



Centre national
de référence pour le
bien-être animal

Request from the competent authority: 25/4/2019

FRCAW revised opinion published on 21/6/2019

Context of the request as set out by the competent authority: The industry's fact sheets on environmental enrichment materials must urgently be finalised by pig producers, in line with the guidance currently undergoing review in light of an upcoming audit to be carried out by the General Directorate for Health and Food Safety.

Request: That the FRCAW provide an opinion on the categorisation proposed by pig producers of three environmental enrichment materials, based on each material type as defined in the European Commission Recommendation (EU) 2016/336 of 8 March 2016 on the application of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs as regards measures to reduce the need for tail-docking.

References:

- EC Directive 2008/120/EC. Available online: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0120&from=EN> (accessed on 16 April 2019).
- The European Commission Recommendation (EU) 2016/336 of 8 March 2016 on the application of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs as regards measures to reduce the need for tail-docking. O. J. Eur. Union 2016. Available online: <https://eur-lex.europa.eu/eli/reco/2016/336/oj> (accessed on 16 April 2019) (*named hereinafter "Recommendation"*).
- Commission Staff Working Document on best practices with a view to the prevention of routine tail-docking and the provision of enrichment materials to pigs Accompanying the document Commission Recommendation on the application of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs as regards measures to reduce the need for tail-docking (*named hereinafter "working document"*).
- Anses, 2015. AVIS du 30/01/2015 révisé le 13/02/2015 relatif à l'enrichissement du milieu d'élevage des porcs par la mise à disposition des matériaux manipulables, Agence nationale de sécurité sanitaire de l'alimentation, p. 47

The Opinion that follows is issued in the name of the FRCAW (French Reference Centre for Animal Welfare), the expert submission having been validated by the FRCAW Steering Committee.

Preliminary consideration of the account to be taken of the contents of the working document that accompanies the Recommendation

The working document (referred to below as ‘European BPG 2016’) states in Section 1, Background, that the document ‘is without any legally binding nature. It is drafted by the Commission services as a staff working document and does not reflect any validated position of the Commission’. The Recommendation itself is not a legally binding deed of the Commission. But in practice, member States must comply with its contents. By the same reasoning, if a choice is made to respect the Recommendation, the opinions in the accompanying document should also be respected, as they would be by any judgement resulting from a legal dispute.

1. Opinion on whether straw, hay and fodder racks are optimal materials

Case put forward by the profession: ‘Neither point 4 nor point 5 of the Recommendation (EU) 2016/336 of 8 March 2016 specifies that the materials must be spread as bedding in order to be optimal. Further, we consider that straw, hay or any other fodder provided in racks are materials possessed of all the characteristics set out in points 4 and 5 of the Recommendation. On this basis, we classify them as optimal materials (point 6 states that a material may be considered to be optimal if it has all of the characteristics described in points 4 and 5 of the Recommendation) with the qualification, clearly, that a sufficient supply must be maintained by the farmer. This classification differs from that proposed in the annex to ‘European BPG 2016’ which accompanies the Recommendation (suboptimal materials). However, it is stated in the BPG that it is a ‘working document and does not reflect any validated position of the Commission’ and that it ‘suggests best practices’.

Opinion of the FRCAW:

It is indeed the case that the Recommendation does not state that fodder materials, in order to be considered ‘optimal’, must be spread as bedding. Nevertheless, the working document for Commission staff does, for its part, set out in paragraph 6.3 the definitions for the categories of materials. Under the heading ‘OPTIMAL MATERIALS’, fodder used as bedding is listed and under ‘SUBOPTIMAL MATERIALS’, fodder in racks and feeders appears. This is confirmed in Table 1 of Annex 1. Moreover, this working document for Commission staff states in point 6.3 under ‘SUBOPTIMAL MATERIALS’ that ‘[c]areful management and adequately sized gaps in the feeders or racks may help prevent an excessive quantity of enrichment material from being pulled out and falling onto the slats’, which confirms that the materials placed in racks are not intended to serve as bedding.

This accords with the spirit of the texts. The recommendation states in point 4 that: enrichment materials should ‘enable pigs to fulfil their innate needs’. Directive 2008/120 states clearly in Consideration 8 that: ‘[p]igs should benefit from an environment corresponding to their needs for exercise and investigatory behaviour’. **Investigatory activity** which includes rooting, turning over the soil, is therefore considered to be **an essential need** for pigs because it is part of their nature. **Only materials spread on the ground (bedding, materials from the ground itself, etc.) that allow this investigatory activity, can therefore be considered to be ‘optimal’**. Consequently, fodder placed in racks cannot be considered ‘optimal’ because it does not allow proper investigatory activity, even if a certain amount of the fodder may fall from the rack to the ground.

