Implementation of the European legislation to protect farm animals: a case study on French inspections to find solutions to improve compliance

AC Lamellini-Dereclenne†, M Miele‡, L Mounier† and I Veissier*†

† Université Clermont Auvergne, INRA, VetAgro Sup, UMR Herbivores, F63122 Saint-Genes-Champanelle, France
‡ Cardiff School of Planning and Geography, Cardiff University, Cardiff CF10 3WA, UK
* Contact for correspondence and requests for reprints: isabelle.veissier@inra.fr

Abstract

In the European Union, at least 1% of farms are inspected every year and sanctions are applied to those that do not comply with the legislation on animal welfare. These on-farm inspections can result in measures to correct welfare problems detected. They can also highlight major risks that will require a focus of efforts and help prevent further non-compliances. Here, we analysed the reports from inspections of French cattle farms between 2010 and 2013 to check whether inspection stimulates improvement and to propose ways to improve how animal welfare legislation is implemented through the cross-compliance system. French inspectors use 32 items to assess overall compliance of farms inspected. We found that compliance improves on farms that are re-inspected but not in other farms (8% of severely non-compliant farms). Nine items do not influence the overall assessment whereas eight have a huge impact. The importance attributed to items varies from the first to the second visit to a farm. The major risks are absence of farm records, lack of basic care (practices or enclosures likely to harm animals, insufficient feeding) and inadequate skills (no veterinarian consulted, insufficient qualified staff). To improve compliance with EU animal welfare legislation and the efficiency of the inspection system, we suggest organising consultation between inspectors, ministry central services and welfare experts to: (i) refine the checklist and harmonise interpretations of item compliance; (ii) make sure all farmers are aware of the legislative requirements and the major risks of non-compliance; and (iii) define plans for a step-wise improvement of non-compliant farms.

Keywords: animal welfare, cattle, compliance, EU legislation, inspections, overall assessment

Introduction

A remote risk of undernutrition, modification of the human-animal relationship, urbanisation, intensification of farming conditions, progress in animal welfare science, and environmental degradation have made the use of farmed animals and ethical farming practices a focal issue (Broom 1991; Miele et al 2011; Baratay 2012). These concerns emerged in the EU in the 1960s and were prominent in European Commission Eurobarometers organised in 2005, 2007, 2015 (European Commission 2005, 2007, 2016) and are now seen as a worldwide issue (Kjærnes et al 2007; Bayvel et al 2012; You et al 2014). The EU has addressed mounting citizen concern over the protection of farmed animals by attributing greater importance to animal welfare in primary law, moving it from a Protocol annexed to the Treaty of the Functioning of European Union (TFUE) to a specific article (Article 13) of the Treaty of Lisbon which came into force in 2009. Article 13 clearly recognises animals as sentient beings. Numerous pieces of legislation (secondary law) have been adopted to regulate the practices concerning farm animals. In accordance with Council of Europe conventions and recommendations, EU member states have adopted European directives and regulations on the protection of animals on farms, in transport and at slaughter. In addition, the European Commission adopted two strategies on animal welfare, one covering the period 2006–2010 and the second covering 2012–2015, in which it stresses a policy to pursue efforts to stimulate improvements in animal welfare across Europe. Despite this legislative arsenal from the European Union, the welfare of farm animals seems far from fully assured. Various media scandals initiated by non-governmental organisations specialising in animal protection have challenged public opinion on the effectiveness of the animal protection laws. Indeed, according to 2016 Eurobarometer figures, 82% of the 27,672 respondents believed that the welfare of farmed animals should be better protected than it is today (European Commission 2016). The European Commission’s effectiveness in putting Article 13 into practice is also under challenge from the European Parliament which, in 2015, adopted a resolution (ie a motion voted by all European parliamentarians) urging the European Commission to fully implement Article 13 and adopt a new strategy on animal welfare (European