

COMPASSION IN WORLD FARMING - IRELAND

SUBMISSION IN RELATION TO THE PROPOSED ANIMAL HEALTH AND WELFARE BILL

Compassion in World Farming - Ireland (CIWF) welcomes the opportunity presented by the proposed Animal Health and Welfare Bill to set high animal welfare standards in the Republic of Ireland and eliminate inhumane practices.

CIWF is hereby making a submission in relation to the content of the proposed Bill. We request a meeting with relevant officials of the Department of Agriculture, Fisheries and Food to discuss this submission in more detail.

As CIWF campaigns solely for improved farm animal welfare, our submission relates only to the welfare of farm animals.

CIWF understands that the proposed Bill may, to some extent, be based on the Animal Health and Welfare (Scotland) Act 2006, and we would welcome this. However, we point out that fur farming was already illegal in Scotland when the Scottish Act was drawn up and therefore the Act did not need to contain anything relating to this very important animal welfare issue. (Similarly, when the Animal Welfare Act 2006 (England and Wales) was drawn up, fur farming was already illegal in England and Wales.)

The main points that CIWF makes in this submission are as follows:

1. CIWF believes that the future for Irish agriculture lies in the production of high quality food. Good farm animal welfare standards are an integral part of high quality production and therefore it is vitally important that this is reflected in the proposed Bill.
2. The proposed Bill should ban fur farming because the practice is inhumane and unnecessary. Fur farming is incompatible with an image of Ireland as a country with high quality agricultural production to good animal welfare standards.

3. CIWF welcomes the inclusion of a *duty of care* provision in the proposed Bill, and urges the Government to base the *duty of care* wording on similar sections in the Animal Welfare Act 2006 (England and Wales) and the Animal Health and Welfare (Scotland) Act 2006.
4. The proposed Bill must acknowledge that animals are *sentient beings*, and should define 'suffering' in such a way that it includes both mental and physical suffering.
5. CIWF welcomes that the proposed Bill will include enabling provisions for secondary legislation.

Each of these points is discussed in detail below.

DETAILED DISCUSSION OF EACH POINT

1. GOOD FARM ANIMAL WELFARE STANDARDS ARE AN INTEGRAL PART OF HIGH QUALITY AGRICULTURAL PRODUCTION

CIWF believes that the future for Irish agriculture lies in the production of high quality food. Good farm animal welfare standards are an integral part of high quality production and therefore it is vitally important that this is reflected in the proposed Bill.

It is difficult for Ireland to compete for the market in mass production of cheap food because basic production costs in Ireland, e.g. the price of land and labour, do not facilitate this type of farming. However, Ireland is ideally suited to high quality agricultural production because the environment is clean, there is good farmland, the climate is suitable, and there is long-standing expertise in farming and in the rearing of animals. Ireland's island status also offers the advantage of allowing greater control and protection against animal diseases, pollution, etc. Therefore, CIWF believes that the future for Irish agriculture lies in the production of high quality food to cater for the premium end of the market.

Good animal welfare standards are an integral part of high quality agricultural production. It is CIWF's view that the proposed Bill is an opportunity to ensure high farm animal welfare standards. This will benefit the image of Ireland as a country that produces high quality food and takes farm animal welfare seriously.

There is evidence of growing interest amongst consumers in animal welfare-friendly food production. CIWF believes that the market for this type of produce will increase in the future.

For example, a recent Eurobarometer survey [1] shows that EU consumers are concerned about farm animal welfare when choosing a purchase. The survey, published in March 2007, found that:

- there is a considerable interest in animal welfare standards;
- a majority (63%) (*of EU citizens*) show some willingness to change their usual place of shopping in order to be able to purchase more animal welfare-friendly products.

Another indication of growing interest in animal welfare-friendly food production is the move away from eggs produced from hens in battery cages. In the EU, the share of the laying hen flock kept in non-cage systems rose between 1993 and 2003 from 3.56% to 11.93%. [2]

Further evidence of people's interest in improving farm animal welfare standards is the changes in EU farm animal welfare legislation that have resulted, in part, from public pressure. In particular, people have shown opposition to the keeping of farm animals in small cages or pens. As a result, the EU has agreed to prohibit certain systems for rearing animals, e.g:

- the veal crate has now been prohibited throughout the EU;
- barren battery cages for egg-laying hens will be illegal in the EU from 2012;
- from 2013, it will be illegal in the EU to confine pregnant sows in individual stalls after the first 4 weeks of pregnancy.

