

Draft regulation relating to amendments to the regulation on the keeping of domestic fowl and turkeys

Legal basis: Laid down by the Ministry of Agriculture and Food (on date), pursuant to Sections 8, 9, 19, 23 and 24 of Act no. 97 on animal welfare dated 19 June 2009, cf. royal decree no. 814, dated 11 June 2010.

The following is added to the EEA reference:

The EEA Agreement Annex I, Chapter I, Section 9.1(13) (Directive 2007/43/EC).

The EFTA Surveillance Authority has been notified about the regulations in accordance with the requirements laid down in act no. 101, dated 17 December 2004, relating to the European notification obligation relating to technical rules (EEA Consultation Act) and Annex II, Chapter XIX no. 1 (Directive (EU) 2015/1535).

I

The following amendments are made to the regulation of 12 December 2001, no. 1494 on the keeping of domestic fowl and turkeys:

The legal basis shall read:

Laid down by the Ministry of Agriculture and Food on 12 December 2001, pursuant to Sections 5, 6, 7, 8, 9, 15, 19, 23, 24, 25 and 38 of Act no. 97, dated 19 June 2009, on animal welfare, cf. royal decree no. 814, dated 11 June 2010.

The EEA reference field shall read:

The EEA Agreement Annex I, Chapter I, Section 9.1(8). (Directive 1999/74/EC) and no. 13. (Directive 2007/43/EC) and Annex I, Chapter I, Section 9.2(2) (Directive 2002/4/EC).

Section 3 shall read:

Section 3 *Definitions*

For the purposes of this regulation, the following definitions shall apply:

- a. Breeding animals: domestic fowl that are 20 weeks of age or older and turkeys that are 30 weeks or older and that are kept to produce hatching eggs
- b. Usable area: area available to the animals at all times, excluding the nesting area
- c. Day-old chicks and turkey chicks: domestic fowl and turkey younger than 72 hours of age and that have not been fed after hatching
- d. Daily mortality rate: the number of dead chickens per day among birds introduced on the same occasion in one house, divided by the number of chickens present in the house, multiplied by 100. The number of dead chickens includes those that have been killed due to disease or other reasons
- e. Keeper: the owner of the animal and other individuals representing the keeper in the day-to-day care of poultry on a permanent or temporary basis
- f. Stocking density: total weight of live animals present at the same time per square metre of usable area in the house
- g. Poultry: birds of the species domestic fowl (*Gallus gallus*) and turkey (*Meleagris gallopavo*)
- h. Poultry facilities: outdoor areas, buildings and technical facilities in which poultry are kept
- i. Flock: two or more birds that are present in the same house at the same time
- j. Animal density: the number of birds present at the same time per square metre of usable area in the house or cage

- k. Surgical intervention: cutting or piercing skin or other living tissue, destroying living tissue or removing all or some of a body part
- l. Broilers: domestic fowl younger than 20 weeks of age that are kept for meat production
- m. Pullets: domestic fowl younger than 20 weeks of age that are kept for the production of eggs for food or hatching and turkey younger than 30 weeks of age that are kept for the production of eggs for hatching
- n. Laying hens: domestic fowl 20 weeks of age or older that are kept for the production of eggs for human consumption.

The new section 4 a shall read:

Section 4 a *Animal welfare advice*

Keepers that are not subject to the animal welfare schemes laid down in Section 4 b and that keep 50 or more poultry shall ensure that a veterinarian assesses and provides advice on the welfare of the birds at least once per year.

The new Section 4 b shall read:

Section 4 b *Animal welfare schemes*

Keepers that keep

- a. 200 or more broilers of the species domestic fowl and turkey for meat production
- b. 50 or more pullets or broody hens of the species domestic fowl or turkey
- c. 1,000 or more pullets or laying hens for the production of eggs for human consumption from the domesticated fowl species

shall be affiliated with an animal welfare scheme.

The animal welfare scheme shall, as a minimum, impose requirements for the keeper to

- a. possess knowledge and skills regarding the welfare of the poultry species they keep and the production type in question
- b. ensure both external and internal audits of their animal holding
- c. enter into an agreement with a veterinarian that will visit the animal holding and assess and provide advice concerning the welfare of the birds at least
 - a. twice per year when keeping the species domestic fowl or turkey for meat production
 - b. once per introduction of pullets or brood hens (breeding animals) of the species domestic fowl and turkey
 - c. once per introduction of laying hens for the production of eggs for human consumption
 - d. once during a 12-month period of keeping pullets for the purpose of the production of eggs for human consumption.

In addition, when keeping the species domestic fowl or turkey for meat production, the animal welfare scheme shall also impose requirements for the keeper to participate in the foot health programme and associated calculation of foot pad dermatitis score for all flocks that are slaughtered.

In addition, when keeping pullets or laying hens for the production of eggs for human consumption and when keeping pullets or brood hens of the species domestic fowl or turkey, the animal welfare scheme shall also impose requirements for the keeper to:

- a. measure the air quality and assess dust quantity, litter quality and plumage

- b. undertake e-learning courses on the killing of birds.

