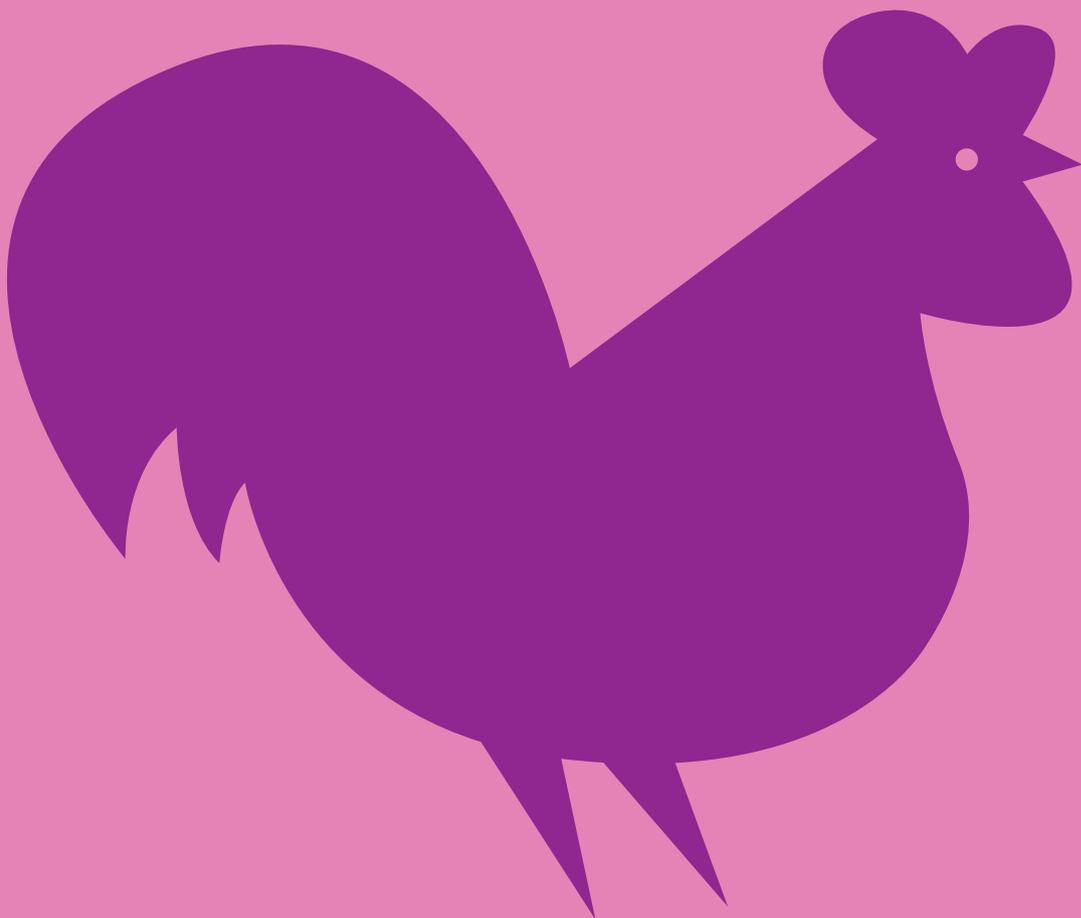


# laying hens

**codes of practice**  
for the welfare of laying hens



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# **CODES OF PRACTICE FOR THE WELFARE OF LAYING HENS**

## **NOTE**

This Code which has been prepared following consultation, is issued with the authority of the Scottish Parliament pursuant to section 37 (animal welfare codes) of the Animal Health and Welfare (Scotland) Act 2006.

The Code applies in Scotland and has been issued by the Scottish Ministers (following approval by the Scottish Parliament).

Any reference in this Code to advisory publications is for information only and does not form part of this Code.

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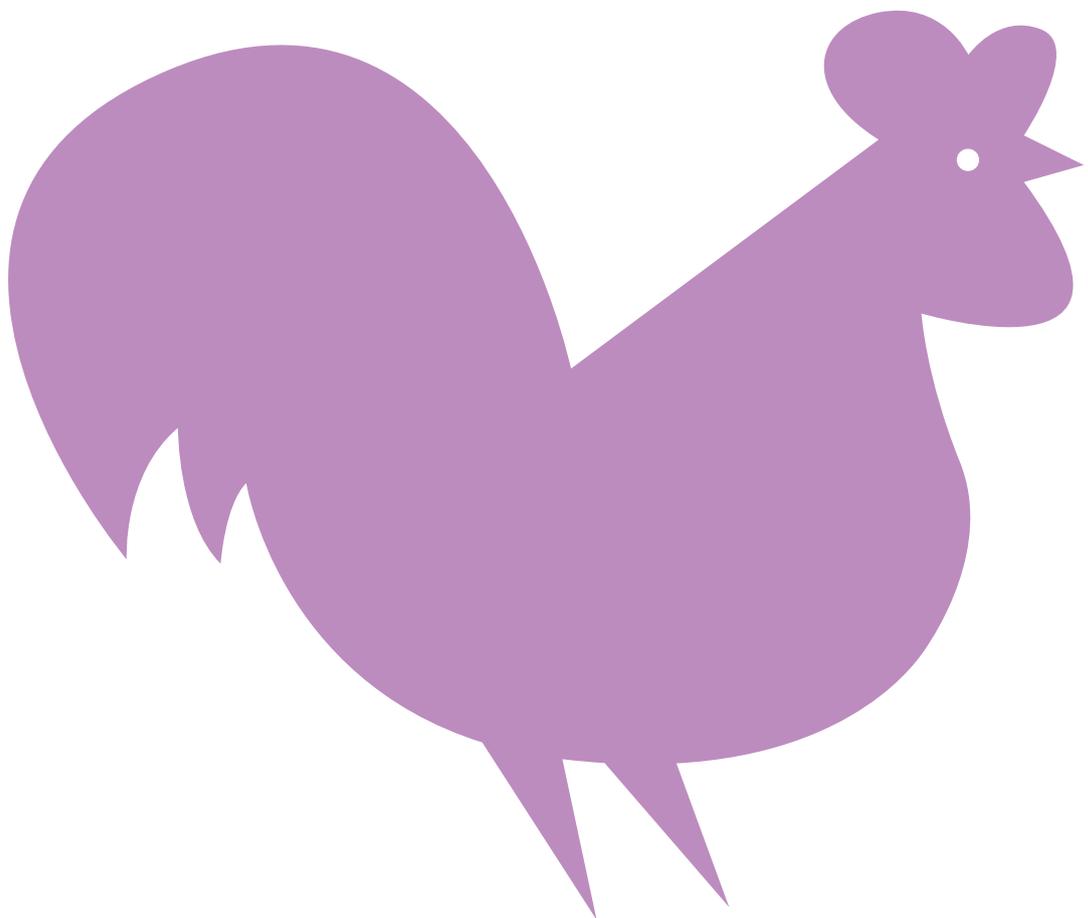
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This preface is not part of the Code but is intended to explain its purpose and to indicate the broad considerations upon which it is based. Similarly, the legislation quoted in boxes throughout the document is not part of the Code but is intended to highlight some of the legal requirements. The law, as quoted in these boxes, is that in force either on the date of publication or reprinting of the Code (please turn to the back cover for this information). Readers should be aware that any of the legal requirements quoted might be subject to change – they should seek confirmation before assuming that these are an accurate statement of the law currently in force.

