

L.N. 388 of 2015**ANIMAL WELFARE ACT
(CAP. 439)****Minimum Standards for the Protection of Pigs Regulations, 2015**

IN exercise of the powers conferred by article 7 of the Animal Welfare Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the The title of these regulations is the Minimum Standards for the Protection of Pigs Regulations, 2015.

(2) The scope of these regulations is to transpose Council Directive 2008/120/EC that lays down the minimum standards for the protection of pigs confined for rearing and fattening.

Interpretation.

2. (1) For the purposes of these regulations and unless the context otherwise requires, the following definitions shall apply:

Cap. 439.

"Act" means the Animal Welfare Act;

"Department" means the Department for Veterinary Services;

Cap. 437.

"Director" means the Director for Veterinary Services as defined in the Veterinary Services Act and includes, to the extent of the authority given, any officer authorised by him, in writing, to act in that behalf for any of the purposes of the Animal Welfare Act;

Cap. 439.

"boar" means a male pig after puberty, intended for breeding;

"competent authority" means a competent authority within the meaning of Article 2(6) of Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market;

"dry pregnant sow" means a sow between weaning her piglets and the perinatal period;

"farrowing sow" means a female pig between the perinatal

period and the weaning of the piglets;

"gilt" means a female pig after puberty and before farrowing;

"pig" means an animal of the porcine species, of any age, kept for breeding or fattening;

"piglet" means a pig from birth to weaning;

"rearing pig" means a pig from 10 weeks to slaughter or service;

"sow" means a female pig after the first farrowing;

"weaner" means a pig from weaning to the age of ten weeks.

(2) Unless the context otherwise requires, words and phrases used in these regulations which are not defined herein shall have the same meaning assigned to them in article 2 of the Act.

3. (1) All holdings shall comply with the following requirements:

Minimum requirements for holdings.

(a) the unobstructed floor area available to each weaner or rearing pig kept in a group, excluding gilts after service and sows, must be at least:

Live weight (kg)	Unobstructed floor Area (m ²)
Not more than 10	0,15
More than 10 but not more than 20	0,20
More than 20 but not more than 30	0,30
More than 30 but not more than 50	0,40
More than 50 but not more than 85	0,55
More than 85 but not more than 110	0,65
More than 110	1,00;

(b) the total unobstructed floor area available to each gilt after service and to each sow when gilts and/or sows are kept in groups must be at least 1,64 m² and 2,25 m² respectively. When these animals are kept in groups of fewer than six individuals the unobstructed floor area must be increased by 10%. When these animals are kept in groups of 40 or more individuals the unobstructed floor area may be decreased by 10%.

(2) Flooring surfaces shall comply with the following requirements:

(a) for gilts after service and pregnant sows: a part of the area required in sub-regulations (1)(b), equal to at least 0,95 m² per gilt and at least 1,3 m² per sow, must be of continuous solid floor of which a maximum of 15% is reserved for drainage openings;

(b) when concrete slatted floors are used for pigs kept in groups:

(i) the maximum width of the openings must be:

- 11 mm for piglets,
- 14 mm for weaners,
- 18 mm for rearing pigs,
- 20 mm for gilts after service and sows;

(ii) the minimum slat width must be:

- 50 mm for piglets and weaners, and
- 80 mm for rearing pigs, gilts after service and sows.

(3) The construction of or conversion to installations in which sows and gilts are tethered is prohibited.

(4) Sows and gilts shall be kept in groups during a period starting from four weeks after the service to one week before the expected time of farrowing. The pen where the group is kept must have sides greater than 2,8 m in length. When fewer than six individuals are kept in a group the pen where the group is kept must have sides greater than 2,4 m in length:

Provided that, sows and gilts raised on holdings with fewer than 10 sows may be kept individually during the period mentioned in this sub-regulation, provided that they can turn around easily in their boxes.

(5) Without prejudice to the requirements laid down in the Schedule, sows and gilts shall have permanent access to manipulable material at least complying with the relevant requirements of that Schedule.

