

L.N. 258 of 2003

**ANIMAL WELFARE ACT
(ACT NO. XXV OF 2001)**

Calves Regulations (Protection), 2003

In exercise of the powers conferred by articles 7(2) and 20(1) of the Animal Welfare Act, the Minister for Rural Affairs and the Environment has made the following regulations:-

Title and scope.

1. (1) The title of these regulations is the Calves Regulations (Protection), 2003.

(2) These regulations lay down the minimum standards for the protection of calves confined for rearing and fattening.

(3) The scope of these regulations is to implement the provisions found under European Union Council Directive 91/629/EEC laying down minimum standards for the protection of calves.

Interpretation.

2. For the purposes of these regulations -

“calf” shall mean a bovine animal up to six months old;

“competent authority” shall mean the competent authority as defined in article 2(6) of European Union Council Directive 90/425/EEC for the territory of Malta, Veterinary Services.

(a) “trading partner” shall have the same meaning as provided in article 2 of the Veterinary Services Act and shall include Member States of the European Union

Provisions for newly built or rebuilt holdings.

3. (1) From 1 January 2004, in the territory of Malta, the following provisions shall apply on all newly built or rebuilt holdings and on all those brought into use after that date -

(a) No calf shall be confined in an individual pen after the age of eight weeks, unless a veterinarian certifies that its health or behaviour requires it to be isolated in order to receive treatment. The width of any individual pen for a calf shall be at least equal to the height of the calf at the withers, measured in the standing position, and the length shall be at least equal to the body length of the calf, measured from the tip of the nose to the caudal edge of the *tuber ischii* (pin bone), multiplied by 1,1. Individual pens for calves (except those for isolating sick animals) must not have solid walls, but perforated walls which allow the calves to have direct visual and tactile contact;

(b) For calves kept in groups, the unobstructed space allowance available to each calf shall be at least equal to 1.5 m² for each calf with a live weight of less than 150 kilograms, at least equal to 1.7 m² for each calf with a live weight of 150 kilograms or more but less than 220 kilograms, and at least equal to 1.8 m² for each calf with a live weight of 220 kilograms or more.

However, the provisions of this paragraph shall not apply to –

(i) holdings with fewer than six calves;

(ii) calves kept with their mothers for suckling.

(2) From 31 December 2006, the provisions provided for above shall apply on all holdings.

(3) Furthermore, the Veterinary Services shall ensure that all existing holdings shall comply with the following requirements –

(a) Where calves are housed in groups, they must have sufficient unobstructed floor space to be able to turn round and lie down without hindrance of at least 1, 5 m² squared for each calf of 150kg live weight;

(b) Where calves are housed in individual boxes or by tethering in stalls, the boxes or stalls have perforated walls and their width must be no less than 90 cm plus or minus 10%, or 0,80 times the height at the withers.

(4) The provisions of sub-regulation (3) shall not apply to holdings with fewer than six calves.

Conditions for rearing calves.

4. Veterinary Services shall ensure that the conditions for rearing calves comply with the general provisions laid down in the Schedule.

Scientific progress.

5. The provisions in the Schedule may be amended in accordance with the procedure laid down in article 7(2) and 20(1) of the Animal Welfare Act, in order to take account of scientific progress

Veterinary Services responsible for inspections.

6. (1) In the territory of Malta, inspections are carried out under the responsibility of the Veterinary Services in order to check that the provisions of these regulations and its Schedule are complied with. These inspections, which may be carried out on the occasion of checks made for other purposes, shall each year cover a statistically representative sample of the different farming systems used in the territory of Malta.

(2) In accordance with the procedure laid down in article 7(2) and 20(1) of the Animal Welfare Act, a code of rules to be applied in carrying out the inspections provided for in sub-regulation (1) of this regulation may be drawn up.

(3) Every two years, by the last working day in April, Veterinary Services shall report on the results of the Inspections carried out during the previous two years in accordance with this regulation, including the number of inspections carried out in relation to the number of holdings in the territory of Malta. They shall also inform the European Commission.

Importation of animals coming from non Member State.

7. In order to be imported into the territory of Malta, animals coming from a non Member State, 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 of European Community origin as provided for by these regulations.

