

SCHEDULE 5

Regulation 4(1)

Additional conditions that apply to the keeping of conventionally reared meat chickens

Interpretation

1. In this Part—

“chicken” means an animal of the species *Gallus gallus* kept for meat production;

“cumulative daily mortality rate” means the sum of daily mortality rates;

“daily mortality rate” means the number of chickens which have died in a house on the same day including those that have been culled either for disease or because of other reasons divided by the number of chickens present in the house on that day, multiplied by 100;

“flock” means a group of chickens which are placed in a house of a holding and are present in this house at the same time;

“food business operator” has the same meaning as it has in Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾;

“holding” means a production site on which chickens are kept;

“house” means a building on a holding where a flock of chickens is kept;

“official veterinarian” has the same meaning as it has in Regulation (EC) 853/2004 of the European Parliament and of the Council of 29th April 2004 laying down specific hygiene rules for food of animal origin⁽²⁾ and Regulation (EC) 854/2004 of the European Parliament and of the Council of 29th April laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽³⁾;

“owner” means any natural or legal person or persons owning the holding where chickens are kept;

“poultry” means any bird reared or kept in captivity for the production of meat or eggs for consumption, or of other products, for restocking supplies of game or for the purpose of any breeding programme for the production of such categories of birds;

“Regulation 853/2004” means Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽⁴⁾;

“Regulation 854/2004” means Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽⁵⁾;

“stocking density” means the total live weight of chickens which are present in a house at the same time per m² of usable area;

“working day” means a day other than a Saturday or a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in Northern Ireland under the Banking and Financial Dealings Act 1971⁽⁶⁾.

(1) O.J. No. L 31, 1.2.02, p 1; last amended by Regulation (EC) No 596/2009 (O.J. No. L 188, 18.7.09, p 14)

(2) O.J. No. L 139, 30.4.2004, p.55

(3) O.J. No. L 139, 30.4.2004, p. 206

(4) O.J. No. L 226, 25.6.04, p. 22; last amended by Regulation (EC) No. 219/2009 (O.J. No. L 87, 31.3.09, p. 109)

(5) O.J. No. L 226, 25.6.04, p. 83; last amended by Regulation (EC) No. 219/2009 (O.J. No. L 87, 31.3.09, p. 109)

(6) 1971 c. 80 to which there is an amendment not relevant to these Regulations

Training

2.—(1) The owner or other person responsible for the chickens shall hold a certificate recognised by the Department for the purposes of Article 4(3) or (4) of Council Directive 2007/43/EC(7) (certificates of completion of training courses or equivalent experience).

(2) The Department shall publish from time to time, in such a way as it considers appropriate, a list of certificates recognised by it for the purposes of sub-paragraph (1).

Drinkers and feeding

3.—(1) Drinkers shall be positioned and maintained in such a way that spillage is minimised.

(2) Feed shall be either continuously available or meal fed.

(3) Feed shall not be withdrawn from the chickens more than 12 hours before the expected slaughter time.

Litter

4. All chickens shall have permanent access to litter that is dry and friable on the surface.

Ventilation and heating

5. Ventilation shall be sufficient to avoid overheating and, where necessary in combination with heating systems, to remove excessive moisture.

Noise

6. In all houses—

(a) the sound level shall be minimised; and

(b) ventilation fans, feeding machinery or other equipment shall be constructed, placed, operated and maintained in such a way that they cause the least possible amount of noise.

Light

7.—(1) All houses shall have lighting with an intensity of at least 20 lux during the lighting periods, measured at bird eye level and which illuminates at least 80% of the useable area.

(2) A temporary reduction from that lighting level is permitted where necessary following veterinary advice.

(3) Within 7 days from the time when the chickens are placed in the house and until 3 days before the foreseen time of slaughter, the lighting shall follow a 24-hour rhythm and include periods of darkness lasting at least 6 hours in total, with at least one uninterrupted period of darkness of at least 4 hours, excluding dimming periods.

Inspection

8.—(1) The owner or other person responsible for the chickens shall ensure that all chickens kept on the holding are inspected at least twice a day.

(2) Special attention shall be paid to signs indicating a reduced level of animal health and welfare.

(3) Chickens that are seriously injured or show evident signs of health disorder (including those having difficulties in walking, severe ascites or severe malformations), and are likely to suffer, shall

(7) O.J. No. L 182, 12.7.07, p. 19

receive appropriate treatment or be culled immediately. A veterinarian shall be contacted whenever necessary.

Cleaning

9. After the final depopulation of a house and before a new flock is introduced—
- (a) any part of a house, and any equipment or utensil, which has been in contact with chickens shall be thoroughly cleaned and disinfected; and
 - (b) all litter shall be removed and clean litter provided.

Record keeping

10.—(1) The owner or other person responsible for the chickens shall maintain, for each house in which chickens are kept, a record of—

- (a) the number of chickens introduced;
- (b) the useable area;
- (c) the hybrid or breed of the chickens (if known);
- (d) the number of chickens found dead, with an indication of the causes (if known), as well as the number of chickens culled with cause, on each inspection; and
- (e) the number of chickens remaining in the flock following the removal of chickens for sale or slaughter.

(2) The record shall be retained for at least 3 years and shall be made available to the Department when carrying out an inspection or when otherwise requested.

Notification of stocking density

11.—(1) The owner or other person responsible for the chickens shall ensure that the Department is notified of the intended stocking density of each house where it is intended to keep chickens at a stocking density greater than 33 kilograms per m², and of any subsequent change to that notified stocking density.

(2) Notification shall be made in such manner and form as the Department may require.

(3) Subject to sub-paragraph (5), in the case of any stocking density in excess of 33 kilograms per m² of usable area, notification (including notification of any change) shall be given at least 15 working days before stocking at that density or changed density takes place.