(6) Sows and gilts kept in groups shall be fed using a system which ensures that each individual can obtain sufficient food even when competitors for the food are present.

(7) All dry pregnant sows and gilts, in order to satisfy their hunger and given the need to chew, shall be given a sufficient quantity of bulky or high-fibre food as well as high-energy food.

(8) Pigs that have to be kept in groups, that are particularly aggressive, that have been attacked by other pigs or that are sick or injured may temporarily be kept in individual pens. In this case the individual pen used shall allow the animal to turn around easily if this is not in contradiction with specific veterinary advice.

(9) The provisions laid down in sub-regulation (4) shall not apply to holdings with fewer than ten sows.

4. The conditions for rearing pigs comply with the general provisions laid down in the Schedule

Conditions for rearing pigs.

5. (1) Any person who employs or engages persons to attend to pigs shall ensure that the person attending to the animals has received instructions and guidance on the relevant provisions of regulation 3 and the Schedule.

Persons attending to pigs and appropriateness of training courses.

(2) The Director shall approve and monitor the appropriateness of the training courses available on the protection of pigs in particular to ensure the welfare aspect is adequately catered for.

(3) The Director may from time to time issue guidelines related to the content, format and certification of training courses delivered to persons attending pigs. Any course provider shall be obliged to follow the guidelines issued by the Director.

6. (1) The Department shall carry out inspections in order to check that the provisions of these regulations are being complied with.

Inspections.

(2) The Department may carry out inspections on the occasion of checks made for other purposes and shall each year cover a statistically representative sample of the different rearing systems used in Malta.

7. In order to be imported into the Community, animals coming from a third country must be accompanied by a certificate issued by the competent authority of that country, certifying that they have received treatment at least equivalent to that granted to animals

Importation of animals.

of Community origin as provided for by these regulations.

Powers of the
Director.

8. The Director may, in compliance with the general rules of the Treaty, maintain or apply stricter provisions for the protection of pigs than those laid down in these regulations.

Offences and
penalties.

9. (1) Any person who acts in contravention of these regulations shall be guilty of an offence and shall, on conviction, be liable to the penalties contemplated in the Act.

(2) Where the Director has reasonable cause to believe that an offence against these regulations has been committed and that it would be appropriate to impose an administrative penalty under article 47 of the Act, the Director shall proceed in accordance with the provisions of the said article 47 of the Act. Administrative penalties shall be dealt in line with the requirements of article 47 of the Act.

(3) The liability of an offender under sub-regulation (1) shall be without prejudice to the powers of the Director for Veterinary Services, or any other officer to suspend or revoke any licence, permit or authorisation issued under the Act or any regulations made thereunder.

Revokes the
Pigs
(Protection)
Regulations
2003.
L.N. 259 of
2003.

10. The Pigs (Protection) Regulations, 2003 are hereby revoked, without prejudice to anything done or omitted to be done thereunder.

SCHEDULE

CHAPTER I

GENERAL CONDITIONS

In addition to the relevant provisions of the Annex to Directive 98/58/EC, the following requirements apply:

1. In the part of the building where pigs are kept continuous noise levels as loud as 85 dBA shall be avoided. Constant or sudden noise shall be avoided.

2. Pigs must be kept in light with an intensity of at least 40 lux for a minimum period of eight hours per day.

3. The accommodation for pigs must be constructed in such a way as to allow the animals to:

- have access to a lying area physically and thermally

comfortable as well as adequately drained and clean which allows all the animals to lie at the same time,

- rest and get up normally,
- see other pigs; however, in the week before the expected farrowing time and during farrowing, sows and gilts can be kept out of the sight of conspecifics.

4. Notwithstanding the provisions of regulation 3(5), pigs must have permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities, such as straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such, which does not compromise the health of the animals.

5. Floors must be smooth but not slippery so as to prevent injury to the pigs and so designed, constructed and maintained as not to cause injury or suffering to pigs. They must be suitable for the size and weight of the pigs and, if no litter is provided, form a rigid, even and stable surface.

