

S.I. No. 48 of 2003

European Communities (Welfare of Calves and Pigs) Regulations 2003

I, Joe Walsh, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive No. 91/629/EEC of 19 November 1991¹, Council Directive 91/630/EEC of 19 November 1991² Council Directive No. 97/2/EC of 20 January 1997³, Commission Decision No. 97/182/EC of 24 February 1997⁴, Council Directive 2001/88/EC of 23 October 2001⁵ and Commission Directive 2001/93/EC of 9 November 2001⁶, hereby make the following regulations:-

Citation and commencement

- 1.(1) These Regulations may be cited as the European Communities (Welfare of Calves and Pigs) Regulations 2003.
- (2) Regulations 6(1), (2), (3) and (4) and 7 apply to a premises built, rebuilt or used, for the first time for breeding, rearing or fattening pigs from 1 January 2003 and to all premises used for breeding, rearing or fattening pigs from 1 January 2013.
- (3) Regulations 9 (to the extent that Regulation 9 relates to the provision of | manipulable material for sows and gilts) is subject to Article 1(9) of, and the Annex to, the Pigs Directive.

Interpretation

- 2.(1) In these Regulations –

“approved disinfectant” means a disinfectant approved under and in accordance with the Diseases of Animals (Disinfectants) Order 1975 (S.I. No. 273 of 1975) and the Diseases of Animals (Disinfectants) Order 1975 (Amendment) Order 1978 (S.I. No. 345 of 1978);

“authorised officer” means –

- (a) an authorised officer within the meaning of section 17A (inserted by section 2 of the Diseases of Animals

¹ O.J. L 340 of 11.12. 1991, p.28.

² O.J. L 340 of 11.12.1991, p.33.

³ O.J. L 25 of 28.1.1997, p.24.

⁴ O.J. L 76 of 18.3.1997, p.30.

⁵ O.J. L 316 of 1.12.2001, p. 1.

⁶ O.J. L 316 of 1.12.2001, p. 36.

(Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966 (No. 6 of 1966),

- (b) an inspector within the meaning of the Protection of Animals Kept for Farming Purposes Act 1984 (No. 13 of 1994),
- (c) an authorised officer within the meaning of the European Communities (Protection of Animals Kept for Farming Purposes) Regulations 2000 (S.I. No. 127 of 2000),
- (d) a member of the Garda Síochána, or
- (e) an officer of Customs and Excise.

“calf” means a bovine animal less than six months old;

“Calves Directive” means Council Directive No. 91/629/EEC of 19 November 1991¹, Council Directive No. 97/2/EC of 20 January 1997³ and Commission Decision No. 97/182/EC of 24 February 1997⁴;

“Minister” means the Minister for Agriculture and Food;

“Pigs Directive” means Council Directive No. 91/630/EEC of 19 November 1991², Council Directive 2001/88/EC of 23 October 2001⁵ and Commission Directive 2001/93/EC of 9 November 2001⁶;

“premises” includes land or holding, with or without buildings;

“registered veterinary surgeon” means a person entered in the register maintained under the Veterinary Surgeons Act 1931 (No. 6 of 1931);

“unnecessary suffering” means pain, distress or suffering that of its kind or degree, or in its object, or in the circumstances in which the suffering occurs, is unreasonable or unnecessary.

- (2) A word or expression that is used in these Regulations and that is also used in the Calves Directive or Pigs Directive, as the case may be, has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Directive in which it occurs.
- (3) In these Regulations, unless the contrary intention appears, a reference to a Regulation is to a reference in these Regulations, a reference to a Schedule is to a Schedule of these Regulations and a reference to a paragraph or sub-paragraph is to the paragraph or sub-paragraph of the provision in which the reference occurs.

⁵ O.J. L 316 of 1.12.2001, p. 1.

⁶ O.J. L 316 of 1.12.2001, p. 36.

Application

3. These Regulations apply to –

- (a) calves confined for rearing or fattening, and
- (b) pigs confined for breeding, rearing or fattening.

