

Procedure file

Basic information		
CNS - Consultation procedure Directive	1998/0092(CNS)	Procedure completed
Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included		
Amended by 2013/0140(COD)		
Amended by 2013/0192(COD)		
Subject 3.10.04.02 Animal protection		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AGRI Agriculture and Rural Development		16/04/1998
		PSE KINDERMANN Heinz	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Consumer Protection		
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2199	19/07/1999
	Agriculture and Fisheries	2190	14/06/1999
	Agriculture and Fisheries	2118	28/09/1998
	Agriculture and Fisheries	2073	16/03/1998

Key events			
11/03/1998	Legislative proposal published	COM(1998)0135	Summary
16/03/1998	Debate in Council	2073	
03/04/1998	Committee referral announced in Parliament		
28/09/1998	Debate in Council	2118	
07/12/1998	Vote in committee		Summary
07/12/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0481/1998	
27/01/1999	Debate in Parliament		
28/01/1999	Decision by Parliament	T4-0054/1999	Summary
12/05/1999	Modified legislative proposal published	COM(1999)0223	Summary
19/07/1999	Act adopted by Council after consultation of Parliament		
19/07/1999	End of procedure in Parliament		
03/08/1999	Final act published in Official Journal		

Technical information	
Procedure reference	1998/0092(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
	Amended by 2013/0140(COD) Amended by 2013/0192(COD)
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/4/09968

Documentation gateway					
Legislative proposal		COM(1998)0135 OJ C 123 22.04.1998, p. 0015	11/03/1998	EC	Summary
Committee draft report		PE226.549	22/07/1998	EP	
Economic and Social Committee: opinion, report		CES1155/1998 OJ C 407 28.12.1998, p. 0214	09/09/1998	ESC	
Committee opinion	ENVI	PE227.830/DEF	16/09/1998	EP	
Amendments tabled in committee		PE226.549/AM	12/11/1998	EP	
Committee report tabled for plenary, 1st reading/single reading		A4-0481/1998 OJ C 104 14.04.1999, p. 0004	07/12/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0054/1999 OJ C 128 07.05.1999, p. 0014-0078	28/01/1999	EP	Summary
Modified legislative proposal		COM(1999)0223 OJ C 184 30.06.1999, p. 0004	12/05/1999	EC	Summary
Follow-up document		SEC(2007)1750	08/01/2007	EC	
Follow-up document		COM(2007)0865	08/01/2008	EC	Summary

Additional information	
European Commission	EUR-Lex

Final act
Directive 1999/74 OJ L 203 03.08.1999, p. 0053 Summary Final legislative act with provisions for delegated acts

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

OBJECTIVE: to establish minimum standards for the protection of laying hens kept in various systems of rearing. SUBSTANCE: the Commission is proposing to replace Directive 88/166/EEC by a new Directive covering the welfare of all laying hens, not only those kept in cages. The proposal, accompanied by a Commission communication is based on the opinion of the Scientific Veterinary Committee (SVC)

adopted at its meeting of 30 October 1996. General requirements applicable to all systems of rearing are introduced, including requirements for nests, perches and litter. However, derogations from the latter requirements are provided for in respect of cages, which must meet improved specifications. A phasing-in period for the new requirements is proposed, to allow existing systems to be written off over a ten year period. The provisions of the Annex have been brought up to date and set out in the form adopted in the Council Directives on the protection of calves and pigs. Provision is made for inspection and reporting by the competent authority and for inspections by the Commission. ?

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

The Committee adopted a draft report on the protection of laying hens in various rearing systems. The rapporteur was Heinz KINDERMANN (PES, D). The main aim of the new rules is to ensure the welfare of all laying hens by laying down minimum protection requirements for nests, litter, perches and the area per bird in hen-houses as well as rules on beak-trimming and other conditions. Nowadays 93% of eggs in the EU come from battery hens. The rapporteur wants the new rules to apply to all new rearing systems as of 1st January 2001 with a transitional period up to 31st December 2010 for existing systems. To prevent distortions of competition, says the report, producers must be granted additional aid which is not tied to production. In addition, the EU's animal protection requirements should be a key issue in its negotiations in the WTO. Lastly, given that the consumer's main concern is food safety, the report says that the Commission should introduce a compulsory labelling system for eggs and egg-based products. ?

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

The Parliament adopted the legislative report by Heinz Kindermann (D, PES), which approves the Commission's proposal with amendments, relating, most notably, to the following areas: - prohibiting the use of battery cages from 1st January 2009; - proposing the introduction of an additional aid system for adaptation to the new required standards which is not dependent on production; - mandatory labelling for egg products as well as table eggs; - in the event of EU enlargement, making provision for the application of these rules in the applicant countries; - ensuring accordance of eggs used in egg products imported from outside the Community with the Community's own minimum standards for the protection of laying hens; - allowing beak-trimming to continue until less aggressive strains of laying hens have been bred; - providing further specification of nesting requirements; - allowing a stocking density of no more than 20 hens per square metre; - requiring a minimum of 800 cm sq of cage area for each hen; - making on-the-spot checks by veterinary experts a requirement; - requiring the Commission to make regular reports to the Council and the European Parliament on the results of veterinary inspections; - applying the same welfare, veterinary and hygiene standards to imports from third countries as within the Community; - requiring the Commission to make proposals, not later than 1st January 2008, for encouraging the adoption of alternative free range systems of rearing; - extending safety requirements as regards insulation, heating and ventilation of the building beyond protection of the birds to protection of the people working there; - specifying that lighting strength must be at least 20 Lux, measured at the eye-level of the birds.?