CIWF points out that intensive fur farming is totally incompatible with an image of Ireland as a country with high farm animal welfare standards, and we argue in the next section that the proposed Bill should prohibit this practice.

2. FUR FARMING SHOULD BE BANNED

The proposed Bill should ban fur farming because the practice is inhumane and unnecessary. Fur farming is incompatible with an image of Ireland as a country with high quality agricultural production to good animal welfare standards.

It is CIWF's view that fur farming is one of the most serious animal welfare problems in the Republic of Ireland, and that it is damaging to the image of Ireland as a country that takes farm animal welfare seriously. CIWF urges the Government to include a provision in the proposed Animal Health and Welfare Bill to ban fur farming.

2.1 Fur farming in the Republic of Ireland:

There are 5 mink farms in the Republic of Ireland and one fox farm (which operates in conjunction with a mink farm) [3]. In 2006, approximately 170,000 mink and 300 foxes were slaughtered in the Republic of Ireland for their fur. [4]



© CIWF/Respect for Animals

Fox cages



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Mink cages

Mink and foxes on Irish fur farms are kept in rows of small cages in open-sided sheds. The photos (above) are from an investigation of Irish fur farms in 2003 by CIWF and Respect for Animals, and show mink and fox cages on Irish fur farms. Photos can also be seen on the Irish Fur Breeders Association website at: www.irishfur.com/Housing.htm

Cages measured during the 2003 investigation of Irish fur farms were the following sizes:

Mink cages - 32" long (nest box extra) x 10" wide x 16" high (measurements in inches)

Fox cages - 46" long x 48" wide x 28" high

Foxes and mink are confined in these small cages at all times until they are slaughtered at around 6 months old.

2.2 Summary of reasons to ban fur farming:

Scientific studies show that intensive fur farm conditions cannot meet the needs of mink and foxes. Mink and foxes are particularly unsuited to intensive farm conditions because they are not fully domesticated and are not herd or flock animals. There is no practical and economically-viable way in which large numbers of mink and foxes can be reared humanely because these animals are not suitable for mass production. (See below for a detailed discussion on the welfare problems in intensive fur farming, and the issue of domestication.)

On-farm slaughter of mink and foxes raises concerns both about the methods used and the lack of veterinary supervision. There are science-based concerns about gassing mink in carbon monoxide or carbon dioxide, and the use of batch killing, which is the commonly used slaughter method. Foxes are killed by anus-to-mouth electrocution, a method that is abhorrent to the general public. Pre-slaughter handling of animals that are not fully domesticated results in stress for these animals. (See below for a detailed discussion on the welfare problems at slaughter.)

There is no EU Directive specifically on fur farming and Member States are free to ban fur farming. Fur farming is already illegal in Northern Ireland, Britain and Austria [5].

Fur farming is worth little to the Irish economy. Pelt exports in 2006 were valued at just €3.6 million [6]. Employment figures are not available. However, fur farming is not labour intensive and there are only a small number of farms so the number of people employed will be low. Much of the work is seasonal, with workers employed for a short time each year during the killing and skinning of animals.

As farmers look for activities to bring in secondary income, CIWF is concerned that there is danger that small-scale fur farming may be seen as suitable for diversification because it requires so little labour input.

CIWF believes that banning fur farming would significantly enhance farm animal welfare standards in the Republic of Ireland. It would also bring the Republic of Ireland into line with Northern Ireland, where fur farming is already illegal. This could be helpful regarding the proposed all-Ireland animal health and welfare strategy.

2.3 Scientific evidence of welfare problems on intensive fur farms:

A definitive report on The Welfare of Animals Kept for Fur Production [7] by the European Commission's Scientific Committee on Animal Health and Animal Welfare (2001) (the SCAHAW report) looked comprehensively at the science relating to fur farming and found that: "*current husbandry systems cause serious problems for all species of animals reared for fur*" [p.182].