Regulation 7 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) provides that:

A person responsible for a farmed animal must take all reasonable steps to ensure that a person employed or engaged by the person responsible does not attend to that animal unless that employed or engaged person:

- is acquainted with any relevant animal welfare codes relating to the animals being attended to;
- has access to a copy of those codes while that person is attending to the animals; and
- has received instruction and guidance on those codes.

A person responsible for a farmed animal must not attend to that animal unless that person is acquainted with any relevant animal welfare code and has access to that code while attending to that animal.

In Regulation 2 it states that “animal welfare code” means a code of practice issued under section 37 of the Animal Health and Welfare (Scotland) Act 2006.

To cause or permit unnecessary suffering is an offence under Section 19 of the Animal Health and Welfare (Scotland) Act 2006. The breach of a code provision, whilst not an offence in itself, can nevertheless be used in evidence as tending to establish the guilt of anyone accused of an offence under the Act (Section 37(9)).

Regulation 5(1) of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that a person responsible for a farmed animal must ensure that the conditions under which that animal is bred or kept comply with the requirements set out in Schedule 1.

Regulation 5(2) of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

In relation to the duty in paragraph (1), a person responsible for a farmed animal must have regard to its species; degree of development; adaptation and domestication, and physiological and ethological needs in accordance with established experience and scientific knowledge.

Regulation 8 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Where an inspector considers that a farmed animal is being kept in contravention of any provision of these Regulations, the inspector may serve a notice on the person who in the opinion of the Inspector is responsible for that animal requiring that person, within the period stated in the notice to take any action that the inspector considers to be reasonably necessary to ensure compliance with these Regulations and the Inspector shall give reasons for requiring that action to be taken.

Regulation 11 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

A person responsible for animals who without lawful authority or reasonable excuse contravenes or fails to comply with any provision of the Regulations or fails to comply with a notice served under Regulation 8 within the time specified in the notice is guilty of an offence.

The Code is intended to encourage all those who care for farm animals to adopt the highest standards of husbandry. Without good stockmanship, animal welfare can never be adequately protected. Adherence to these recommendations will help flock-keepers to reach the required standard.

The welfare of laying hens is considered within a framework, elaborated by the Farm Animal Welfare Committee, and known as the 'Five Freedoms'. These form a logical basis for the assessment of welfare within any system together with the actions necessary to safeguard welfare within the constraints of an efficient livestock industry.

The Five Freedoms are based on an animal's needs as follows:

- **its need for a suitable environment**
  - by providing an appropriate environment including shelter and a comfortable resting area;
- **its need for a suitable diet**
  - by ready access to fresh water and a diet to maintain full health and vigour;
- **its need to be able to exhibit normal behaviour patterns**
  - by providing sufficient space and proper facilities;
- **any need it has to be housed with, or apart from, other animals**
  - by providing company of the animals' own kind, if appropriate;
- **its need to be protected from suffering, injury and disease**
  - by ensuring conditions and treatment to avoid suffering, including mental suffering.

In acknowledging these freedoms, those who have care of livestock should practise:

- caring and responsible planning and management;
- skilled, knowledgeable and conscientious stockmanship;
- appropriate environmental design (e.g. of the husbandry system);
- considerate handling and transport; and
- humane slaughter.

Part 2 of the Animal Health and Welfare (Scotland) Act 2006 contains the general law relating to animal welfare. Broadly it is an offence (under section 19 of the Act) to cause or permit suffering to any domestic or captive animal by anything that is done or omitted to be done, and an offence (under section 24) to fail to take steps to ensure that the needs of an animal are met.

Section 32 of the Act empowers an inspector or a police constable to take possession of an animal which is considered to be suffering or in danger of suffering. Section 34 gives the courts the power to make a disposal order for seized animals which can allow these animals to be sold, destroyed or disposed of in another manner. The reasonable costs involved, including veterinary treatment can be recovered from any proceeds from the sale of the animal. A disposal order can be made before a charge under the Act has been brought.

Under section 40 of the Act a court has the power to disqualify a person convicted under the Act from owning, keeping, dealing in, transporting, taking possession or taking charge of animals. The ban can specify a particular kind of animal or all animals for such a period as the court thinks fit.

This Code applies in Scotland only and has been issued by the Scottish Ministers (following approval by the Scottish Parliament). It replaces (also as regards Scotland only) that part of the existing Domestic Fowls Code (issued in 1987), relating to the welfare of laying hens.

Similar Codes have been produced in England, Wales and Northern Ireland.

## 4 introduction

### Code for The Welfare of Laying Hens

- 1 This Code (which applies in Scotland only) applies to laying hens kept in various production systems. The recommendations are relevant to birds in all types of husbandry systems, although a different balance of welfare benefits and disbenefits applies to hens kept in different systems. Following these recommendations will help to ensure that the welfare of the birds is safeguarded.
- 2 No person should operate or set up a laying hen unit unless the welfare of all the birds can be safeguarded. This can be achieved by ensuring that the buildings and equipment, and the skills and ability of the flock-keeper, are appropriate to the husbandry system and the number of birds to be kept.
- 3 The relevant animal welfare legislation applies to owners as well as any person looking after the birds on their behalf, wherever the birds are located. A written contract can be of value in ensuring that all parties are clear about their responsibilities in respect of welfare. However, the obligations imposed by the law will still apply whether or not a contract exists.
- 4 The strain of bird selected must be suitable for the production system.

Schedule 3 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) lays down additional standards for the protection of laying hens.

This does not apply to establishments with fewer than 350 laying hens.

Such establishments shall, however, continue to be subject to the relevant requirements of Directive 98/58/EC, which has been implemented in Scotland by Schedule 1 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388).