6. All pigs must be fed at least once a day. Where pigs are fed in groups and not *ad libitum* or by an automatic system feeding the animals individually, each pig must have access to the food at the same time as the others in the group.

7. All pigs over two weeks of age must have permanent access to a sufficient quantity of fresh water.

8. All procedures intended as an intervention carried out for other than therapeutic or diagnostic purposes or for the identification of the pigs in accordance with relevant legislation and resulting in damage to or the loss of a sensitive part of the body or the alteration of bone structure shall be prohibited with the following exceptions:

- a uniform reduction of corner teeth of piglets by grinding or clipping not later than the seventh day of life of the piglets leaving an intact smooth surface; boars' tusks may be reduced in length where necessary to prevent injuries to other animals or for safety reasons,
- docking of a part of the tail,
- castration of male pigs by other means than tearing of tissues,
- nose-ringing only when the animals are kept in outdoor husbandry systems and in compliance with national

legislation.

Neither tail-docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injuries to sows' teats or to other pigs' ears or tails have occurred. Before carrying out these procedures, other measures shall be taken to prevent tail-biting and other vices, taking into account environment and stocking densities. For this reason inadequate environmental conditions or management systems must be changed.

Any of the procedures described above shall only be carried out by a veterinarian or a person trained as provided in regulation 5 and experienced in performing the applied techniques with appropriate means and under hygienic conditions. If castration or docking of tails is practised after the seventh day of life, it shall only be performed under anaesthetic and additional prolonged analgesia by a veterinarian.

CHAPTER II

SPECIFIC PROVISIONS FOR VARIOUS CATEGORIES OF PIGS

A. Boars

Boar pens must be sited and constructed so as to allow the boar to turn round and to hear, smell and see other pigs.

The unobstructed floor area available to an adult boar must be at least 6 m².

Where pens are also used for natural service the floor area available to an adult boar must be at least of 10 m² and the pen must be free of any obstacles.

B. Sows and gilts

1. Measures shall be taken to minimise aggression in groups.
2. Pregnant sows and gilts must, if necessary, be treated against external and internal parasites. If they are placed in farrowing crates, pregnant sows and gilts must be thoroughly cleaned.
3. In the week before the expected farrowing time sows and gilts must be given suitable nesting material in sufficient quantity unless it is not technically feasible for the slurry system used in the establishment.
4. An unobstructed area behind the sow or gilt must be

available for the ease of natural or assisted farrowing.

5. Farrowing pens where sows are kept loose must have some means of protecting the piglets, such as farrowing rails.

C. Piglets

1. A part of the total floor, sufficient to allow the animals to rest together at the same time, must be solid or covered with a mat, or be littered with straw or any other suitable material.

2. Where a farrowing crate is used, the piglets must have sufficient space to be able to be suckled without difficulty.

3. No piglets shall be weaned from the sow at less than twenty-eight days of age unless the welfare or health of the dam or the piglet would otherwise be adversely affected.

However, piglets may be weaned up to seven days earlier if they are moved into specialised housings which are emptied and thoroughly cleaned and disinfected before the introduction of a new group and which are separated from housings where sows are kept, in order to minimise the transmission of diseases to the piglets.

D. Weaners and rearing pigs

1. When pigs are kept in groups, measures must be taken to prevent fighting which goes beyond normal behaviour.

2. They should be kept in groups with as little mixing as possible. If pigs unfamiliar with one another have to be mixed, this should be done at as young an age as possible, preferably before or up to one week after weaning.

When pigs are mixed they shall be provided with adequate opportunities to escape and hide from other pigs.

3. When signs of severe fighting appear the causes shall be immediately investigated and appropriate measures taken, such as providing plentiful straw to the animals, if possible, or other materials for investigation. Animals at risk or particularly aggressive animals shall be kept separate from the group.

4. The use of tranquillising medicaments in order to facilitate mixing shall be limited to exceptional conditions and only after consultation with a veterinarian.