Accommodation for calves

4.(1) Subject to paragraph (3), the owner or person in charge of a premises built, rebuilt or brought into use on or after 1 January 1998 and used for rearing or fattening calves shall not confine, or cause or permit another person to confine a calf-

- (a) over eight weeks of age in an individual pen unless a registered veterinary surgeon certifies that the health or behaviour of the calf requires that it be isolated to receive treatment, and
- (b) unless the pen in which the calf is confined is of a height at least equal to the height of the calf at the withers and of a length at least 10% greater than the body length of the calf, measured from the tip of the nose to the caudal end of the pin bone (*tuber ischia*).

(2) A person shall not keep, or cause or permit another person to keep, a calf in an individual pen with solid walls but a pen shall have perforated walls that ensure that a calf confined therein may have direct visual and tactile contact with other calves unless the person is in possession of a certificate from a registered veterinary surgeon that states that the calf, due to health or behaviour, requires to be individually isolated to receive treatment.

(3) A person shall not keep calves in a group, or cause or permit another person to keep calves in a group, unless the unobstructed space available for each calf is at least equal to –

- (a) 1.5 square metres for each calf with a live weight of less than 150 kilogrammes,
- (b) 1.7 square metres for each calf with a live weight of 150 kilogrammes or more but less than 220 kilogrammes, and
- (c) 1.8 square metres for each calf with a live weight of 220 kilogrammes or more.

(4) A person shall not use, or cause or permit another person to use, premises built, rebuilt or brought into operation before 1 January 1998 for rearing or fattening calves after 31 December 2003 unless the premises complies with paragraphs (1), (2) and (3).

(5) This Regulation shall not apply to –

- (a) calves kept with their mother for suckling, or
- (b) to a premises with fewer than six calves.

Accommodation for pigs

- 5.(1) The owner or person in charge of a premises used for breeding, rearing or fattening pigs shall not confine, or cause or permit another person to confine, a pig unless the floor area available to each weaner or rearing pig (other than sows and gilts after service) reared in a group is at least-
- (a) 0.15 square metres for each pig of an average weight of 10 kilogrammes or less,
 - (b) 0.20 square metres for each pig of an average weight of between 10 kilogrammes and less than or equal to 20 kilogrammes,
 - (c) 0.30 square metres for each pig of an average weight of greater than 20 kilogrammes and less than or equal to 30 kilogrammes,
 - (d) 0.40 square metres for each pig of an average weight of greater than 30 kilogrammes and less than or equal to 50 kilogrammes,
 - (e) 0.55 square metres for each pig of an average weight of greater than 50 kilogrammes and less than or equal to 85 kilogrammes,
 - (f) 0.65 square metres for each pig of an average weight of greater than 85 kilogrammes and less than or equal to 110 kilogrammes, and
 - (g) 1.00 square metre for each pig of an average weight of greater than 110 kilogrammes.
- (2) A person shall not keep a pig or cause or permit another person to keep a pig in a building or part of a building if there are continuous noise levels, equal to or greater than 85dBA in the building or part thereof where pigs are kept.
- (3) A person shall not keep a pig, or cause or permit another person to keep a pig unless the pig, is kept where there is a light intensity of 40 lux or more for a continuous period of at least 8 hours in any 24 hour period.

Accommodation for sows and for gilts after service

- 6.(1) Subject to paragraphs (2) and (3), the owner or person in charge of a premises used for breeding, rearing or fattening pigs shall not confine, or cause or permit another person to confine, either a sow or a gilt after service unless the floor area available to each sow or gilt after service reared in a group is at least-

- (a) a minimum of 2.50 square metres for each sow in a group of sows or gilts where there are fewer than 6 pigs in the group,
- (b) a minimum of 2.25 square metres for each sow in a group of sows or gilts where there are more than 5 but fewer than 40 pigs in the group,
- (c) a minimum of 2.025 square metres for each sow in a group of sows or gilts where there are 40 or more pigs in the group,
- (d) a minimum of 1.81 square metres for each gilt after service where there are fewer than 6 pigs in the group,
- (e) a minimum of 1.64 square metres for each gilt after service where there are more than 5 but fewer than 40 pigs in the group, or
- (f) A minimum of 1.48 square metres for each gilt after service where there are 40 pigs or more in the group.