Regulation 2 (1) of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) provides the following definition:

**“laying hen”** means an animal of the species *Gallus gallus* which has reached laying maturity and is kept for production of eggs not intended for hatching.

Schedule 3, Part 1, paragraph 1 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) provides the following additional definitions:

**“litter”** means any friable material enabling the hens to satisfy their ethological needs;

**“nest”** means a separate space for egg laying, the floor components of which may not include wire mesh that can come into contact with the birds, for an individual hen or a group of hens;

**“usable area”** means an area, other than any nesting area used by laying hens at least 30cm wide with a floor slope not exceeding 14% and with headroom of at least 45cm.

# stockmanship and staffing

Schedule 1, Paragraph 1 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Animals must be cared for by a sufficient number of staff who possess the appropriate ability, knowledge and professional competence.

- 5 It is essential that sufficient, well-motivated and competent personnel are employed to carry out all necessary tasks. Staff should be well managed and supervised, fully conversant with the tasks they will be required to undertake and competent in the use of any equipment.
- 6 All flock-keepers should demonstrate full understanding of the welfare needs and basic biology of the birds and have shown that they are capable of safeguarding them under all foreseeable conditions before being given responsibility for a flock. A good flock-keeper will have a compassionate and humane attitude, will be able to anticipate and avoid many potential welfare problems, and have the ability to identify those that do occur and respond to them promptly.
- 7 Staff, including those employed by contractors, should be given appropriate training. This requires the acquisition of specific stockmanship skills, which may be developed on-farm, working with an experienced person, or by following a course offered by a suitable training provider. Flock-keepers should demonstrate competence and understanding before they are given responsibility for the birds. Training should continue throughout the duration of the employment and suitable refresher courses should be undertaken regularly. Wherever possible, the training should be of a type that leads to formal recognition of competence.
- 8 A training plan should be implemented to ensure that those working with laying hens recognise not only normal behaviour and good health but also signs of illness or disease or impending health problems. If specialised tasks are to be performed, for example vaccination or humane culling, then specific training should be given. Alternatively, the services of a competent contractor using trained staff should be obtained.
- 9 Staff should establish a methodical routine in completing the range of tasks involved in keeping laying hens. As part of this they should be particularly vigilant in checking that the systems are operating properly and birds are behaving normally. This will enable flock-keepers to detect problems in their earliest stages and acquire a good understanding of the action to be taken if a problem is noticed. If the cause is not obvious, or if the flock-keeper's action is not effective, immediate veterinary or technical advice should be obtained.
- 10 It is essential to ensure that enough time is available within the flock-keepers daily work routine for birds to be properly inspected and for any remedial action to be taken. The flock-keeper should have adequate knowledge of the husbandry system used to be able to appreciate the suitability of the total environment

## 6 stockmanship and staffing

for the birds' health and welfare. The system used, the number of birds kept and their stocking rate should depend on the suitability of the conditions and the skill of the flock-keeper.

- 11** Young birds should be given, where possible, appropriate experience of management practices (e.g. particular feeding and watering systems) and environmental conditions (e.g. natural light, perches, litter) to enable them to adapt to the husbandry systems which they will encounter later in life. In order to develop a positive relationship between keeper and bird there shall be frequent, quiet but close approach from an early age.

# inspection

Schedule 1, paragraph 2 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) requires that:

Animals kept in husbandry systems in which their welfare depends on frequent human attention must be adequately inspected at least once a day to check that they are in a state of well-being: and

Animals kept in systems other than husbandry systems in which their welfare depends on frequent human attention must be inspected at intervals sufficient to avoid any suffering.

Schedule 1, paragraph 3 states that:

Where animals are kept in a building, adequate lighting (whether fixed or portable) must be available to enable them to be adequately inspected at any time.

Schedule 3, paragraph 2 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

All hens must be inspected by the person responsible for the hens at least once a day.

Schedule 3, paragraph 7 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Accommodation comprising 2 or more tiers of cages must have devices, or appropriate measures must be taken, to allow inspection of all tiers and removal of hens without difficulty.

- 12 A thorough inspection should take place at least once a day. Such inspections should be made independently of any automatic surveillance equipment. This inspection should be sufficiently thorough to detect illness and injury of individual hens, and special attention should be paid to bodily condition, movements, respiratory distress, condition of plumage, eyes, skin, beak, legs, feet and claws, and where appropriate, combs and wattles. Attention should also be paid to the presence of external parasites, to the condition of droppings, to feed and water consumption, to growth and to egg production level. Where appropriate the birds should be encouraged to walk. Individual examination should be made of those birds for which the overall inspection indicates this to be necessary. A second daily inspection is recommended at a different time of the day.
- 13 The healthy individual bird should have sounds and activity appropriate to its age, breed or type, clear bright eyes, good posture, vigorous movements if unduly disturbed, clean healthy skin, good feather condition, well formed shanks and feet, effective walking and active feeding and drinking behaviour.
- 14 The early signs of ill health may include changes in food and water intake, in preening, in 'chatter' and in activity. There may also be a drop in egg production and changes in egg quality such as shell defects.
- 15 Housing and equipment must be designed so that all the birds can be clearly seen. Supplementary lighting may be needed for the inspection of birds in the bottom tier of cage systems.

## 8 disease treatment

Schedule 1, paragraph 5 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. No. 388), states that any animals which appear to be ill or injured:

must be cared for appropriately without delay; and where they do not respond to such care, veterinary advice must be obtained as soon as reasonably practicable.

Schedule 1, paragraph 6 states that:

Where necessary, sick or injured animals must be isolated in suitable accommodation with, where appropriate, dry comfortable bedding.

Regulation 4 of the Welfare of Animals (Slaughter or Killing) Regulations 1995 (S.I. 1995 No. 731) requires that slaughter or killing is carried out in a way that does not cause the bird any avoidable excitement, pain or suffering and by staff who have the necessary knowledge and skill to perform the task humanely and efficiently.

**NB These Regulations will be repealed when Council Regulation (EC) No. 1099/2009 on the protection of animals at the time of killing comes into effect on 1 January 2013.**

Paragraph 5 of Schedule 3 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Those parts of buildings, equipment or utensils which are in contact with the hens must be thoroughly cleaned and disinfected regularly and, in any case, every time depopulation is carried out and before a new batch of hens is

brought in. While cages are occupied, the surfaces and all equipment must be kept satisfactorily clean; droppings must be removed as often as necessary and dead hens must be removed every day.

