



Brussels, 18 September 2015

Dear Minister,

Current revision of the BREF on the intensive rearing of poultry and pigs

As you know, the Best Available Technique Reference Document (BREF) for intensive rearing of pigs and poultry (IRRP BREF) is currently undergoing revision. We have two major concerns about the draft revision, namely that:

- The final draft revision recognises fully slatted floors for pigs as Best Available Technique (BAT).
- The maximum permitted emissions associated with BAT (BAT-AEL) for ammonia emissions to air are too high.

Fully slatted floor should not be declared BAT

We are aware that the IRPP BREF is not directly concerned with the welfare of farm animals but regret that it is inconsistent with EU legislation concerning the welfare of animals. Fully slatted floors make it very difficult – indeed almost impossible – for farmers to comply with the following key provisions of Council Directive 2008/120 on the welfare of pigs:

Requirement to provide effective enrichment materials: It is extremely difficult, perhaps impossible, to provide a sufficient quantity of such materials on fully slatted floors. Indeed, this point is regularly made by farmers who say that material such as straw falls down in the gaps between the slats and risks blocking the drainage system.

Ban on routine tail docking: The Directive provides that farmers must, before carrying out tail docking, first try to prevent tail biting by changing “inadequate” environmental conditions or management systems. Scientific research shows that the condition most likely to lead to tail biting is a barren environment. Fully slatted floors almost always result in the provision of a barren environment without straw or some similarly effective material.

Provision of nesting material for farrowing sows

Physical and thermal comfort: the Directive provides that pigs must have access to a physically and thermally comfortable lying area.

Use of fully slatted floors is not a mitigation measure. The BREF’s role is to set out BAT which provide the best environmental outcome in carrying out an activity. Fully slatted floors are not a mitigation measure; they are an aspect of the pigs’ housing which bring no specific environmental advantage and make it almost impossible for farmers to comply with EU legislative requirements for the protection of pigs. As such they should not be included in the BREF, and even less considered as BAT. Techniques to mitigate emissions are perfectly efficient with partly slatted floors; these floors mitigate emissions if they are well designed and managed and they make it possible for farmers to comply with the legislation on pig welfare.

It would be unhelpful, inconsistent and frankly ridiculous for fully slatted floors to be recognised as a “Best Available Technique” from the point of view of one piece of EU legislation when they make compliance with another piece of EU legislation extremely difficult, indeed almost impossible. In fact this approach is incompatible with Article 7 TFEU which requires consistency as a general principle of the Union when establishing its policies and activities.

The upper end of the BAT-AEL for ammonia emissions to air for fattening pigs should not exceed 2.2kg/NH₃/animal place/year and a minimum list of abatement techniques should be prescribed

Fattening pigs are responsible for a substantial proportion of the reported annual ammonia emissions declared under the Industrial Emissions Directive. The proposed general range of BAT-AEL (0.1 – 2.6 kg NH₃/animal place/year) is so wide that almost all installations can continue business as usual without further emission reduction.

Footnotes 2, 4, 5 and 7 to Table 5.4 in BAT 30 provide derogations allowing higher emissions for existing plants to enable them to continue with business as usual. The BREF is not meant to protect the status quo but should deliver environmental progress and a level playing field for existing and new plants. We believe that footnotes 2, 4, 5 and 7 should be deleted.

However, the derogations for litter based systems in footnotes 3, 6 and 8 are plainly justified as such systems are able to comply with the Directive on the welfare of pigs. It would be most unsatisfactory if litter based systems were to encounter difficulties under the BREF. These systems

include a high degree of diversity in environmental performance¹ and are essential to the ability of the pig sector to transition to higher welfare systems. Accordingly, footnotes 3, 6 and 8 should be retained. More precise environmental evaluation of their mitigation potential by design and management must be the task of the next BREF revision.

Conclusion

EU air quality policy (e.g. the National Emissions Directive and Air Quality Directive) require further cost-effective emissions prevention which should take place at the source i.e. agriculture and in particular intensive rearing of pigs. In line with the general principles of EU environmental policy making, the objectives of the IED state that a “*high level of protection of the environment taken as a whole*” shall be achieved and the specific aim of the BREFs is that they “*shall serve as a driver towards improved environmental performance across the Union*”. **We urge the Member States to reject the giving of Best Available Technique status to fully slatted floors for pigs and to tighten the upper range of the BAT-AEL for ammonia emissions from pig housing to 2.2 kg/NH3/animal place/year when the BREF is considered at the 8th IED Forum meeting on 19 October.**

Yours sincerely,



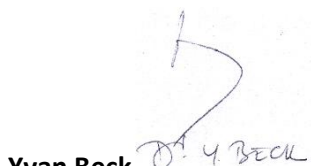
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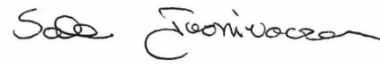
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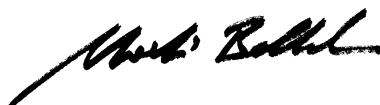
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¹ We recommend inserting in the description of full litter system: “The management of the litter combined with sufficiently low animal density optimise aerobic conditions in litter systems.”



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