(2) A minimum floor area of at least-

- (a) 1.3 square metres for each pregnant sow, or
- (b) 0.95 square metres for each gilt after service,

shall comprise a continuous solid floor and no more than 15% of the floor area referred to in this paragraph shall consist of openings designed for drainage.

(3) Subject to paragraph (4), the owner or person in charge of a premises used for breeding, rearing or fattening pigs shall not confine, or cause or permit another person to confine, either a sow or a gilt in the period commencing 28 days after service and ending 7 days before the expected date of farrowing other than in -

- (a) a group in a pen the sides of which are greater than 2.8 metres in length, or
- (b) a group in a pen the sides of which are greater than 2.4 metres in length where there no more than five sows or gilts in the group.

(4) A person may keep a sow or gilt to which paragraph (3) refers in an individual pen during the period mentioned in that paragraph if -

- (a) there are no more than 9 sows on the premises, and
- (b) the sow or gilt may turn easily in the pen.

(5) A person shall not tether or cause or permit another person to tether a sow or gilt –

(a) other than under and in accordance with Regulation 4 of the European Communities (Welfare of Pigs) Regulations 1995 (S.I. No. 91 of 1995),

and

(b) after 31 December 2005.

(6) A person may tether a sow or gilt while it is undergoing-

(a) an examination, test, treatment or operation carried out for veterinary purposes,

(b) service, or

(c) artificial insemination..

Use of concrete slatted floors

7. The owner or person in charge of a premises used for breeding, rearing or fattening pigs shall not keep, or cause or permit another person to keep, a pig on a concrete slatted floor unless-

(a) the maximum width of each opening is no more than-

(i) 11 millimetres in any floor where a piglet is kept,

(ii) 14 millimetres in any floor where a weaner is kept,

(iii) 18 millimetres in any floor where a rearing pig is kept, or

(iv) 20 millimetres in any floor where either a sow or a gilt after service is kept,

and

(b) the minimum width of each slat is at least-

(i) 50 millimetres in any floor where a piglet or weaner is kept, or

(ii) 80 millimetres in any floor where a rearing pig, a sow or a gilt after service is kept.

Import of calves or pigs

8. A person shall not import -

(a) a calf, or

(b) a pig

from a country that is not a member state of the European Union unless the calf or pig is accompanied by a certificate, issued by a competent authority in that country, certifying that the animal has received treatment at least equal to the treatment provided for in these Regulations.

Conditions for keeping calves or pigs

9.(1) A person shall not have in his or her possession or under his or her control or cause or permit another person to have in his or her possession or in his or her control a calf or pig unless the conditions for keeping, rearing and fattening the calf or pig, as the case may be, comply with the First Schedule.

(2) A person shall not have in his or her possession or under his or her control or cause or permit another person to have in his or her possession or in his or her control a calf unless the conditions for keeping, rearing and fattening the calf comply with the Second Schedule.

(3) A person shall not have in his or her possession or under his or her control or cause or permit another person to have in his or her possession or in his or her control a pig unless the conditions for keeping, rearing and fattening the pig comply with the Third Schedule.

Authorised officers

10. An authorised officer or a veterinary expert employed by or acting on the authority of the Commission of the European Communities accompanied by an authorised officer may at all reasonable times enter any premises (other than such part of a premises that is a dwelling) in which the authorised officer has reasonable cause to suspect that a calf or pig is being kept, reared, fattened or slaughtered.

Powers of authorised officers

11.(1) An authorised officer may, on any premises –

(a) examine or inspect a calf or pig,

(b) take, without payment, samples, including samples of blood, urine, faeces, hair, saliva, tissue or other thing or any article, substance or liquid on the holding as he or she may reasonably require and carry out or cause to be carried out on the samples

such tests, analyses, examinations tests or inspections as he or she considers necessary or expedient,

- (c) carry out or cause to be carried out measurements, examinations, tests or inspections of the premises or any part thereof and any equipment, plant, machinery or other article, substance or liquid as he or she considers necessary or expedient,
 - (d) require any person (who shall comply with the requirement) to give his or her name and address and such information or produce any book, certificate, document or other record as the authorised officer considers necessary or expedient,
 - (e) examine and take copies of, or extracts from any thing aforesaid, and
 - (f) subject to Regulation 9, seize and detain any thing aforesaid or other thing that he or she has reasonable cause to suspect may be evidence of an offence under these Regulations.
- (2) An authorised officer shall not enter, other than with the consent of the occupier, a private dwelling, unless he or she has obtained a search warrant under section 17A (inserted by section 2 of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001) of the Diseases of Animals Act 1966 (No. 6 of 1966)) other than if he or she has reasonable cause to suspect that, before a search warrant could be sought in relation to the dwelling under that section, anything to which paragraph (1) relates is being or is likely to be destroyed or disposed.