- 16 A health and welfare programme should be implemented for each unit, which sets out health and husbandry activities. It should also establish management procedures and control measures to reduce the risk of infections and injury. The health and welfare programme should be developed with appropriate veterinary advice, reviewed against performance and updated accordingly.
- 17 If the poultry are apparently not in good health, or if they are showing obvious signs of behavioural alterations, the flock-keeper must take appropriate action without delay to establish the cause. If the immediate remedial action taken by the flock-keeper is not effective a veterinarian must be consulted and, if necessary, expert advice must be sought on other technical factors involved. Where there are signs of recurring injuries, which may be related to the environment, these must be investigated and rectified, as soon as possible to prevent any further damage to the birds.
- 18 Injured, sick or distressed birds must be treated without delay and if necessary separated from the rest of the flock in suitable accommodation available for this purpose, or killed in accordance with the legislation. Dead birds must be removed promptly.

# record keeping

Schedule 1, paragraph 7 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that a record must be maintained of:

- any medicinal treatment given to animals; and
- the number of mortalities found on each inspection of animals.

Schedule 1, paragraph 8 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that the record referred to in paragraph 7 must be retained for a period of at least 3 years from the date on which the medicinal treatment was given, or the date of the inspection, as the case may be, and must be made available to an inspector on request.

- 19** Records are an essential aid to management and those kept should include feed and water consumption, egg quality, health checks, behavioural abnormalities, maximum and minimum temperatures and ammonia levels.
- 20** Mortality, culling and, if possible, morbidity levels should be closely monitored. Autopsies should be carried out in cases where mortality levels are significant or higher than breeders' targets. Records should be kept of all these results.

# 10 feed and water

Schedule 1, paragraphs 22-27 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), state that:

- Animals must be fed a wholesome diet which is appropriate to their age and species and which is fed to them in sufficient quantity to maintain them in good health, to satisfy their nutritional needs and to promote a positive state of well-being.
- Animals must not be provided with food or liquid in a manner, nor must such food or liquid contain any substance, which may cause them unnecessary suffering or injury.
- All animals must have access to feed at intervals appropriate to their physiological needs (and, in any case, at least once a day), except where a veterinary surgeon acting in the exercise of that profession otherwise directs.
- All animals must either have access to a suitable water supply and be provided with an adequate supply of fresh drinking water each day or be able to satisfy their fluid intake needs by other means.
- Feeding and watering equipment must be designed, constructed, placed and maintained so that contamination of food and water and the harmful effects of competition between animals are minimised.
- No other substance, with the exception of those given for therapeutic or prophylactic purposes or for the purpose of zootechnical treatment, may be administered to animals unless it has been demonstrated by scientific studies of animal welfare or established experience that the effect of that substance is not detrimental to the health or welfare of the animals.

Under the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), Schedule 3, paragraphs 17 (a) and (b); Provisions applicable to laying hens kept in non-cage systems; state that:

- All systems must be equipped in such a way that all laying hens have:
  - (a) either linear feeders providing at least 10cm per hen or circular feeders providing at least 4cm per hen;
  - (b) either continuous drinking troughs providing 2.5cm per hen or circular drinking troughs providing 1cm per hen, and in addition, where nipple drinkers or drinking cups are used, there must be at least one nipple drinker or cup for every 10 hens and where drinking points are plumbed in, at least 2 drinking cups or 2 nipple drinkers must be within reach of each hen.

**21** Feed and water should be readily accessible to all birds and particular attention should be given to its provision in areas used by subordinate birds. In the case of birds, which have difficulty in feeding or drinking, appropriate measures should be taken.

**22** Feeding and watering equipment should be designed, constructed, placed, operated and maintained in such a way that:

- it minimises spillage or contamination of feed and water;
- all birds have sufficient access to it to avoid undue competition between individual birds;
- it does not cause or result in injury to birds;

# feed and water

- it operates in all weather conditions;
- the consumption of water and feed can be monitored.

In addition, all equipment, including bulk feed bins, must be able to be easily and effectively cleaned and disinfected.

- 23** Feeder space allocation should be sufficient to enable the birds to obtain adequate feed with the minimum of competition. For linear feeders this space must be 10cm of trough side per bird provided that birds have access to both sides and that feeders are placed sufficiently far apart for birds to make full use of the available space. If feed is not provided *ad libitum*, sufficient space must be available to allow all birds to eat at the same time.
- 24** Sudden changes in the type or quantity of feed and feeding procedures, other than those appropriate to the physiological needs of the birds, shall be avoided except in case of emergency.
- 25** Systems that call for the complete withholding of feed and water on any day must not be adopted. In no circumstances may birds be induced to moult by withholding feed and water. However, feed, but not water, may be withheld for up to 12 hours prior to slaughter. This period of 12 hours must be an inclusive period to include the catching, loading, transport, lairaging and unloading time prior to slaughter.
- 26** Stale or contaminated feed or water should not be allowed to accumulate and should be replaced immediately. Precautions must be taken to minimise the risk of drinking water freezing.
- 27** In alternative systems, a small amount of whole grain may be scattered over the litter each day to encourage foraging and scratching and reduce the possibility of feather pecking outbreaks. Birds should also have regular access to insoluble grit to aid digestion.
- 28** Arrangements should be made in advance to ensure that adequate supplies of suitable feed and water can be made available in emergencies such as interruptions in power supplies.
- 29** Body condition, weight and egg production should be used to monitor the effectiveness of the feeding regime.

## 12 freedom of movement

Schedule 1, paragraph 9 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

The freedom of movement of animals, having regard to their species and in accordance with established experience and scientific knowledge, must not be restricted in such a way as to cause them unnecessary suffering or injury;

Schedule 1, paragraph 10 states that:

Where animals are continuously or regularly tethered or confined, they must be given the space appropriate to their physiological and ethological needs in accordance with established experience and scientific knowledge.

The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), Schedule 3, paragraph 20; provisions applicable to laying hens kept in non-cage systems; states that:

The stocking density must not exceed –  
(i) nine laying hens per square metre of usable area

- 30** When determining the stocking rate, consideration should be given to breed, system of housing, strain and type of bird, colony size, temperature, ventilation and lighting, as well as to the number of platforms, perches or other suitable installations available in the third dimension.
- 31** If disease or evidence of a behavioural problem becomes apparent, by observation or by receipt of unsatisfactory grading returns from egg packing stations or by rejections from processing plants, expert qualified advice should be sought promptly to deal with the problem. Stocking and ventilation rates should also be checked and variations in stocking and ventilation should be considered in order to minimise the likelihood of recurrence of the problem.