Since the publication of the SCAHAW report, conditions on fur farms have not significantly improved; nor are significant improvements likely in the foreseeable future. Indeed, the profit per animal is so small that it is impossible to see how a suitable environment could be provided whilst still retaining commercial viability. (For example, mink pelts sold at a Finnish fur auction in December 2007 averaged €31.34 for male pelts and €17.26 for female pelts; the average price for a selection of fox pelts was €41.65 per pelt [8].) The fact that mink and foxes reared on fur farms are not fully domesticated and are not naturally herd or flock animals (see below) adds to the problem of providing a suitable environment.

Typical intensive fur farm conditions impair mink and fox welfare

The SCAHAW report concludes, with regard to mink, that: "*The typical mink cage with a nest box and wire mesh floor impairs mink welfare because it does not provide for important needs. Particular problems are limited locomotor and stimulatory possibilities, lack of opportunity to climb, go into tunnels or swim, and inability to avoid social contact.*" [p.178]

The SCAHAW report describes how mink have coats adapted for a semi-aquatic lifestyle. They also have small webs between their toes. In the wild, mink always live near water. They have good swimming abilities and are accomplished under-water swimmers. [p.13,14] The SCAHAW report concludes that: "*In experimental conditions, farm mink show strong preferences for the opportunity to swim.*" [p.178] On fur farms, mink are not provided with water for swimming.

With regard to foxes, the SCAHAW report concludes that: "*The typical fox cage does not provide for important needs of foxes. In particular, it imposes monotony of the physical environment, restricts physical exercise and species-specific behaviour such as digging.*" [p.179].

(Note that, in the wild, mink and foxes have large territories. Mink have home ranges of 1 to 6 km in length; they always live beside water, and they often have several dens. Red foxes (silver foxes) have territories of up to 10 km² and dig dens or use the dens of other animals. Arctic foxes have home ranges of 20 to 30 km² and may migrate more than 100 km in a single season; they build dens on the banks of streams, on hills and in rock piles. [All information from the SCAHAW report.]

Farmed mink and foxes are particularly unsuited to intensive farm conditions because they are not fully domesticated and do not naturally live in herds or flocks

Whilst other types of farm animals, such as cattle and pigs, have been domesticated (adapted to farming) over thousands of years, mink and foxes have only been farmed for a relatively short time and selection has been mainly for fur characteristics.

The SCAHAW report says: *“In contrast to the thousands of years during which cattle or pigs have adapted to farming by humans, mink have been kept in captivity for only 80 or fewer years. Hence mink are not domesticated in the same sense.”* [p. 36] Furthermore, referring to animals reared for fur, the SCAHAW report points out that: *“these species, in comparison with other farm animals, have been subjected to relatively little active selection, except with respect to fur characteristics.”* [p. 185]

In addition to their lack of domestication, another feature of foxes and mink that makes them totally unlike other farm animals is that they do not naturally live in herds or flocks. Whereas cattle, pigs and poultry naturally live in herds or flocks, mink and arctic foxes are described in the SCAHAW report as *“solitary”* [p.11]. The SCAHAW report says that the red fox (silver foxes are a colour variant of red foxes) is: *“usually described as a solitary carnivore, though recent literature now acknowledges that its social behaviour is complex.”* [p.23]

Behavioural indications of welfare problems

The SCAHAW report lists behavioural problems that are associated with intensive fur farming, including:

“Stereotypies, largely locomotor in nature, are widespread on mink farms. For example in a large scale study stereotypies were shown to occur in 31 to 85% of females, while other studies have reported higher as well as lower figures.” [p.178] (Stereotypies are meaningless repetitive behaviours that are an indicator of stress.)

“Mink in farm cages may show sucking or biting of their tail fur, or biting of other parts of their pelt. These behaviours are widespread in farmed mink.” [p.178]

“Abnormal behaviours such as exaggerated fear response, infanticide, stereotypies and pelt biting are described in farmed foxes but not well quantified.” [p.179]

“Fearfulness of humans is a common feature of foxes on commercial farms.” [p.179]

2.4 No humane alternative production systems:

The fact that mink and foxes are not fully domesticated, and they do not naturally live in herds or flocks, makes them particularly unsuited to intensive farm conditions. It would not be practical or commercially viable to provide farmed mink and foxes with an environment that would meet their needs, including a need to spend time solitarily.

2.5 Welfare problems at slaughter:

In addition to welfare problems during rearing, there are also serious concerns arising from the slaughter of farmed mink and foxes.