Welfare Notice

12.(1) Subject to Regulation 13, where an authorised officer is of the opinion that –

- (a) the conditions under which an animal is being reared are in contravention of these Regulations,
- (b) there is a serious risk to the welfare of an animal, or
- (c) measures should be taken to prevent unnecessary suffering to an animal,

he or she may serve or cause to be served on the owner or person who appears to be in charge, possession or control of the animal a notice (in this Regulation referred to as a “welfare notice”) stating that opinion and directing that –

- (i) one or more animals be moved to and kept in such premises as the officer shall specify in the notice,

- (ii) such alterations be made to the premises in which such animal is located as the officer specifies in the notice, or
 - (iii) one or more animals be slaughtered or otherwise disposed of in such manner as the officer shall specify in the notice.
- (2) A person shall comply with a welfare notice or a requirement of a welfare notice unless and until the notice is annulled under paragraph (10).
- (3) A requirement contained in a welfare notice shall specify a time limit within which the notice is to be complied with.
- (4) A requirement specified in a welfare notice (in this paragraph referred to as “the earlier welfare notice”) may be amended or withdrawn by a further notice in writing and the earlier welfare notice shall have effect subject to such amendment or withdrawal.
- (5) A welfare notice, whether amended under paragraph (4) or not, may require the owner or person in charge of an animal to choose between one or more of the requirements specified in the welfare notice and that person shall comply with the alternative requirement that he or she chooses.
- (6)(a) A welfare notice shall, subject to sub-paragraph (b), be addressed to the person concerned by name, and may be served on or given to the person in one of the following ways –
 - (i) by delivering it to the person,
 - (ii) by leaving it at the address at which the person ordinarily resides or, in a case where an address for service has been furnished, at that address,
 - (iii) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case where an address for service has been furnished, at that address, or
 - (iv) where the address at which the person ordinarily resides cannot be ascertained by reasonable enquiry and the welfare notice relates to a premises, by delivering it to some person over 16 years of age resident or employed on the premises or by affixing it in a conspicuous position on or near the premises.
- (b) Where a welfare notice is to be served on or given to a person who is the owner or occupier of a premises and the name of the person cannot be ascertained by reasonable enquiry, it may be addressed to the person by using the words the owner or, as the case may require, the occupier.

- (c) A person shall not at any time within 6 months after a welfare notice is affixed under paragraph (6)(a)(iv) remove, damage or deface the notice without lawful authority.
 - (d) For the purposes of this Regulation, a company within the meaning of the Companies Acts, 1963 to 1990, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body shall be deemed to be ordinarily resident at its principal office or place of business.
- (7) A person, being a person effected by a welfare notice, may, within 7 days of service of the welfare notice, apply to the Judge of the District Court having jurisdiction in the District Court District where the calves or pigs are situated or to the Judge of the District Court having jurisdiction in the District Court District where the person ordinarily resides on the grounds that the welfare notice or any term of the welfare notice are not reasonable, having regard to these Regulations (in this Regulation referred to as “an appeal”).
 - (8) An appeal may be heard at any sitting of the District Court within the appropriate District Court Area.
 - (9) Notice of an appeal, which shall contain a statement of the grounds upon which it is alleged that the welfare notice or any term of the welfare notice is unreasonable, shall be served on the Minister at least 48 hours prior to the hearing of the appeal and a copy thereof shall be lodged with the appropriate District Court Clerk.
 - (10) On the hearing of an appeal, a Judge of the District Court may confirm, with or without modification, or annul a welfare notice.
 - (11) A person, including a person on whom a welfare notice is served, shall not,
 - (a) pending the determination of an appeal, deal with an animal to which a welfare notice relates other than under and in accordance with the notice, or
 - (b) after such appeal, deal with an animal to which a welfare notice relates other than under and in accordance with the welfare notice or welfare notice as modified, as the case may be.
 - (12) If -
 - (a) a person, by act or omission, fails to comply, whether within the time specified therein or otherwise, with a welfare notice (including a welfare notice modified in accordance with paragraph (10)), or
 - (b) an authorised officer has reasonable cause to suspect –