## General

Schedule 1, paragraphs 11 and 12 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), state that:

- Materials used for the construction of accommodation and, in particular, for the construction of pens, cages, stalls and equipment with which the animals may come into contact, must not be harmful to them and must be capable of being thoroughly cleaned and disinfected.
- Accommodation and fittings for securing animals must be constructed and maintained so that there are no sharp edges or protrusions likely to cause injury to them.

Schedule 3, paragraph 6 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Cages must be suitably equipped to prevent hens escaping.

Schedule 3, Paragraph 8 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

The design and dimensions of the cage door must be such that an adult hen can be removed without undergoing unnecessary suffering or sustaining injury.

- 32** The design, construction and maintenance of enclosures, buildings and equipment for laying birds should be such that they:
- allow the fulfilment of essential biological needs and the maintenance of good health;
  - facilitate good management of the birds;
  - allow for easy maintenance of good conditions of hygiene and air quality;
  - provide shelter from adverse weather conditions;
  - limit the risk of disease, disorders manifested by behavioural changes, traumatic injuries to the birds, injuries caused by birds to each other and, as far as possible, contamination of the birds by droppings;
  - exclude predators, rodents, and wild animals and minimise insects;
  - allow for the prevention and treatment of infestations of internal and external parasites;
  - incorporate damp-proof membranes to prevent insulation breakdown, and measures to prevent easy access by vermin to the insulation material.
- 33** Emergency planning: Farmers should make advance plans for dealing with emergencies such as fire, flood or disruption of supplies, and should ensure that all staff are made familiar with the appropriate emergency action. At least one responsible member of the staff should always be available to take the necessary steps. Fire precautions should be a major priority for all flock-keepers. Where buildings need to be locked, arrangements must be made to allow rapid entry in case of emergency.

# 14 housing

- 34** Where birds are housed, floors, perches and platforms should be of a suitable design and material and not cause discomfort, distress or injury to the birds. They must provide sufficient support, particularly for the forward facing claws of each foot; moreover, perches should be of sufficient length to allow all birds to roost at the same time. Floors, perches and platforms should be kept sufficiently dry and clean.
- 35** Birds shall be kept in such a way that they can keep themselves clean.
- 36** Ventilation, heating, lighting, feeding, watering and all other equipment should be designed, sited and installed so as to avoid risk of injuring birds.

## Alternative systems

Schedule 3, paragraphs 17(c), (d) and (e), 18 and 19 of The Welfare of Farmed Animals (Scotland Regulations 2010 (S.S.I. 2010 No. 388) state that:

All systems must be equipped in such a way that all laying hens have:

- at least one nest for every 7 hens and if group nests are used, there must be at least 1m<sup>2</sup> of nest space for a maximum of 120 hens;
- perches, without sharp edges and providing at least 15cm per hen; perches must not be mounted above the litter; the horizontal distance between perches must be at least 30cm and the horizontal distance between the perch and the wall must be at least 20cm;

- at least 250cm<sup>2</sup> of littered area per hen, the litter occupying at least one third of the ground surface.
- The floors of installations must be constructed so as to support each of the forward-facing claws of each foot.
- If systems of rearing are used where the laying hens can move freely between different levels, the following provisions apply:
  - (i) there must not be more than 4 levels;
  - (ii) the headroom between the levels must be at least 45cm;
  - (iii) the drinking and feeding facilities must be distributed in such a way as to provide equal access for all hens; and
  - (iv) the levels must be so arranged as to prevent droppings falling on the levels below.

You should also refer to the Egg Marketing Standards (see Reference Section) regarding “free-range” and “barn” eggs.

- 37** Usable area may be made up of the ground surface of the building where accessible to the hens and any additional raised areas or platforms at least 30cm wide, including perforated floors providing arrangements are in place to prevent fouling of hens below.
- 38** Nests should be provided with a floor substrate, which encourages nesting behaviour. This is especially important at the start of lay, when the provision of loose litter may be used to encourage the pullets to use the nests. Individual nests should be designed to accommodate only one bird at a time. Communal nests should be designed

using divisions and suitable access points to minimise overcrowding.

- 39** Nest floors may be made of wire mesh provided that this is overlain by another material such as straw or plastic.
- 40** Only perches at 30cm centres or more should be calculated as part of the perching space.
- 41** Multi-tier systems with perforated platforms should have droppings belts or trays beneath. Perches must be positioned to minimise fouling of any hens below and, where possible, should be over a droppings pit.
- 42** Even where ladders are provided, nests, roosting areas, perches and platforms should not be so high above floor level that birds have difficulty in using them or risk injury.

## Conventional cages

Schedule 3, Part 3, paragraph 10 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) made it illegal for anyone to keep 350 or more laying hens on a holding in conventional cages from 1 January 2012.

- 43** Cages should be designed and maintained so as to minimise discomfort and distress and to prevent injury to the birds.
- 44** Droppings should not be allowed to fall on birds in lower tiers of cages. Droppings pits below battery cages should be closed off to prevent birds gaining access.

- 45** If there is evidence that the claws of hens are found to be overgrown or broken, then the provision of claw shortening devices should be enhanced. Excessively abrasive devices may cause injury so caution should be exercised in specifying such devices.

## Enriched cages

Schedule 3, Part 4, of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

11 All cage systems must be enriched to comply with the requirements of this Schedule.

Laying hens must have:

- (a) at least 750cm<sup>2</sup> of cage area per hen, 600cm<sup>2</sup> of which shall be usable area; the height of the cage other than that above the usable area shall be at least 20cm at every point and no cage shall have a total area that is less than 2000cm<sup>2</sup>;
- (b) a nest;
- (c) litter such that pecking and scratching are possible; and
- (d) appropriate perches allowing at least 15cm per hen.

12 A feed trough which may be used without restriction, must be provided and its length must be at least 12cm multiplied by the number of hens in the cage.

13 Each cage must have a drinking system appropriate to the size of the group and where nipple drinkers are provided, at least 2 nipple drinkers or 2 cups must be within the reach of each hen;

## 16 housing

14 To facilitate inspection, installation and depopulation of hens there must be a minimum aisle width of 90cm between tiers of cages and a space of at least 35cm must be allowed between the floor of the building and the bottom tier of cages.

15 Cages must be fitted with suitable claw-shortening devices.

You should also refer to the Egg Marketing Standards (see reference section) regarding “eggs from caged hens”.

- 46** If there is evidence that claws of hens are found to be overgrown or broken then the provision of claw shortening devices should be enhanced. Excessively abrasive devices may cause injury so caution should be exercised in specifying such devices.
- 47** The aisle width should be measured as the unobstructed width between the outer edges of the feed troughs. The distance to the floor should be measured to the mesh base of the cage.

