

# Statutory Instrument 1998 No. 1709

## The Welfare of Livestock (Amendment) Regulations 1998

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### STATUTORY INSTRUMENTS

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**1998 No. 1709**

### ANIMALS

#### PREVENTION OF CRUELTY

### The Welfare of Livestock (Amendment) Regulations 1998

*Made* 13th July 1998

*Coming into force* 27th July 1998

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, in exercise of the powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968[1] and now vested in them[2], acting jointly, and after consultation (in accordance with section 2 of the said 1968 Act) with such persons appearing to them to represent any interests concerned as they have considered appropriate, hereby make the following Regulations, a draft of which has been approved by resolution of each House of Parliament: -

#### **Title commencement and extent**

**1. These Regulations may be cited as the Welfare of Livestock (Amendment) Regulations 1998, shall come into force on the fourteenth day after the day on which they are made and shall extend to Great Britain.**

#### **Amendment of the Welfare of Livestock Regulations 1994**

**2. - (1) The Welfare of Livestock Regulations 1994[3] shall be amended in accordance**

with the following provisions of this regulation.

(2) In regulation 2, after the definition of "calf" there shall be inserted the following definitions -

" "Council Directive 91/629/EEC" means Council Directive 91/629/EEC as amended by Council Directive 97/2/EC and Commission Decision 97/182/EC;"

"Fibrous food" means a food high in cellulose and related compounds and of low digestibility, with a fibre length of more than 10 mm;"

(3) For Schedule 2 there shall be substituted the following -

## " SCHEDULE 2

### Regulation 3(2)

#### Accommodation

1. - (1) No calf shall be confined in an individual stall or pen after the age of eight weeks unless a veterinary surgeon certifies that its health or behaviour requires it to be isolated in order to receive treatment.

(2) The width of any individual stall or 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.

(3) Individual stalls or pens for calves (except for those isolating sick animals) shall have perforated walls which allow calves to have direct visual and tactile contact.

(4) For calves kept in groups, the unobstructed space allowance available to each calf shall be at least 1.5 square metres for each calf with a live weight of less than 150 kg, at least 2 square metres for each calf with a live weight of 150 kg or more but less than 200 kg, and at least 3 square metres for each calf with a live weight of 200 kg or more.

(5) Each calf shall be able to stand up, turn around, lie down, rest and groom itself without hindrance.

(6) Subject to sub-paragraphs (7) and (8) below, each calf that is kept on a holding on which two or more calves are kept shall be able to see at least one other calf.

(7) Sub-paragraph (6) above shall not apply to any calf that is kept in isolation on a holding on veterinary advice.

(8) For the purpose of calculating the number of calves being kept on a holding in order to determine whether sub-paragraph (6) above applies, no account shall be taken of any calf that is being kept in isolation on that holding on veterinary advice.

#### Transitional provisions for accommodation

2. - (1) Until 1st January 2004 sub-paragraphs (1), (3) and (4) of paragraph 1 shall not apply in relation to accommodation in use before 1st January 1998.

**(2) Until 1st January 2004, in the case of accommodation brought into use after 1st January 1994 but before 1st January 1998 -**

**(a) where calves are housed in groups, each calf of 150 kg or more live weight shall have at least 1.5 square metres of unobstructed floor space; and**

**(b) where a calf is housed in an individual stall or pen, the stall or pen shall have at least one perforated wall which enables the calf to see other animals in neighbouring stalls and pens unless isolated for veterinary reasons.**

#### **Tethering**

**3. - (1) Calves shall not be tethered, with the exception of group-housed calves which may be tethered for a period of not more than one hour when being fed milk or milk substitute.**

**(2) Where tethers are used in accordance with the preceding sub-paragraph, they shall not cause pain or injury to the calves and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit.**

**(3) Each tether shall be designed to avoid the risk of strangulation or pain or injury and allow the calf to lie down, rest, stand up and groom itself without hindrance.**

#### **Fittings**

**4. No inadequately constructed or insecure fittings shall be used for restraining calves.**

#### **Materials**

**5. Materials used for the construction of calf accommodation and all equipment with which calves may come into contact shall not be harmful to the calves and shall be capable of being thoroughly cleansed and disinfected.**

#### **Interior of building**

**6. The interior of any building (including the floor) to which calves have access shall be so constructed and maintained that there are no sharp edges or protrusions likely to cause injury or distress to the calves.**

#### **Insulation, heating and ventilation**

**7. The insulation, heating and ventilation of the building in which calves are kept must ensure that the air circulation, dust level, temperature, air relative humidity and gas concentrations are kept within limits which are not harmful to the calves.**

#### **Automatic equipment**

**8. - (1) All automatic equipment shall be thoroughly inspected by a stock-keeper, or other competent person, at least once each day to check that there is no defect in it.**

**(2) Where a defect is found in the automatic equipment (whether on inspection of the equipment in accordance with this paragraph or at any other time) -**

**(a) the defect shall be rectified forthwith, or**

**(b) if this is impracticable, such measures shall immediately be taken and maintained until the defect is rectified, as are required to safeguard the calves from suffering unnecessary pain or unnecessary distress as a result of the defect.**