- (i) that a welfare notice (including a welfare notice modified in accordance with paragraph (10)) is not or will not be complied with, or
- (ii) pending the determination of an appeal, an animal to which the welfare notice relates is or will not be dealt with other than in accordance with paragraph (11),

an authorised officer may seize and detain an animal in such manner as he or she thinks fit and sell or dispose of the animal in a manner (including slaughter) as the authorised officer considers appropriate.

- (13) Subject to paragraph (15), the proceeds of the sale or disposal of an animal under paragraph (12) shall be paid to the owner of the animal as soon as may be after such sale or disposal and after a person has satisfied the Minister that he or she is the owner or otherwise entitled to the proceeds of the sale or disposal of the animal.
- (14) The costs of seizure, sale or disposal of an animal under this Regulation shall be recoverable by the Minister as a simple contract debt in a court of competent jurisdiction.
- (15) The costs of any action required by a welfare notice shall be borne by the owner of an animal to which the notice relates.
- (16) A notice served under the Regulations revoked by Regulation 19 and in force immediately before the commencement of these Regulations shall have effect and may be amended or withdrawn as if served under this Regulation.
- (17) In this Regulation and in Regulation 13 “animal” means either a calf or a pig to which one or more of these Regulations apply.

Veterinary Treatment

- 13.(1) An authorised officer may require the owner or person in charge of an animal to obtain veterinary treatment for the animal within a specified time and the person shall comply with the requirement.
- (2) Subject to paragraph (3), a person shall not carry out or cause or permit another person to carry out a procedure (other than for therapeutic or diagnostic purposes) on a pig that is likely to result in damage to, or loss of a sensitive part of the body of or the alteration of the bone structure of, a pig other than –
 - (a) non-routine, uniform reduction of corner teeth of piglets, by grinding or clipping, no later than 7 days after birth, leaving an intact smooth surface where injury has occurred to a sow’s teats or to the tails or ears of another pig,

- (b) reduction in length of boars tusks where necessary to prevent injury to other animals or for safety reasons,
 - (c) non-routine docking of part of the tail where injury has occurred to the tail or ear of a pig,
 - (d) castration of male pigs by means that do not involve tearing tissue, or
 - (e) nose ringing when the pig is kept in an outdoor husbandry system.
- (3)(a) Subject to paragraph (4), a procedure outlined in paragraph (2) may only be carried out under hygienic conditions by a registered veterinary surgeon or a person who has formal qualifications relating to, and experience of, the procedure concerned.
- (b) A person shall not carry out a procedure specified in paragraph (2) (a) or (c) unless, in the opinion of a registered veterinary surgeon who-
- (i) is familiar with the premises, and
 - (ii) has been consulted in a professional capacity regarding the necessity of carrying out the procedure,
- changes in the environment, stocking density or the management system in which a pig is reared would not prevent injury.
- (4) A person, other than a registered veterinary surgeon, shall not castrate or dock the tail of a pig older than 7 days.
- (5) A registered veterinary surgeon shall not castrate or dock the tail of a pig older than 7 days unless the pig is under anaesthetic and additional prolonged analgesia administered by that registered veterinary surgeon.
- (6) This Regulation is without prejudice to the Diseases of Animals Act 1966 (National Pig Identification and Tracing System) Order 2002 (S.I. No. 341 of 2002).

Training

14. (1) A person shall not engage another person to attend to a pig unless the first-mentioned person is satisfied that the second mentioned person [has received relevant instructions and guidance](#) and is familiar with these Regulations.
- (2) The Minister may, on application being made by an institution engaged in agricultural education, recognise a training course for the purposes of Article 5(2) of the Pigs Directive or refuse an application.