(4) If requested by the Department, the notification referred to in sub-paragraph (1) shall be accompanied by a document summarising the information contained in the documentation required under paragraph 13.

(5) Stocking at a density in excess of 39 kilograms per m² of usable area shall not take place until it has been approved under paragraph 14.

Stocking density limits

12.—(1) Unless sub-paragraph (2) or (3) applies, the stocking density shall not exceed 33 kilograms per m² of usable area.

(2) A stocking density in excess of 33 kilograms and up to 39 kilograms per m² of usable area may be used if the requirements of paragraph 13 are complied with.

(3) A stocking density in excess of 39 kilograms and up to 42 kilograms per m² of usable area may be used if—

- (a) the requirements of paragraph 13 are complied with; and
- (b) the Department has approved stocking at that density in accordance with paragraph 14.

Requirements for higher stocking densities

13. The requirements of this paragraph are that the owner or other person responsible for the chickens shall—

- (a) maintain and keep available in the house compiled documentation giving a detailed description of the production systems, including information on technical details of the house and its equipment, such as—
 - (i) a plan of the house including the dimensions of the surfaces occupied by the chickens;
 - (ii) ventilation and any relevant cooling and heating system (including their location), and a ventilation plan, detailing target air quality parameters (such as airflow, airspeed and temperature);
 - (iii) feeding and watering systems (including their location);
 - (iv) alarm and backup systems in the event of a failure of any equipment essential for the health and well-being of the chickens; and
 - (v) floor type and litter normally used;
- (b) keep the documentation referred to in sub-paragraph (a) updated, including recording technical inspections of the ventilation and alarm systems;
- (c) ensure that each house of a holding is equipped with ventilation and, if necessary, heating and cooling systems designed, constructed and operated in such a way that—
 - (i) the concentration of ammonia does not exceed 20 parts per million and the concentration of carbon dioxide does not exceed 3000 parts per million, when measured at the level of the chickens' heads;
 - (ii) when the outside temperature measured in the shade exceeds 30°C, the inside temperature does not exceed the outside temperature by more than 3°C; and
 - (iii) when the outside temperature is below 10°C, the average relative humidity measured inside the house during a continuous period of 48 hours does not exceed 70%.

Approval for stocking in excess of 39 kilograms

14.—(1) The owner or other person responsible for the chickens may apply to the Department for approval to use a stocking density in excess of 39 kilograms and up to 42 kilograms per m² of usable area.

- (2) Applications shall be made in such manner and form as required by the Department.
- (3) The Department shall not approve an application unless satisfied that—
 - (a) the requirements of paragraph 13 are complied with;
 - (b) any inspections of the holding by an inspector during the two years prior to the date of the application have not revealed a failure to comply with the requirements of these Regulations (or, where the inspection took place before the coming into operation of this paragraph, what would have been a failure had this regulation been in operation at the time);
 - (c) inspections of the holding by the owner or other person responsible for the chickens have been carried out in accordance with a relevant code of practice (which has the meaning given to it in regulation 5(2) of these Regulations); and

- (d) in at least seven consecutive, subsequently checked flocks from a house the cumulative daily mortality rate was below $1\% + (0.06\% \text{ multiplied by the slaughter age of the flock in days})$.

(4) Sub-paragraph (3)(d) shall not prevent an application being approved in any case where the Department is satisfied that there is a sufficient reason for a higher mortality rate which is beyond the control of the owner or other person responsible for the chickens .

(5) For the purposes of sub-paragraph (3)(b), if there has been no inspection during the two years prior to the date of the application, one shall be carried out by an inspector (in which case, that sub paragraph is read as if the words “during the two years prior to the date of the application” were omitted .

(6) The Department may withdraw approval if no longer satisfied of the matters referred to in sub-paragraph (3).

Food chain information and chickens dead on arrival and mortality

15.—(1) For the purposes of Section III (food chain information) of Annex II to Regulation 853/2004, the daily mortality rate and cumulative daily mortality rate and the hybrid or breed of chickens from a flock with a stocking density in excess of 33 kilograms per m² of usable area is treated as relevant food safety information.

(2) A food business operator operating a slaughterhouse shall—

- (a) under the supervision of the official veterinarian, record the number of chickens from such a flock that are dead on arrival at the slaughterhouse;
- (b) provide that information on request to the official veterinarian;
- (c) request the owner or other person responsible for the chickens to supply the following information as part of the food chain information—
 - (i) the daily mortality rate;
 - (ii) the cumulative mortality rate; and
 - (iii) the hybrid or breed of chickens.

(d) record this data, indicating the holding and the house of the holding.

(3) The owner or other person responsible for the chickens shall make this data available to the official veterinarian, the Department and receiving food business operators on request.

(4) Under the supervision of the official veterinarian the plausibility of the data and of the cumulative daily mortality rate shall be checked, as required, taking into account the number of chickens slaughtered and the number of chickens dead on arrival at the slaughterhouse.

Identification of poor welfare conditions and follow up

16.—(1) Under the supervision of an official veterinarian conducting controls under Regulation 854/2004 in relation to chickens—

- (a) the results of their post mortem inspection shall be evaluated, as required, to identify possible indications of poor welfare conditions in their holding or house of origin; and
- (b) if the mortality rate of the chickens or the results of the post mortem inspection are consistent with poor animal welfare conditions, this data shall be reported to the Department and owner or other person responsible for the chickens without delay.

(2) On receipt of such a report the owner or other person responsible for the chickens shall take all reasonable steps to ensure the welfare of the chickens in the holding or house of origin.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: Welfare of Farmed Animals Regulations (Northern Ireland) 2012 No. 156