The fact that foxes and mink are not fully domesticated means that pre-slaughter handling can cause them considerable stress. Slaughter takes place on the farm and veterinary supervision is not a requirement. Mink are usually grabbed out of their cages by operatives wearing protective gloves to be placed in a gassing box.

There is concern over the slaughter methods used. Mink are gassed in carbon monoxide (CO) or carbon dioxide (CO₂) [9] in batches of 50 to 70 animals per gassing box . [10] The SCAHAW report is critical of the use of carbon dioxide, saying that mink find it highly aversive and recommending that: *“Killing mink with CO₂ should be avoided.”* The SCAHAW report says that carbon monoxide can sometimes be slow to take effect. Batch gassing also raises concerns; the SCAHAW report says that: *“animals may pile up and be killed in part by suffocation”*. [p.67, 68 & 184]

Foxes are killed by electrocution [9]. An electrode is inserted into the rectum and another is applied to the mouth. Dr. Mohan Raj of the University of Bristol, who is an expert on the slaughter of fur animals, is of the opinion that the insertion of an earth probe per rectum would be painful and invasive. Furthermore, Dr. Raj points out that: *when the fox bites on the charging probe, the electrical current takes the path of least resistance from the mouth to the heart and then to the rectum. However, this may not render the fox unconscious as not enough current may flow through the brain which is encased within the skull which has a higher resistance than the heart. As a result the fox may be conscious at the time of cardiac arrest which is totally unacceptable from the point of view of welfare.* [11]

CIWF-Ireland is totally opposed to the killing of animals by means of rectum-to-mouth electrocution because of the stress caused by pre-slaughter handling and the invasive procedure of inserting an electrode probe into the rectum. The former Agriculture Minister, Mary Coughlan, said that she was “aware of public concern” regarding the electrocution of farmed foxes. [12]

2.6 Legislation applying to fur farming: [13]

National legislation:

- Musk Rats Act, 1933
 - Musk Rats Act, 1933 (Application To Mink) Order, 1965
- (these relate mainly to licensing and prevention of mink escapes)

General EU legislation (transposed into Irish legislation):

- Council Directive 98/58/EC concerning the protection of animals kept for farming purposes
 - Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing
- There is no EU Directive specifically applying to fur farming.

Other (not legislation):

- Council of Europe Recommendation Concerning Fur Animals (1999)
 - European Fur Breeders' Association Code of Practice
- (this Code of Practice is based on the Council of Europe Recommendation Concerning Fur Animals)

The Council of Europe Recommendation Concerning Fur Animals lays down future minimum space requirements for fur animals, to be put in place by 31st December 2010, and also makes a provision for a secluded area/nest box/platform for foxes. However, the increase in cage space is small (the new minimum cage spaces [free area] are: mink - 2550 cm² excluding nestbox, 45 cm high; foxes - 0.8 to 2.0 m², height 70 cm).

It is CIWF's view that the Council of Europe Recommendation Concerning Fur Animals fails totally to address the core problem of confining animals that are not fully domesticated into small cages in intensive farming systems. The Recommendation does not provide for an environment that allows foxes and mink to carry out their natural behaviours such as swimming behaviour in mink and digging behaviour in foxes.

2.7 Conclusion:

As there is no practical humane way of mass producing mink and foxes, CIWF believes that a provision to prohibit fur farming should be included in the proposed Animal Health and Welfare Bill.

3. DUTY OF CARE

CIWF welcomes the inclusion of a *duty of care* provision in the proposed Bill, and urges the Government to base the *duty of care* wording on similar sections in the Animal Welfare Act 2006 (England and Wales) and the Animal Health and Welfare (Scotland) Act 2006.

CIWF welcomes that the Bill will include a *duty of care* provision. It is important that this ensures that owners have a legal responsibility for the well-being of animals; that owners can be prosecuted and animals removed in the case of neglect of duty of care; and that such action can be taken *before* the animal is adversely affected. The *duty of care* provision must ensure that anyone responsible for an animal takes all reasonable steps to ensure that the animal's needs are met.

CIWF urges the Government to base the wording for the *duty of care* provision in the proposed Animal Health and Welfare Bill on the wording contained in *Section 9, Promotion of welfare* in the Animal Welfare Act 2006 (England and Wales); and *Section 24, Promotion of welfare* in the Animal Health and Welfare (Scotland) Act 2006. The *duty of care* section in the proposed Bill should apply to all animals.