Obstruction

15. A person shall not obstruct or impede or attempt to obstruct or impede, whether by act or omission, an authorised officer or a person who accompanies an authorised officer in accordance with Regulation 10.

Offences

- 16.(1) A person who, by act or omission, contravenes Regulation 4, 5, 6, 7, 8, 9, 11(d), 12 (2), (5), (6)(c) or (11), 13, 14(1) or 15 is guilty of an offence and liable on conviction to a fine not exceeding € 3,000 or to a term of imprisonment not exceeding 6 months, or to both such fine and such imprisonment.
- (2) An offence under these Regulations may be prosecuted by the Minister.
- (3) Where an offence under these Regulations has been committed by a body corporate and it is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person who, when the offence was committed, was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, is guilty of an offence and liable to be proceeded against and punished as if guilty of the first-mentioned offence.
- (4) Where the affairs of a body corporate are managed by its members, paragraph (3) shall apply in relation to the acts and defaults of a member in connection with the functions of management as if such a member were a director or manager of the body corporate.

Proof

17. A document which purports to be a copy of the National Rules for Electrical Installation ET 101/1991 (2nd Edition) published by the Electro-Technical Council of Ireland (ETCI) or any amendment or modification thereto or replacement thereof shall, until the contrary is proved, be accepted in evidence as being a copy of those Rules.

Savers

18. These Regulations are in addition to and not in substitution for the –
- (a) Protection of Animals Act 1911 as amended by the Protection of Animals (Amendment) Act 1965 (No. 10 of 1965),
 - (b) Protection of Animals Kept for Farming Purposes Act 1984 (No. 13 of 1984), and

- (c) European Communities (Protection of Animals Kept for Farming Purposes) Regulations 2000 (S.I. No. 127 of 2000).

Revocation

19. Subject to Regulation 6(5)(a), the European Communities (Welfare of Calves and Pigs) Regulations 2002 (S.I. No. 7 of 2002) are revoked.

FIRST SCHEDULE

Regulation 9(1)

Conditions for the Rearing or Fattening of Calves and Pigs

1. Materials used for the construction of accommodation and in particular boxes, stalls and equipment with which calves or pigs may come into contact shall not be harmful to the calves or pigs. Those parts of the accommodation with which an animal may come into contact shall be capable of being thoroughly cleansed and disinfected and shall be thoroughly cleansed and disinfected, using an approved disinfectant to prevent cross-infection and the build-up of disease-carrying organisms.
2. Electrical circuits and equipment shall be installed in accordance with the terms of the National Rules for Electrical Installations Second Edition 1991 (ET 101/1991) or any amendment, modification or replacement to those Rules so as to avoid electric shocks.
3. Insulation, heating and ventilation of the building shall ensure that the air circulation, dust level, temperature, relative air humidity and gas concentrations are kept within limits which are not harmful to the calves or pigs.
4. All automated or mechanical equipment essential for the health and well-being of calves or pigs shall be inspected at least once daily. Where defects are discovered, these shall be rectified immediately or as soon as reasonable. In the meantime, all appropriate steps shall be taken to safeguard the health and well-being of the calves or pigs until the defect has been rectified, notably by using alternative methods of feeding and maintaining a satisfactory environment.

Where an artificial ventilation system is used, provision shall be made for an appropriate back-up system to guarantee sufficient air renewal to preserve the health and well-being of the calves or pigs in the event of the failure of the system, and an alarm system, independent of the mains electricity supply, shall be provided to inform the owner or person in charge of the breakdown or fire.

The alarm system shall be tested at least once a month and maintained in

proper working order.

5. Calves and pigs shall not be kept permanently in darkness. To meet their behavioural and physiological needs, the accommodation shall be well lit, subject to Regulation 5(3), by natural or artificial light, for at least 8 continuous hours each day. Every source of artificial light shall be mounted so as not to cause discomfort to the calves or pigs.

An adequate source of light shall be available to enable the calves or pigs to be properly inspected at any time.

6. All housed calves reared in groups or in individual pens shall be inspected by the owner or the person in charge at least twice daily. Pigs, and calves kept outside, shall be inspected at least once daily.

Any calf or pig that appears to be ill or injured shall be treated appropriately without delay and veterinary advice shall be obtained as soon as possible for any calf or pig that is not responding to the care of the owner or person in charge.

