

## **Pigs with long tails- the EU perspective<sup>1</sup>**

In its role as guardian of the Treaties, the European Commission must ensure the application of European Union law (EU law).<sup>2</sup>

Member States have the primary responsibility for transposing, applying and implementing EU law correctly within their territories.<sup>3</sup> Within the Commission, the Directorate General for Health and Food Safety is responsible for ensuring the application of EU legislation on the rearing of pigs which consists of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs (the 2008 Pig Welfare Directive) and Council Directive 98/58/EC concerning the protection of animals kept for farming purposes (the 1998 Farmed Animal Welfare Directive).

There are also other requirements for official controls that have implications for animal welfare. These are set out in Council Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law and Regulation 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

DG Health and Food Safety's mission statement aims to "protect animal welfare" and underpins this in its strategic objectives for effective official controls. The prevalence of tail docking in most Member States is, by their own admission, estimated at between 95-100% of all fattening pigs. This high level is clearly routine tail docking. The Pig Welfare Directive prohibits the routine tail docking of pigs. To address this, DG SANTE has undertaken a project with the objective of reducing the routine tail docking of piglets in Member States by improving the application of the 2008 Pig Welfare Directive over a three-year period (2016-2019).

The project focusses specifically on the rules relating to the avoidance of routine tail docking of piglets and the provision of manipulable material and has initially concentrated on improving management practices which impact on animal welfare on pig farms.

It has provided support to national authorities through a Commission Recommendation, Staff Working Document, training, scientific opinions, study visits and several meetings to discuss and clarify the requirements of the 2008 Pig Welfare Directive. The Commission services have worked to improve communication within and between stakeholders, including farmers and private veterinarians.

An assessment of the current situation in pig farms through audits and documentary analysis, resulted in a request to Member States in January 2018 to produce action

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<sup>1</sup> The views expressed in this paper are those of the author and do not necessarily reflect the position of the European Commission.

<sup>2</sup> Article 17(1) TEU.

<sup>3</sup> Article 4(3) TEU, Article 288 and Article 291(1) TFEU

plans to improve compliance with the requirements of the 2008 Pig Welfare Directive and the 1998 Farmed Animal Welfare Directive by the end of 2018.

The project is now in its final phase. We have completed four advisory visits to Member States with experts involved in rearing pigs with intact tails and sent advisory recommendations to the authorities and pig sector stakeholders. We are now in the process of carrying out audits to assess the progress Member States have made in implementing their action plans. Depending on the outcome of these audits and further analysis of action plans we may need to consider options for enforcement.

DG Health and Food Safety does not underestimate the challenge for the pig sector and Member States to improve compliance with the rules on avoiding routine tail docking. However, legislation on tail docking has been in place since the first Directive governing the rearing of pigs was introduced in 1991 and during that time a wealth of information has been made available to the sector enabling it to make improvements that lead to the rearing of pigs in better conditions, and as a consequence, with intact tails. Additionally, evidence is readily available from farmers and veterinarians working in countries who have put in place complete bans on tail docking to counter the arguments that it is impossible to do this on a commercial basis.

The time to act is now.