Conclusion

- **Investigatory materials distributed in feeders or racks** cannot be considered of "optimal" interest but only of "suboptimal" interest.
- They must therefore be **used in combination with other materials**.

2. Opinion on the combination of iron chains and soft wood as a sub-optimal material

Case put forward by the profession: ‘The ‘octopus’ device combines chains and wood that are two materials described elsewhere as discrete materials. Nevertheless, we consider it to be important to maintain a view of the device as a material in and of itself in that, as well as combining a suboptimal material (wood) with a material of marginal interest (chains), the device assembles several chains and several pieces of wood, having the advantages of the branched chains described by Marc B. M. Bracke in his article (Chains as proper enrichment for intensively-farmed pigs?) The combination of branched chains with pieces of wood also increases the activities available to the pigs’.

Opinion of the FRCAW:

The working document for Commission staff does not include the ‘octopus’ device in Table 1 of Annex 1, but it refers to this material in 6.3 ‘SUBOPTIMAL MATERIALS’ and states that: ‘ if there is soft wood attached to a chain then consider providing other edible forms of enrichment such as vegetable roots (turnips etc.) or forages in racks etc’. This material is thus indeed considered to be a ‘suboptimal’ material which, as with straw, hay and fodder in racks, must be combined with other materials.

The categorisation of this device, it would appear, should be based on the ‘soft’ or ‘hard’ categorisation of the wood. The working document states that soft wood should be ‘odorous and fresh’ to allow ‘active biting and exploration’ and ‘should be replaced with fresh [pieces of wood] at regular intervals’ in order to be considered ‘suboptimal’. The ‘softness’ or ‘hardness’ of the wood is the essential characteristic that should be considered here, in response, depending on the age of the pigs and the size of their jaws, to their need to chew. It must be possible for the pigs to degrade the wood by tearing it apart. This is in line with the Recommendation which states that pieces of wood must ‘be chewable, so that pigs can bite them’. This also fits with the Opinion from the ANSES (2015) which ranks ‘deformable’ and ‘chewable’ highest on the list of required characteristics for manipulable materials. Hard wood does not permit this chewing activity and pigs cannot change its form. It is classed as being of ‘marginal interest’ in Table 1 of Annex 1 of the working document. The working document even classifies ‘older and drier wood’ as an ‘unsafe’ material to be avoided.

The interval for renewal/replacement should be fixed to ensure that sufficient material is available to the animals. As the Anses Opinion (2015) comments: ‘if the materials or objects can be destroyed then the supply must be regularly renewed’. It should however be borne in mind that the nature of the material is just one factor among several to be taken into consideration, as position, manner of fixing, deformability etc. are of equal importance to the use of objects by the animals.

In conclusion:

- **The combination of iron chains and regularly renewed soft wood** can be considered to be ‘suboptimal’ and should be combined with other materials.
- **The combination of iron chains and hard wood, i.e. not degradable by animals**, is considered to be of ‘marginal interest’. **This material should therefore be combined with other materials of a different nature that are at least ‘suboptimal’.**

3. **Corn starch: a suboptimal material**

Case put forward by the profession:

- Corn starch is used as an enrichment material alongside wood fibres. It is offered to pigs in different forms: stars, small or large boomerangs (depending on the physiological development stage of the pigs).
- Advantages: this is an organic and edible enrichment material which, when consumed, presents no risk of injury to the animal. Moreover, it is easy to digest and eliminate. Last, the residual materials do not block the slurry removal system.
- Disadvantages: the boomerang shapes are less resistant than the star shapes. The animals consume them quite quickly which means that they must be frequently renewed/replaced.

Opinion of the FRCAW:

Corn starch in its compressed form, when combined with other materials such as wood fibres, is listed neither in the Recommendation nor the working document. However, it appears to conform to the definition of a 'suboptimal' material, since it is edible and can be chewed and investigated.

Conclusion:

- **Corn starch in compressed form, combined with wood fibres** may be considered to be 'suboptimal'.
- Like any suboptimal material, this material must be **combined with other materials of a different nature**.