Where necessary, sick or injured calves and pigs shall be isolated in adequate accommodation with dry, comfortable bedding.

A calf or pig will be able to turn around easily unless such movement is contrary to specific advice from a registered veterinary surgeon.

7. Where tethers are used, they shall not cause injury to the calves or pigs and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit.

Each tether shall be designed to avoid the risk of strangulation or injury and to allow the calf or pig to move in accordance with paragraph 1 of the Second Schedule or paragraph 1 of Part I of the Third Schedule.

8. Housing, pens, equipment and utensils for calves and pigs shall be properly cleansed and disinfected to prevent cross-infection and the build-up of disease-carrying organisms. Faeces, urine and uneaten or spilt food shall be removed and bedding changed as often as necessary to minimize smell and avoid attracting flies or rodents.
9. Floors shall be smooth but not slippery so as to prevent injury to the calves or pigs and so designed as not to cause injury or suffering to calves or pigs standing or lying on them. Floors shall be suitable for the size and weight of the calves or pigs and form a rigid, even and stable surface. The lying area shall be comfortable, clean, and adequately drained and shall not adversely affect the calves or pigs. Appropriate bedding shall be provided for all calves

less than 2 weeks old. If bedding is provided for pigs, it shall be clean, dry and not harmful to the pigs.

10. (a) Feeding and watering equipment for calves and pigs shall be designed, constructed, placed and maintained so that contamination of feed and water is minimized.

(b) Equipment and fittings shall be designed and maintained in such a way as to minimize, as far as is practicable, the exposure of the calves or pigs to spills of feed or water, or to faeces and urine.
11. Calves and pigs shall be cared for by a sufficient number of suitably experienced personnel.

SECOND SCHEDULE

Regulation 9(2)

Specific Provisions for Calves.

1. Subject to Regulation 4, the accommodation for calves shall be constructed in such way as to allow each calf to lie down, rest, stand up and groom itself without difficulty. Each calf shall have a clean place in which to rest and shall, unless isolated for veterinary reasons, be able to see other calves.
2. Calves shall not be tethered, with the exception of group-housed calves which may be tethered for periods of not more than one hour at the time of feeding milk or milk substitute.
3. All calves shall be provided with an appropriate diet adapted to their age, weight and behavioural and physiological needs, to promote good health and welfare and for this purpose the food for calves shall contain sufficient iron to ensure an average blood haemoglobin level of at least 4.5 mmol/litre and a minimum daily ration of fibrous food shall be provided for each calf over 2 weeks old, the quantity being raised from 50g to 250g per day for calves from 8 to 20 weeks old.

Calves shall not be muzzled.

4. All calves shall be fed at least twice a day. Where calves are housed in groups and not fed *ad libitum* or by an automatic feeding system, each calf shall have access to the food at the same time as the others in the group.
5. All calves over 2 weeks of age shall have access to a sufficient quantity of fresh water or be able to satisfy their fluid intake needs by drinking other liquids. However, in hot weather conditions or for calves that are ill, fresh

drinking water shall be available at all times.

6. Each calf shall receive bovine colostrum as soon as possible after it is born and, in any case, within the first 6 hours of life.

THIRD SCHEDULE

Specific Provisions for various Categories of Pigs

Regulation 9(3)

Part I.

ALL PIGS

1. Subject to Regulation 5, accommodation for pigs shall be constructed in such way as to allow each pig lie down, rest, and stand up without difficulty. Each pig shall have a clean place in which to rest and shall, unless isolated for veterinary reasons, be able to see other pigs.

Each pig shall have access to a clean lying area that is physically and thermally comfortable, adequately drained and that is of sufficient area to allow each pig lie down at the same time.