On-the-spot checks by European Commission experts.

8. Veterinary experts from the European Commission may carry out on-the-spot checks in co-operation with the Veterinary Services. The persons carrying out these checks shall implement the special personal hygiene measures necessary to exclude any risk of transmission of disease. The Veterinary Services shall give all necessary assistance to the experts in carrying out their duties. In particular, access on the same basis as officials of the competent authority shall be given to all concerned persons, information and documentation as well as access to places, establishments, installations and means of transport in order for the checks to be carried out. The Veterinary Services shall take any measures which may prove necessary to take account of the results of the checks. With regard to relations with third countries, the provisions of Chapter III of European Union Council Directive 91/496/EEC shall apply.

Penalty for non-fulfilment of obligations.

9. (1) Subject to the provisions of these regulations and of the Animal Welfare Act, a person who infringes any of the provisions arising from these regulations, shall, on conviction, be liable to a fine (*multa*) of not less than two thousand Malta Liri and not exceeding six thousand Malta Liri.

(2) Without prejudice to the provisions of sub-regulation (1) of this regulation, the Court may also order any person who is found guilty of committing an offence under these regulations, to pay for the expenses incurred by the Veterinary Services as a result of the said offence, the revocation of the permit issued under these regulations and the confiscation, retention and disposal of the *corpus delicti*.

SCHEDULE

1. Materials used for the construction of calf accommodation and in particular of boxes and equipment with which calves may come into contact must not be harmful to the calves and must be capable of being thoroughly cleaned and disinfected.
2. Electrical circuits and equipment must be installed in accordance with current national rules so as to avoid electric shocks.
3. Insulation, heating and ventilation of the building must 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.
4. All automated or mechanical equipment essential for the calves' health and wellbeing must be inspected at least once daily. Where defects are discovered, these must be rectified immediately or, if this is impossible, appropriate steps must be taken to safeguard the health and well-being of the calves 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 must be made for an appropriate backup system to guarantee sufficient air renewal to preserve the health and wellbeing of the calves in the event of failure of the system, and an alarm system must be provided to warn the stock-keeper of the breakdown. The alarm system must be tested regularly.

5. Calves must not be kept permanently in darkness. To meet their behavioural and physiological needs, provision must be made for appropriate natural or artificial lighting. In the case of artificial lighting, it must function for a period at least equivalent to the period of natural light normally available between 9 a.m. and 5 p.m. In addition, suitable lighting (fixed or portable) strong enough to allow the calves to be inspected at any time must be available.
6. All housed calves shall be inspected by the owner or the person responsible for the animals at least twice daily and calves kept outside shall be inspected at least once daily. Any calf which 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 which is not responding to the stock-keeper's care. Where necessary, sick or injured calves shall be isolated in adequate accommodation with dry, comfortable bedding.
7. The accommodation for calves must be constructed in such way as to allow each calf to lie down, rest, stand up and groom itself without difficulty.
8. 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. Where tethers are used, they shall not cause injury to the calves 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 to move in accordance with point 7 of this schedule.
9. Housing, pens, equipment and utensils used for calves must be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and avoiding attracting flies or rodents.
10. Floors must be smooth but not slippery so as to prevent injury to the calves and so designed as not to cause injury or suffering to calves standing or lying on them. They must be suitable for the size and weight of the calves and form a rigid, even and stable surface. The lying area must be

comfortable, clean, and adequately drained and must not adversely affect the calves. Appropriate bedding must be provided for all calves less than two weeks old.

- 11.** 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. To this end, their food 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 two weeks old, the quantity being raised from 50 g to 250 g per day for calves from eight to 20 weeks old. Calves shall not be muzzled.
- 12.** All calves must 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 must have access to the food at the same time as the others in the group.
- 13.** All calves over two weeks of age must 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 which are ill, fresh drinking water shall be available at all times.
- 14.** Feeding and watering equipment must be designed, constructed, placed and maintained so that contamination of the calves' feed and water is minimised.
- 15.** Each calf shall receive bovine colostrum as soon as possible after it is born and in any case within the first six hours of life.