The British Department for Environment, Food and Rural Affairs (DEFRA) explains that the *duty of care* wording in the Animal Welfare Act 2006 (England and Wales) goes beyond previous British legislation. DEFRA says that the previous legislation only imposed on people a duty to ensure that an animal did not suffer unnecessarily, whereas the 2006 Act also imposes a broader duty of care on anyone responsible for an animal to take reasonable steps to ensure that the animal's needs are met.

[See www.defra.gov.uk/animalh/welfare/act/affect.htm]

The sections relating to the *duty of care* in the Animal Welfare Act 2006 (England and Wales) and the Animal Health and Welfare (Scotland) Act 2006 are similar. Both Acts specify that animal's needs include:

- its need for a suitable environment,
- its need for a suitable diet,
- its need to be able to exhibit normal behaviour patterns,
- any need it has to be housed with, or apart from, other animals,
- its need to be protected from pain*, suffering, injury and disease. (*not in Scotland Act)

CIWF urges the Government to base the wording of the *duty of care* section in the proposed Animal Health and Welfare Bill on the wording in the related sections of the Scotland and the England and Wales Acts mentioned above.

4. ANIMALS AS SENTIENT BEINGS AND THE DEFINITION OF SUFFERING

The proposed Bill must acknowledge that animals are *sentient beings*, and should define ‘suffering’ in such a way that it includes both mental and physical suffering.

The EU, in a legally binding protocol added to the European Treaty in 1997, recognises animals as “*sentient beings*”.

This means that it is accepted in law that animals are capable of being aware of sensations and emotions, of feeling pain and suffering, and of experiencing a state of well being.

Recognition of animal sentience should be the basis for all animal protection legislation. It is essential that the proposed Animal Health and Welfare Bill includes wording that acknowledges that animals are *sentient beings*.

As animals are *sentient beings*, and can therefore experience mental suffering as well as physical suffering, the proposed Bill must explicitly define suffering to include both mental and physical suffering.

5. SECONDARY LEGISLATION

CIWF welcomes that the proposed Bill will include enabling provisions for secondary legislation.

Whereas some species of farm animals are covered by specific EU legislation, e.g. calves, pigs and laying hens, other important farm species are not covered by EU species-specific legislation, e.g. dairy cattle, beef cattle, sheep, turkeys and ducks. It is therefore important that the proposed Animal Health and Welfare Bill contains regulation-making powers for the Minister to make detailed regulations for such farmed species.

REFERENCES

References for Section 1 (high quality agriculture):

- [1] European Commission (2007), Attitudes of EU citizens towards Animal Welfare, Special Eurobarometer, March 2007.
- [2] European Commission (2004), Study on the socio-economic implications of the various systems to keep laying hens, Final Report for the European Commission. submitted by Agra CEAS Consulting Ltd., December 2004.

References for Section 2 (fur farming):

- [3] Parliamentary Question No. 151, 6/3/2008
- [4] Parliamentary Question No. 370, 31/10/2007
- [5] Minutes of the Farm Animal Welfare Advisory Council, 12/2/2003
- [6] Parliamentary Question No. 372, 31/10/2007
- [7] The Welfare of Animals Kept for Fur Production, Report of the European Commission's Scientific Committee on Animal Health and Animal Welfare (SCAHAW), December 2001. (The SCAHAW report can be read in full on the European Commission's website at: http://www.europa.eu.int/comm/food/fs/sc/scah/outcome_en.html)
- [8] Finnish Fur Sales' international auction information for 19/12/2007 and 21/12/2007, see: www.ffs.fi
- [9] Letter from the Department of Agriculture and Food to CIWF, 26/6/2006
- [10] Parliamentary Question No. 342, 6/12/2005
- [11] Dr. A. B. M. Raj, BVSc, MVSc, PhD, Reader in Farm Animal Welfare, Division of Farm Animal Science, School of Clinical Veterinary Science, University of Bristol. Personal communication, March 2008.
- [12] Parliamentary Question No. 371, 31/10/2007
- [13] Letter from the Department of Agriculture and Food to CIWF, 16/4/2003

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