2. If pigs are kept together, measures shall be taken to prevent fighting that goes beyond normal behaviour and to investigate the causes of fighting. If possible measures, including provision of plentiful straw or other materials for investigation, shall be put in place. Pigs which show persistent aggression towards others or are victims of aggression shall be isolated or kept separate from the group.
3. All pigs shall be provided with an appropriate diet adapted to their age, weight and behavioural and physiological needs, to promote good health and welfare.
4. All pigs shall be fed at least once a day. Where pigs are housed in groups and not fed *ad libitum* or by an automatic feeding system, each pig shall have access to the food at the same time as the others in the group.
5. All pigs over 2 weeks of age shall have access to a sufficient quantity of fresh water.
6. In addition to measures normally taken to prevent tail-biting and other vices and in order to enable them to satisfy their behavioural needs, all pigs, taking into account environmental conditions, management systems and stocking

densities, shall be able to obtain straw or any other suitable material or object.

7. Subject to Regulation 5(2), the owner or person in charge shall take all necessary measures to ensure that pigs are not subject to constant or sudden noise.
8. A pig shall have permanent access to a sufficient quantity of suitable material, such as straw, hay, wood, peat or mushroom compost to enable proper investigation and manipulation activities, that does not compromise the health of the pig.

Part II

BOARS

9. Subject to paragraph 10, boar pens shall be sited and constructed so as to allow the boar to turn around and to hear, smell and see other pigs, and to provide for clean resting areas. The lying area shall be dry and comfortable.

The minimum unobstructed floor area of the pen for an adult boar shall be 6 square metres.

10. If pens are used for natural service, the minimum unobstructed floor area of a pen for an adult boar, shall be 10 square metres.

This paragraph, in the case of a premises in operation before 1 January 2003, comes into effect on 1 January 2005.

Part III.

SOWS AND GILTS

11. Pregnant sows and gilts shall, if necessary, be treated against external and internal parasites. If they are placed in farrowing crates, pregnant sows and gilts shall be thoroughly cleaned.
12. Sows and Gilts shall be provided with a clean, adequately drained, comfortable lying area and shall, in the week before expected farrowing, be given suitable nesting material unless this is not technically feasible due to the slurry system in use on the premises.
13. An unobstructed area behind the sow or gilt shall be available for the ease of natural or assisted farrowing.

14. Farrowing crates where sows are kept loose shall have some adequate means, such as farrowing rails, to protect the piglets.
15. Sows and gilts shall be provided with a diet that satisfies their nutritional needs and contains sufficient quantity of suitable bulky or high fibre food to satisfy their hunger and the need to chew and to ensure that they do not display signs of hunger.

Part IV.

PIGLETS

16. Piglets shall be provided with a source of heat and a solid, dry and comfortable lying area, covered with a mat or littered with suitable material, away from the sow where all of them can rest at the same time.
17. Where a farrowing crate is used, the piglets shall have sufficient space to be able to be suckled without difficulty.
18. Tail docking or tooth clipping shall not be carried out routinely except where injuries to sows' teats or to other pigs' ears or tails have occurred.

Where tooth clipping appears necessary, this shall be carried out within seven days of birth.

19. Subject to paragraph 20, piglets shall not be weaned from the sow at less than 28 days of age unless the welfare or health of the dam or piglets would otherwise be adversely affected.
20. Despite paragraph 19, piglets, if accommodated in specialised housing that has been thoroughly cleaned and disinfected immediately before the introduction of those piglets, may be weaned from the sow at no less than 21 days of age.
21. Housing to which paragraph 20 refers shall be separate, in a manner that adequately prevents the risk or spread of disease, from housing containing sows

Part V.

WEANERS AND REARING PIGS

22. Pigs shall be placed in groups as soon as possible after weaning. They should be kept in stable groups with as little mixing as possible.

If pigs unfamiliar with one another are to be mixed, they shall be mixed at as early an age as possible and, preferably, within seven days of weaning.

Pigs shall be afforded adequate opportunity to escape and hide from other pigs.

23. An animal remedy shall not be administered, to facilitate mixing of pigs, other than in exceptional circumstances, under and in accordance with the written prescription of a registered veterinary surgeon; that prescription shall be retained by the owner or person in charge of the pigs and a copy shall be retained by the registered veterinary surgeon who prescribes the animal remedy.

GIVEN under my Official Seal,
12th February 2003

Joe Walsh
Minister for Agriculture and Food.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations specify the accommodation and welfare requirements for the rearing and fattening of calves and pigs. They also lay down rules regarding appropriate diet and inspection of the calves and pigs to protect their health and welfare.

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