## Ventilation, temperature

Schedule 1, paragraph 13 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Air circulation, dust levels, temperature, relative air humidity and gas concentrations must be kept within limits which are not harmful to the animals.

- 48** Provision of insulation and ventilation should be designed to avoid heat and cold stress. Care should be taken to protect confined birds from draughts in cold conditions.
- 49** Birds, particularly those in cages, should not be exposed to strong direct sunlight or hot surroundings long enough to cause heat stress as indicated by prolonged panting.
- 50** In the event of feather loss, steps should be taken wherever possible to ensure that hens are not subjected to cold stress; for example, hens should be given more food.
- 51** The ventilation system, and facilities for storing and handling litter and manure should be designed, maintained and managed to prevent the exposure of birds to gases such as ammonia, hydrogen sulphide, carbon dioxide, carbon monoxide in concentrations which cause discomfort to the birds or which are detrimental to their health.

## Light

Schedule 1, paragraphs 14-16 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), state that:

- Animals kept in buildings must not be kept in permanent darkness.
- Where the natural light available in a building is insufficient to meet the physiological and ethological needs of any animals being kept in it then appropriate artificial lighting must be provided.
- Animals kept in buildings must not be kept without an appropriate period of rest from artificial lighting.

Schedule 3, Part 2, paragraph 4 of The Welfare of Farmed Animals (Scotland) Amendment Regulations 2010 (S.S.I. 2010 No. 388) provides that:

- All buildings must have light levels sufficient to allow all hens to see one another and be seen clearly, to investigate their surroundings visually and to show normal levels of activity. Where there is natural light, light apertures must be arranged in such a way that light is distributed evenly within the accommodation.
- After the first days of conditioning, the lighting regime must be such as to prevent health and behavioural problems. Accordingly, it must follow a 24-hour rhythm and include an adequate uninterrupted period of darkness lasting about one-third of the day, so that the hens may rest and to avoid problems such as immunodepression and ocular

## 18 environment

anomalies. A period of twilight of sufficient duration ought to be provided when the light is dimmed so that the hens may settle down without disturbance or injury.

- 52** In normal conditions, in cage and multi-level systems, light intensity should be at least 5 lux, and preferably not less than 10 lux, measured at any feed trough level; in other systems, light intensity in the perching, walking and feeding areas should be at least 10 lux measured at bird eye height. However, a reduction in lighting level may assist in addressing an outbreak of vice such as feather pecking or cannibalism.
- 53** In all houses, especially those with natural light, measures should be taken to ensure that light distribution is as even as possible.
- 54** A period of twilight should be provided to give birds time to roost; this is of particular importance in alternative systems and enriched cages.

### Litter

The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), Schedule 3, Part 5, paragraph 17(e); additional conditions applicable to laying hens kept in non-cage systems; states that:

All systems must be equipped in such a way that all laying hens have:

- at least 250cm<sup>2</sup> of littered area per hen, the litter occupying at least one-third of the ground surface.

The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), Schedule 3, Part 4, paragraph 12(c); additional conditions applicable to laying hens kept in enriched cages; states that:

Laying hens must have:

- litter such that pecking and scratching are possible.

- 55** In alternative systems, all birds should have access to a littered area which should be maintained in a friable condition and at an adequate depth for dust bathing, approximately 10cm. To ensure good litter management, this depth of litter may be made up over the first two months of use. Birds should have access to good quality substrate for dust bathing and to prevent health problems, in particular foot, leg and breast lesions.
- 56** Mouldy litter should not be used. There should be frequent checks to ensure that litter does not become infested with harmful organisms parasitic to birds.

### Noise

Schedule 3, Part 2, paragraph 3 of The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

- the sound level must be minimised.
- constant or sudden noise must be avoided.
- ventilation fans, feeding machinery or other equipment must be constructed, placed, operated and maintained in such a way that they cause the least possible amount of noise.

# animals with access to open runs

Schedule 1, paragraph 17 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Animals not kept in buildings must, where necessary and possible, be given protection from adverse weather conditions, predators and risks to their health and, at all times, have access to a well-drained lying area.

The Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388), Schedule 3, Part 5, paragraph 19(b)(i) and (ii); provisions applicable to laying hens kept in non-cage systems; states that:

If laying hens have access to open runs:

(i) there must be several popholes giving direct access to the outer area, at least 35cm high and 40cm wide and extending along the entire length of the building; in any case, a total opening of 2m must be available per group of 1,000 hens; and

(ii) such runs must be of an area appropriate to the stocking density and to the nature of the ground, in order to prevent any contamination and equipped with shelter from inclement weather and predators and, if necessary, appropriate drinking troughs.

You should also refer to the Egg Marketing Standards (see reference section) regarding “free-range eggs”.

**57** Where birds are kept extensively and are free to range it is important to provide some overhead shelter. Reasonable precautions should be taken to protect birds against predators, dogs and cats. Shelter from rain, sun and cold should always be available when necessary. Windbreaks should be provided on exposed land.

**58** Housing used by range birds should be of sufficient standard to ensure that the birds are not subject to distress caused by extremes of temperature.

**59** Factors such as soil type, drainage and size of colony and frequency of flock rotation are very important in deciding the number of birds that a particular area can carry. Heavy, poorly drained soil can carry fewer birds than land that is light and well drained.

**60** It is important to establish a system of rotation of grazing or house movement in order to prevent poaching and build up of parasitic infection and disease. Where houses in free-range systems are to remain in one location, steps should be taken to prevent the ground immediately around the house becoming poached. Flocks and portable houses should be moved with sufficient regularity to avoid continuously muddy conditions and/or contamination of the land with organisms which cause or carry disease to an extent which could seriously prejudice the health of poultry. Unless the house is moved frequently, it is good practice to protect the ground immediately adjacent to it, e.g. by providing slatted or wire mesh platforms, covered verandas or areas of gravel.

## 20 animals with access to open runs

- 61** Birds should be encouraged to use the outdoor area by the provision of adequate suitable, properly managed vegetation, outdoor scratch whole grain feeding, a fresh supply of water and overhead cover all sufficiently far from the house to encourage the birds to range.
- 62** When birds are transferred to range houses, precautions should be taken to avoid crowding and suffocation, particularly during the first few nights. Cannibalism is a danger under this system, and birds should not normally be confined for too long during hours of daylight or subjected to direct sunlight during confinement.
- 63** Where the area within a veranda attached to a free-range house is included in the calculation of floor space, it must have the same artificial lighting system as within the inner part of the unit. The popholes must meet the requirements of the legislation and continuous pophole access must be provided between the house and the veranda.

