

ENSURING THE WELFARE OF FARMED ANIMALS

General

There is a legal obligation to provide for the welfare of calves, pigs and laying hens kept for farming or breeding purposes.

A person responsible for farmed animals must take reasonable steps to ensure their welfare. Exactly what is required will depend on the species and its needs, as well as on its age and level of domestication. These are set out in the appropriate **Code of Recommendations for the Welfare of Livestock** and other specific guidance on the Department for Environment, Food and Rural Affairs (DEFRA) website.

In general, to meet minimum welfare standards for the protection of all farmed livestock, the following is required:

- have enough trained staff in place to care for your animals
- carry out frequent inspections and care for animals found to be ill or injured
- keep records of veterinary treatments, medicines and animal deaths
- allow freedom of movement appropriate to each species
- provide suitable buildings and accommodation that meet prescribed comfort and environmental conditions - eg, light levels, well-drained bedding and enriched cages for laying hens
- protect animals kept outdoors from weather and predators
- inspect, back up and repair as necessary any automatic or mechanical equipment - eg ventilation systems, feeders or watering troughs
- provide access to water and sufficient wholesome food
- do not use breeding procedures that are harmful
- do not keep animals for farming if it would damage their health and welfare

Promoting the welfare of non- farm animals

Anyone who keeps animals, other than farmed animals must make sure that they do not suffer unnecessarily. There is a duty of care to take reasonable steps to ensure that the animals' needs are met.

The same duty of care applies to veterinary surgeons, owners, managers or workers in livery yards, riding schools, animal sanctuaries, boarding premises and other animal-related businesses in England and Wales

An animal must not be sold to someone under the age of 16. Animals may not be given as prizes to children who are reasonably believed to be below the age of 16 and who are not accompanied by an adult. An animal for which one is responsible must not be abandoned. If activities involve animals, local authority licensing or registration may be required.

Cruelty and animal-fighting rules cover "protected animals". A protected animal is one of a kind commonly domesticated in the British Islands, whether actually under the control of man or not – e.g. stray dogs and feral cats; or not living in a wild state. Animal fights - eg wrestling or baiting are illegal.

Certain areas of animal welfare are covered by other rules or are exempt from these rules, including:

- lawful scientific research procedures carried out on animals
- anything that occurs in the normal course of fishing
- welfare standards of farmed and transported animals
- legitimate pest control activities

Welfare of animals during transport

Anyone who transports live animals in connection with an economic activity, must ensure that they are transported in such a way that does not cause, or is not likely to cause, injury or unnecessary suffering.

There are general standards in the areas of protection during transport, vehicle construction, maintenance and operation, space allowances, fitness to travel, feed, water and rest periods, duties of transporters and documentation.

Additional specific requirements must be complied with when transporting animals on long journeys (over eight hours).

Some vehicle requirements, such as temperature monitoring systems, do not apply for the transport of animals by road for journeys not exceeding 12 hours within the UK.

By 5 January 2008, those transporting cattle, sheep, goats, pigs, horses and poultry by road on journeys over 65 kilometres in connection with an economic activity must be independently assessed in their competence. Those assessed as competent will receive a certificate of competence.

There is a duty on those responsible for transporting any mammal or bird to comply with cleansing and disinfection requirements for transport vehicles. This must be done to a standard that reduces the risk of the transmission of disease as far as reasonably practicable.

It is obligatory to:

- remove any feed to which animals have had access, any material of animal origin, mud and other contaminants, and then cleanse with water, steam or chemicals until free of dirt
- clean and disinfect parts of the means of transport and containers including wheels, mudguards and wheel arches, whether or not they are soiled
- after cleansing and disinfecting, destroy, treat or dispose of waste and other materials used in transport so that animals do not have access to them and there is no possibility of disease being transmitted

These requirements do not apply to:

- certain journeys made within a single farming enterprise
- journeys made between the same two points
- journeys to and from livestock shows

Markets and animal welfare

Animals brought to a livestock market must:

- not be unfit or about to give birth
- not be subjected to any unnecessary injury or suffering, eg due to weather, poor ventilation or being hit or prodded
- have adequate water, lighting and bedding
- have cover (for animals under four weeks old)

The Farmer must not:

- pick up or drag animals by their head, neck, ears, horns, legs, feet, tail, fleece or wings
- tie up or muzzle a calf
- tie poultry by the neck, leg or wing
- use excessive force to control an animal
- use electric prods
- use sticks to drive calves or pigs
- drive animals over a floor in a condition that would make them slip or fall
- bring a calf of seven days old or less that has an unhealed navel to market

Market operators must make sure that animal pens are suitable for their size and species.

Slaughterhouses and animal welfare

Business involved in moving, restraining or killing animals must not cause or permit any avoidable excitement, pain or suffering to any animal and must perform those tasks humanely and efficiently and comply with other rules

A slaughterhouse must have a licence from the Department for Environment, Food and Rural Affairs

Anyone who kills animals anywhere other than a slaughterhouse or knacker's yard must follow animal welfare requirements. A slaughterhouse or knacker's yard must ensure that:

- when there are live animals on the premises there is also a competent person who can act to protect animals' welfare
- staff are properly licensed and trained in animal welfare
- animals are moved, restrained, killed and bled following the rules

This Guide is intended as an overview and broad outline of the matters covered in it. Its purpose is to inform and raise awareness. We are happy to offer specific legal advice on particular circumstances.

This Guide should not be relied on as a substitute for comprehensive legal advice with reference to the particular circumstances.

While we have taken due care in the preparation of this publication, we do not accept legal liability as a result of any reliance placed on anything in this Guide. The reader should rely only on specific legal or taxation advice.