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

The Commission amended its initial proposal to take account of the amendments put forward by the European Parliament.?

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

PURPOSE : to lay down minimum standards for the protection of laying hens. COMMUNITY MEASURE : Council Directive 1999/74/EC. CONTENT : the Directive establishes minimum standards for the protection of laying hens. It introduces general requirements applicable to all systems of rearing, including nests, perches, litters. Derogations to these last requirements are provided for cages that must satisfy improved specifications. A transitional period is fixed for the new requirements so as to allow the phasing out over a period of 10 years of the existing systems. A system of inspection and the presentation of reports by the competent authority are provided for, as well as inspections by the Commission. ENTRY INTO FORCE: 03/08/1999 TRANSPOSITION IN THE MEMBER STATES: 01/01/2002.?

Protection of animals: laying hens in systems of rearing (repl. direct. 88/166/EEC). Communication included

The Commission presented a Communication on the various systems of rearing laying hens, in particular those covered by Directive 1999/74/EC.

Animal welfare is a core value for EU citizens who seem particularly concerned about the welfare of farmed poultry and, in particular, of laying hens. By Council Directive 1999/74/EC, Member States agreed on various measures laying down minimum standards for the protection of laying hens, with a staged implementation of some provisions over a time period extending to 2012 taking into account the economic impact of the measure.

The main conclusions of the document are as follows:

- Most Member States correctly transposed Directive 1999/74/EC. However, in most Member States, producers have made very little

progress in introducing enriched cages or shifting toward alternative systems. Nevertheless, the Commission is informed that major retailers in several Member States are developing marketing strategies for eggs produced in alternative systems;

- Studies have shown that the animal health problems occurring in alternative systems can mainly be minimised or even solved by a proper management or suitable design;
- Enriched cages improve the welfare of the animals in comparison with unenriched cage systems and further optimisation seems possible in the future. In contrast, the unenriched cages cause several animal welfare problems that are inherent to the systems. Further research is, and will continue to need to be performed to assess the extent to which rearing systems for laying hens inter alia provide optimal standards of animal health and welfare as well as food safety;
- Inspections have shown that several Member States have problems with the correct implementation of Directive 1999/74/EC. The Commission will intensely monitor the development by performing further FVO missions and act by ensuring an appropriate follow-up of FVO missions;
- The estimation on consumption trends in significant EU 15 Member States reports a regular increase of consumption of table eggs from non-cage systems;
- Clear information to consumers is the key to allow producers to market eggs from welfare friendly rearing systems (it should be noted that processed eggs, unlike table eggs, are currently not submitted to any legislative requirement for welfare related labelling);
- Certain retailers and food service operators are marketing predominantly non-caged eggs. Any postponement of the ban on unenriched cages would distort competition and penalise those producers who have today already invested in alternative or enriched cage systems that stand for scientific and technological development.

The Communication makes the following recommendations:

1) In order to improve competitiveness, high animal welfare standards applied in the EU, including for laying hens, should be promoted as a marketing and competitive advantage at European level using mechanisms such as, in particular:

- Raising awareness in both the public and private sector, to give priority to the support of scientific investments, information and education in this area;
- Promoting information campaigns on the rearing systems in the framework given by the marketing standards for eggs;
- Ensuring cooperation between stakeholders across the supply chain (e.g. producers, processors, retailers, caterers, consumers, governments, NGOs);
- Examining the possibility of the creation of a general EU framework to allow animal welfare labelling on the basis of welfare indicators and certification schemes valid at European level.

2) The communication to consumers on high animal welfare standards applied in the laying hen sector should include objective information on:

- The production methods applied;
- The fact that implementing higher animal welfare standards could incur extra costs for producers;
- The impact of improved animal welfare standards on egg prices.

3) Consumers should be assured that they buy eggs produced in compliance with European values. Farmers could be rewarded for producing premium quality products which are distinguishable from others and therefore benefit from a price premium.

4) As for the change to new husbandry systems in relation to the CAP, it is not recommended to amend the current provisions of Directive 1999/74/EC. However:

- The change to new husbandry systems has to be further supported both from the technical and economic side;
- The relevance of CAP and in particular rural development policies to the laying hen sector should be analysed and be made more visible, including support for investments in agricultural holdings or the processing and marketing of agricultural products which aim to improve animal welfare.

5) Further research should be promoted and prioritised to optimise systems for the rearing of laying hens and to minimise health and welfare problems linked to genetic selection. Further research on non-cage systems if they are profitable should also be promoted.

6) Lastly, the role of animal welfare in the sustainability strategy should be assessed further.