# automatic or mechanical equipment

Schedule 1, paragraph 18 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

All automated or mechanical equipment essential for the health and well-being of the animals must be inspected at least once a day to check that there is no defect in it.

Schedule 1, paragraph 19 states that:

Where any defect in automated or mechanical equipment of the type specified in paragraph 18 is discovered, it must be rectified immediately, or if that is impossible, appropriate steps must be taken to safeguard the health and well-being of the animals pending the rectification of such defects including the use of alternative methods of feeding and watering and methods of providing and maintaining a satisfactory environment.

On artificial ventilation systems, Schedule 1, paragraph 20 states that:

Where the health and well-being of animals is dependent on an artificial ventilation system:

- (a) provision must be made for an appropriate back-up system to guarantee sufficient air renewal to preserve the health and well-being of the animals in the event of the failure of the system; and
- (b) an alarm system (which will operate even if the principal electricity supply to it has failed) must be provided to give warning of any failure of the system.

Schedule 1, paragraph 21 states that:

The back-up system referred to in paragraph 20(a) must be thoroughly inspected, and the alarm system referred to in paragraph 20(b) tested, in each case not less than, once every 7 days in order to check that there is no defect in it, and, if any defect is found in such system or alarm (whether or not on it being inspected or tested in accordance with this paragraph), it must be rectified forthwith.

- 64** Prior to installing more complex or elaborate equipment than previously used, consideration should be given to the question of animal welfare. In general the greater the restriction imposed on the bird and the greater the complexity of the system or degree of control which is exercised over temperature, air flow or food supply, the less the bird is able to use its instinctive behaviour to modify the effect of unfavourable conditions and the greater the chance of suffering if mechanical or electrical failures occur. Thus systems involving a high degree of control over the environment should only be installed where conscientious staff skilled in both poultry husbandry and the use of the equipment will always be available.
- 65** All equipment and services including feed hoppers, drinkers, ventilating fans, heating and lighting units, fire extinguishers and alarm systems should be cleaned and inspected regularly and kept in good working order. All automated equipment, upon which the birds' welfare is dependent, must incorporate a fail-safe device and/or standby device and an alarm

## 22 automatic or mechanical equipment

system to warn the flock-keeper of failure. Defects should be rectified immediately or other measures taken to safeguard the health and welfare of the birds. Alternative ways of feeding and of maintaining a satisfactory environment should therefore be ready for use.

- 66** All electrical installations at mains voltage should be inaccessible to the birds and properly earthed.

Section 20 of the Animal Health and Welfare (Scotland) Act 2006 makes it an offence to carry out a procedure which involves interference with the sensitive tissues or bone structure of the animal. Schedule 3 of the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010 (S.S.I. 2010 No. 387), however, allows an exemption which permits the following procedures:

Microchipping –  
For the purpose of identification; and

Beak trimming –  
For the purpose of flock welfare

Conditions –

1) Beak trimming may only be performed to prevent feather pecking and cannibalism and, in relation to laying hens kept on holdings of 350 or more, when the animals are less than 10 days old.

2) Beak trimming of laying hens kept on holdings of 350 or more may only be performed using the infra-red procedure.

3) In an emergency, to control an outbreak of feather pecking or cannibalism in laying hens, conditions 1 and 2 do not apply.

## Beak trimming

When not carried out by a veterinary surgeon beak trimming must be carried out in accordance with the Veterinary Surgery (Exemptions) Order 1962 (SI 1962 No. 2557). The operation of beak trimming (sometimes known as debeaking) means the removal from a bird by means of a suitable instrument of

(i) not more than a one-third part of its beak, measured from the tip towards the entrance of the nostrils, if carried out as a single operation; or

(ii) not more than a one-third part of its upper beak only, measured in the same way;

and the arrest of any subsequent haemorrhage from the beak by cauterisation.

- 67** If behavioural problems occur, they should be tackled immediately by appropriate changes in the system of management, for example, by reduction of the lighting intensity. Research also indicates that availability of good quality litter, particularly shavings, encourages foraging and dust-bathing and hence reduces the feather-pecking tendency.

## 24 breeding procedures

Schedule 1, paragraph 28 of the Welfare of Farmed Animals (Scotland) Regulations 2010 (S.S.I. 2010 No. 388) states that:

Natural or artificial breeding or breeding procedures, which cause, or are likely to cause, suffering or injury to any of the animals concerned must not be practised.

Sub-paragraph (1) (above), does not preclude the use of natural or artificial breeding procedures which are likely to cause minimal or momentary suffering or injury or that might necessitate interventions which would not cause lasting injury.

Schedule 1, paragraph 29 states that:

No person may keep an animal for farming purposes unless it can reasonably be expected, on the basis of their genotype or phenotype, that it can be kept without detrimental effect on its health or welfare.

- 68** When considering the establishment or replacement of a flock, the choice of hybrid should be made with the aim of reducing welfare and health problems.

# catching and transport

Article 3 of Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations, states that:

No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them.

In addition, the following conditions shall be complied with:

- (a) all necessary arrangements have been made in advance to minimise the length of the journey and meet the animals' needs during the journey;
- (b) the animals are fit for the journey;
- (c) the means of transport are designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals;
- (d) the loading and unloading facilities are adequately designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals;
- (e) the personnel handling animals are trained or competent as appropriate for this purpose and carry out their tasks without using violence or any method likely to cause unnecessary fear, injury or suffering;
- (f) the transport is carried out without delay to the place of destination and the welfare conditions of the animals are regularly checked and appropriately maintained;
- (g) sufficient floor area and height is provided for the animals, appropriate to their size and the intended journey;

(h) water, feed and rest are offered to the animals at suitable intervals and are appropriate in quality and quantity to their species and size.

Annex 1, Chapter I states:

However, sick or injured animals may be considered fit for transport if they are:

- (a) slightly injured or ill and transport would not cause additional suffering: in cases of doubt veterinary advice shall be sought;
- (b) transported for the purpose of Council Directive 86/609/EEC if the illness or injury is part of a research programme;
- (c) transported under veterinary supervision for the following veterinary treatment or diagnosis. However, such transport shall be permitted only where no unnecessary suffering or ill treatment is caused to the animals concerned;
- (d) animals that have been submitted to veterinary procedures in relation to farming practices such as dehorning or castration, provided that wounds have completely healed.

