not be considered to have a severe deficiency. (The Directive as adopted abandoned the idea of scoring footpad dermatitis.)
- Farmers will focus on the outcomes selected for the labelling scheme perhaps to the detriment of other factors. The Meat Chickens Directive's only outcome is mortality; as a result farmers may decide not to cull birds that should be culled on welfare grounds in order to achieve a low mortality rate.

Question 15:

To what extent can certification schemes for quality products meet the main societal demands concerning product characteristics and farming methods?

Such schemes can play an important part in responding to societal demands for products reared to high standards of animal welfare. *Label Rouge* poultry in France and the RSPCA *Freedom Food* scheme in the UK set good welfare standards and have a substantial share of the market. However, such schemes should not be seen as a substitute for raising baseline legislative standards to the point where all animals are reared to acceptable welfare standards.

To sum up, the role of baseline legislative standards is to ensure that all animals are reared to reasonably good welfare standards, whereas the role of certification schemes for quality products is to raise standards significantly above the legal minimum level.

To what extent is there a risk of consumers being misled by certification schemes assuring compliance with baseline requirements?

We are extremely concerned that baseline assurance schemes do indeed mislead consumers into thinking that their products have been reared to high standards of animal welfare, whereas in reality many of the animals have been farmed intensively, often to low standards of welfare.

In the UK schemes requiring compliance with baseline requirements are referred to as 'farm assurance' schemes. 'Assurance' is a potent word – it conveys the impression that good welfare is assured, even guaranteed and that 'all is well' as regards animal welfare. In reality assurance schemes often do no more than require compliance with baseline legislation which often fails to address problems that have been identified by scientific research as having a serious detrimental impact on welfare.

Question 16:

Clear guidelines could be helpful in preventing certification schemes from misleading consumers by suggesting that they offer higher welfare standards than is in fact the case.

As indicated earlier, regulation is needed to define terms such as "free range" that suggest high welfare standards. The meaning of such terms cannot be left to the discretion of individual producers and retailers but must be defined by law in order to prevent consumers being misled and to ensure a level playing field for all producers.

Question 17:

The Rural Development Regulation (RDR), Article 32 enables farmers to be helped with the costs involved in participating in food quality schemes. Article 32 stipulates that schemes whose sole purpose is to provide a higher level of control of respect of obligatory standards under Community or national law shall not be eligible for support.

We believe that farmers should be helped under the RDR with the costs of participating in food quality schemes that genuinely set high welfare standards.

Question 18:

The EU needs to do more to persuade developing countries that good animal welfare standards can offer benefits such as trading opportunities in EU markets. An example of such benefits is provided by the Namibian beef industry whose quality assurance scheme, with its good welfare standards, facilitates access to the EU market.

The EU should offer trade-related assistance and capacity building to developing countries to help them develop sustainable livestock production practices with good standards of animal welfare on-farm, during transport and at slaughter. The US is providing assistance for the development of sustainable, humane farming in Central America. The EU should do likewise.

Extensive livestock systems with good welfare standards are still widely used in many developing countries. However, products from these systems need assistance

in accessing the EU market, e.g. in meeting EU meat hygiene standards. We urge the Commission to provide such assistance.

Question 19:

Labelling should be seen as just one component of a broader strategy for improved consumer communication as it is clear that consumers' desire to contribute towards better animal welfare is being undermined by lack of sufficient information about modern farming practices and their implications for welfare. Labelling alone will be of limited value in helping consumers distinguish between the quality of different animal products if they have inadequate information about farming practices.

Research carried out by the Welfare Quality project reports that there is a general lack of consumer knowledge about farming practices and farm animal welfare.⁴ Most (58%) EU citizens would like to be better informed about farming conditions (Eurobarometer, 2007).

Accordingly, we welcome the recognition in the Community Action Plan on animal welfare that "awareness of current farming practices [will aid] more informed purchasing decisions" and the Plan's commitment to elaborate specific tools "to better inform consumers and the general public of modern animal husbandry techniques and animal welfare considerations".

Indeed, the Commission Working Document⁵ that sets out the strategic basis for the Action Plan emphasises the need to "increase awareness among the general public on production methods used for farm animals [and] alternative practices applying higher animal welfare standards".

The value of improved awareness is demonstrated by the 2005 Eurobarometer's finding that even minor exposure to modern farming in the form of a visit to a farm leads to people thinking about welfare when shopping and being prepared to pay more for good welfare.

The Commission can contribute to improving consumer awareness by the production and dissemination of materials that explain:

- how most farm animals are commonly reared at present
- the welfare disadvantages of basic systems and practices, and
- the alternative practices that, to use the words of the Commission Working Document, apply higher animal welfare standards.

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⁴ European consumers' views about farm animal welfare. Mara Miele and Adrian Evans, Cardiff University, United Kingdom. In: Science and society improving animal welfare. Welfare Quality conference proceedings: 17/18 November 2005, Brussels, Belgium.

⁵ Commission Working Document on a Community Action Plan on the protection and welfare of animals 2006-2010. Brussels, 23.01.2006. COM(2006) 14 final.