**(3) Where the automatic equipment includes a ventilation system the system shall contain -**

**(a) an alarm which will give adequate warning of the failure of that system to function properly (which alarm will operate even if the principal electricity supply to it has failed), and**

**(b) additional equipment or means of ventilation (whether automatic or not), which, in the event of such failure of the ventilation system, will provide adequate ventilation so as to prevent the calves from suffering unnecessary distress as a result of the failure.**

**(4) The alarm system mentioned in the preceding sub-paragraph shall be tested and the additional equipment mentioned there shall be thoroughly inspected, in each case, by a stock-keeper or other competent person at least once every seven days in order to check that there is no defect in it and, if any defect is found in such alarm or equipment (whether or not when tested or inspected in accordance with this paragraph) it shall be rectified forthwith.**

#### **Lighting**

**9. Calves shall not be kept permanently in darkness. To meet their behavioural and physiological needs, appropriate natural or artificial lighting shall be provided; if the latter for a period at least equivalent to the period of natural light normally available between 9.00 am and 5.00 pm. In addition suitable lighting (fixed or portable) shall be available which is strong enough to allow the calves to be inspected at any time.**

#### **Inspection**

**10. All housed calves shall be inspected by the owner or the person responsible for the animals at least twice daily. Calves kept outside which are confined for rearing and fattening shall be inspected at least once daily to check that they are in a state of well-being. 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.**

#### **Cleansing and disinfection**

**11. Housing, stalls, pens, equipment and utensils used for calves shall be properly cleansed and disinfected as necessary to prevent cross-infection and the build-up of disease-carrying organisms. Faeces, urine and uneaten or spilt food shall be removed as often as necessary to minimise smell and to avoid attracting flies or rodents.**

#### **Floors**

**12. Where calves are kept in a building, floors shall 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 shall be suitable for the size and weight of the calves and form a rigid, even and stable surface. Appropriate bedding shall be provided for all calves.**

### **Lying area**

**13. All calves shall be kept on, or at all times have access to, a lying area which is clean, comfortable and does not adversely affect the calves, and is well drained and well maintained with dry bedding.**

### **Bovine colostrum**

**14. 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.**

### **Diet**

**15. - (1) All calves shall be provided with an appropriate and wholesome diet adapted to their age, weight and behavioural and physiological needs in sufficient quantity to maintain them in good health and to promote a positive state of well-being. To this end, their food shall contain sufficient iron to ensure a blood haemoglobin level of at least 4.5 mmol/litre.**

**(2) A minimum daily ration of fibrous food shall be provided for each calf over 2 weeks old, the quantity being raised in line with the growth of the calf from a minimum of 100 g at 2 weeks old to a minimum of 250 g at 20 weeks old.**

### **Muzzling**

**16. Calves shall not be muzzled.**

### **Feeding**

**17. All calves shall be fed at least twice a day. Where calves are housed in a group and do not have continuous access to feed, or are not fed by an automatic feeding system, each calf shall have access to food at the same time as the others in the feeding group.**

### **Drinking water**

**18. - (1) Subject to paragraph (2) below, all calves shall be provided with a sufficient quantity of fresh drinking water each day.**

**(2) Calves shall be provided with fresh drinking water at all times -**

**(a) in hot weather conditions, or**

**(b) when they are ill.**

### **Equipment**

**19. Feeding and watering equipment shall be designed, constructed, placed and maintained so that the contamination of the calves' feed and water is minimised.**

### **Electrical current**

**20. No person shall apply an electrical current to calves for the purposes of immobilisation."**

*Elliot Morley*

**Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food**

**10th July 1998**

*Sewel*

**Parliamentary Under Secretary of State, Scottish Office**

13th July 1998

*Win Griffiths*

Parliamentary Under Secretary of State, Welsh Office

13th July 1998

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace with amendments Schedule 2 of the Welfare of Livestock Regulations 1994 which contains provisions relating to the welfare of calves. The Regulations implement Council Directive 91/629/EEC (laying down minimum standards for the protection of calves) (OJ No. L340, 11.12.91, p.28) as amended by Council Directive 97/2/EC (amending Directive 91/629/EEC laying down minimum standards for the protection of calves) (OJ No. L25, 28.1.97, p.24) and Commission Decision 97/182/EC (amending the Annex to Directive 91/629/EEC laying down minimum standards for the protection of calves) (OJ No. L76, 24.2.97, p.30).

The Regulations introduce a mandatory requirement to keep calves in groups after the age of eight weeks (except where certified by a veterinarian). The method of calculating space allowance in individual stalls and pens is redefined and space allowances for calves housed in groups are increased. Individual stalls and pens housing calves must allow tactile as well as visual contact. The requirements relating to group housing, space allowances and tactile and visual contact do not apply before 1st January 2004 for accommodation in use before 1st January 1998.

Tethering is no longer permitted except in respect of group-housed calves for a short period during feeding. Calves which are housed must now be inspected twice daily and all calves must be fed twice daily. Higher standards are set for the provision of dietary iron and fibre. A new requirement that calves should receive colostrum within the first six hours of life is introduced.

A Regulatory Appraisal has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Welfare Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey, KT6 7NF.

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### Notes:

[1] 1968 c.34; section 50(1) contains a definition of "the Ministers".[back](#)

[2] In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.[back](#)

[3] S.I. 1994/2126.[back](#)

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