## 26 catching and transport

Annex 1, Chapter II of Council Regulation 1/2005 states:

1.1 Means of transport, containers and their fittings shall be designed, constructed, maintained and operated so as to:

- (a) avoid injury and suffering and to ensure the safety of the animals;
- (b) protect the animals from inclement weather, extreme temperatures and adverse changes in climatic conditions;
- (c) be cleaned and disinfected;
- (d) prevent the animals escaping or falling out and be able to withstand the stresses of movement;
- (e) ensure that air quality and quantity appropriate to the species transported can be maintained;
- (f) provide access to the animals to allow them to be inspected and cared for;
- (g) present a flooring surface that is anti-slip;
- (h) present a flooring surface that minimises the leakage of urine or faeces;
- (i) provide a means of lighting sufficient for inspection and care of the animals during transport.

Annex 1, Chapter VII of the Regulation states:

2.1 For poultry, domestic birds and domestic rabbits, suitable food and water shall be available in adequate quantities, save in the case of journeys lasting less than:

- (a) 12 hours disregarding loading and unloading time; or
- (b) 24 hours for chicks of all species, provided that it is completed within 72 hours after hatching.

Chapter VII sets out the minimum space allowances applicable to the transport of poultry in containers.

The minimum floor areas are as follows:

Category	Area in cm <sup>2</sup>
Day-old chicks	21-25 per chick
Poultry other than day-old chicks; Weight in kg	Area in cm <sup>2</sup> per kg
<1.6	180-200
1.6 to <3	160
3 to <5	115
>5	105

- 69** Birds should not be deprived of feed or water before transport; however, feed, but not water, may be withheld for up to 12 hours prior to slaughter. This period of 12 hours must be an inclusive period to include the catching, loading, transport, lairaging and unloading time prior to slaughter.
- 70** Every effort should be made to co-ordinate collection times with production requirements at the slaughterhouse, in order to limit the time birds are held in containers before transport.

# catching and transport

- 71** Before de-populating houses, any hindrance from fixtures and fittings, especially sharp edges and protrusions must be removed. Care must be taken in catching birds in order to avoid panic and subsequent injury to and smothering of the birds, for example by reducing the intensity of the light or using a blue light.
- 72** Particular care should be taken when moving birds within a house to ensure that no bird is injured by the equipment or handling process. The proper handling of birds requires skill, and it should be undertaken only by competent persons who have been appropriately trained. It should be carried out quietly and confidently, exercising care to avoid unnecessary struggling which could bruise or otherwise injure the birds. For catching birds in cages, they must be removed from the cage singly and to avoid injury or suffering and must be held by BOTH legs. The breast should be supported during removal from the cage. Loose-housed birds must be caught by BOTH legs to avoid injury or suffering.
- 73** In all systems, birds should only be carried by the legs and care taken to avoid hitting solid objects particularly if wings are flapping. They should not be carried by their wings, heads or necks. The number of birds carried will depend upon the size of the bird and the ability of the carrier but a maximum of 3 per hand must not be exceeded. Distances birds are carried should be minimised, for example by bringing transport containers as close as possible to the birds.
- 74** Transport containers with large openings should be used to avoid damage to the birds; the design, size and state of repair of any container used to carry birds should allow them to be put in, conveyed and taken out without injury.
- 75** During the time birds are held in the containers they should be protected from bad weather and excessively hot or cold conditions. They should not be allowed to become stressed (as indicated by prolonged panting) by being left in containers exposed to strong direct sunlight. Adequate ventilation for the birds is essential at all times.
- 76** Care should also be taken when crates are loaded on to vehicles, and in their transportation and unloading, to avoid physically shocking the birds.
- 77** Birds that cannot be transported because they are unfit to travel due to being ill, injured, infirm or fatigued should be given prompt veterinary treatment or humanely despatched on farm without delay.

## References

For labelling purposes only, Commission Regulation (EC) No. 589/2008 as amended laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marking standards for eggs, requires that poultry enterprises must comply with the following minimum criteria in order to mark their small egg packs with the terms shown:

'Free-range eggs' must be produced in systems of production which satisfy at least the conditions specified in Article 4 of Council Directive 1999/74/EC.

In particular, the following conditions must be satisfied:

(a) hens must have continuous daytime access to open-air runs. However, this requirement does not prevent a producer from restricting access for a limited period of time in the morning hours in accordance with usual good farming practice, including good animal husbandry practice.

In case of other restrictions, including veterinary restrictions, adopted under Community law to protect public and animal health, having the effect of restricting access of hens to open-air runs, eggs may continue to be marketed as 'free-range eggs' for the duration of the restriction, but under no circumstances for more than 12 weeks;

(b) open-air runs to which hens have access must be mainly covered with vegetation and not be used for other purposes except for orchards, woodland and livestock grazing if the latter is authorised by the competent authorities;

(c) the maximum stocking density of open-air runs must not be greater than 2,500 hens per hectare of ground available to the hens or one hen per 4m<sup>2</sup> at all times. However, where at least 10m<sup>2</sup> per hen is available and where rotation is practised and hens are given even access to the whole area over the flock's life, each paddock used must at any time assure at least 2.5m<sup>2</sup> per hen;

(d) open-air runs must not extend beyond a radius of 150m from the nearest pophole of the building. However, an extension of up to 350m from the nearest pophole of the building is permissible provided that a sufficient number of shelters as referred to in Article 4(1)(3) (b)(ii) of Directive 1999/74/EC are evenly distributed throughout the whole open-air run with at least four shelters per hectare.

2. 'Barn eggs' must be produced in systems of production which satisfy at least the conditions specified in Article 4 of Directive 1999/74/EC.

3. 'Eggs from caged hens' must be produced in systems of production which satisfy at least:

the conditions specified in Article 6 of Directive 1999/74/EC.

Copies of the legislation quoted in the Code are available from The Stationery Office:

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**Further information** – If you would like any further information or advice relating to this code please contact:

The Scottish Government's Animal Welfare Team on **0300 244 9382**.

Other useful information can be found in:

“Joint Industry Welfare Guide to the Handling of End of Lay Hens and Breeders.”

The Humane Slaughter Association's Booklet: “The Practical Slaughter of Poultry – A Guide for the Small Producer” ISBN number 1 871561 167

Explanatory leaflet on the EC egg marketing standards regulations (Explanatory Leaflet EMR 1)

Explanatory leaflet on the production methods for eggs marketed under the special marketing terms (Explanatory Leaflet EMR 14)

Available from <http://www.defra.gov.uk/food-farm/animals/poultry/> [www.europa.eu/index\\_en.htm](http://www.europa.eu/index_en.htm):

Consolidated version of Commission Regulation (EC) No. 589/2008 (as amended)

Welfare of animals during transport – Advice for transporters of poultry (PB 12544e)

Heat stress in poultry – solving the problem (PB 10543)

The welfare of poultry at slaughter or killing (PB 13539)



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