The new Section 4 c shall read:

Section 4 c *Animal welfare plan*

When keeping poultry, the keeper shall have a written plan in place setting out how the welfare of the birds will be ensured. The plan shall, as a minimum, describe

- a. the procedures required to ensure that anyone who is responsible for the care of the birds is competent, familiar with the signs of poor animal welfare and knows what to do in the event that the birds show signs of poor animal welfare
- b. how birds are looked after when diseased, injured or weak or when the birds show signs of poor welfare, including assessing whether treatment has been successful or whether the bird must be killed
- c. procedures relating to the killing of birds, including in the event of major outbreaks of disease
- d. procedures to ensure that the birds are looked after in emergency situations, such as when the keeper is unable to look after the birds or in extraordinary situations.

The new Section 4 d shall read:

Section 4 d *Documentation*

For each new introduction of animals, the keeper shall document, in writing, the following information about the birds kept in each house:

- a. the number of birds introduced
- b. the size of the usable area
- c. the breed or hybrid introduced
- d. any assessments and advice provided by the veterinarian
- e. any diseases and injuries on the part of the birds, including possible causes
- f. any treatment of diseases and injuries on the part of the birds
- g. the number of birds that are found dead or that have been killed in connection with each inspection,
- h. the possible cause of death or cause of killing for birds that die of natural causes or that have to be killed
- i. the number of birds that remain in the flock after birds have been selected for sale, slaughtered or killed.

When keeping the species turkey and domestic fowl for meat production, the foot pad dermatitis score recorded by the abattoir shall also be documented in writing.

In addition, when keeping pullets or laying hens of the species domestic fowl for the production of eggs for human consumption and pullets or brood hens of the species domestic fowl or turkey, the results of measurements, including welfare indicators and any actions that have been implemented, shall also be documented in writing.

The information set out in a, b and c and the third subsection shall be recorded at the time of introduction, the information set out in g and the second subsection shall be recorded as needed or when assessments and measurements are taken and the information in e and f shall be recorded on an ongoing basis. All documentation referred to in this paragraph shall be stored for a minimum of five years and shall be made available in connection with inspections or other enquiries from the Norwegian Food Safety Authority.

Section 7 shall read:

Section 7 *Poultry facilities*

Poultry facilities shall be designed in such a way that:

- a. as far as possible, the physical and mental needs of the *birds* are met, including their behavioural needs
- b. the *birds* can perform normal movements
- c. mesh and other materials in cages are of good design and quality
- d. there is little risk of injury to the birds, including at the time of their introduction and depopulation
- e. the floor, perch and other materials do not cause discomfort to the *birds*
- f. the perch obstructs access for the *birds* as little as possible
- g. it is easy to carry out a thorough inspection *and properly supervise all the birds*
- h. the *birds* can receive good quality care and treatment
- i. The *birds* cannot escape.

Birds kept within the same delimited unit of area shall be of equal age.

The new subsection 3 of Section 9 shall read:

The birds should not be exposed to situations in which there is a risk of electric shock. This shall not apply to the necessary use of highly visible outdoor electric fences. Having, using and erecting live wires indoors for the purpose of limiting or modifying bird behaviour shall be prohibited.

The current subsection 3 of Section 9 shall become the new subsection four.

The new Section 9 shall read:

§ 9 a *Perch*

This provision shall apply to all production of domestic fowl, with the exception of broilers.

The birds shall have access to perches on which they can perch on to rest. It shall be possible for all of the birds to perch at the same time.

The perches shall not have any sharp edges and shall be suitable for the species and size of the birds. The perches shall be designed in such a way that the foot can achieve a good grip around the perch. The perches shall be positioned at such a height in relation to the floor that the birds perceive that they are up high when roosting and are able to have some overview of what is happening on the floor. The requirement relating to a high position shall not apply to enriched cages.

The perches shall not be positioned in such a way as to hinder the movements of the birds in the litter area or in such a way that feed and water can become contaminated.

The following additional requirements shall apply to laying hens. There should be at least 15 cm of perch available per hen. In cases of free-range systems, the perches shall not be positioned above the litter area. The horizontal distance between perches shall be at least 30 cm and the horizontal distance between the perch and the wall shall be at least 20 cm.

Until 1 January 2027, the different perch solutions that are tested may be considered satisfactory perches for domestic fowl in hatching egg stock and brood stock consisting of either breeding parent animals or pullets for the production of eggs for human consumption, provided that the devices are suitable and comfortable for the birds to perch on.

Section 10 shall read:

Section 10 *Climate*

Temperature and air quality shall be adapted to the needs of the *birds*. The *birds* shall be kept in dry and draught-free rooms. *The amount of dust shall not be so high as to cause any significant deterioration in welfare for the birds. The level of gases in the air shall not cause any significant impact on the birds. The concentration of ammonia and carbon dioxide shall not exceed 20 ppm and 3,000 ppm respectively, measured at the height of the birds' heads. The keeper must have written procedures in place and these must be adhered to in order to ensure that the critical limits are not exceeded and actions implemented in the event of the limits being exceeded. The results of measurements and any actions that have been implemented shall be documented.*

Section 11 shall read:

Section 11 *Ventilation and alarm systems relating to climate*

Ventilation systems and manure handling systems shall be designed, operated and maintained in such a way that unfavourable concentrations of gases do not occur.

If the living area is not sufficiently naturally ventilated, it should be equipped with

- a. a mechanical ventilation system that ensures adequate air circulation
- b. manual emergency ventilation that can be used in addition to the mechanical ventilation system
- c. a working alarm system that issues an alert in the event of power outages and excessively high or low temperature.

The alarm system shall alert individuals who know what actions to take in the event that the mechanical ventilation system fails. The alarm system shall continue to work in the event of a power outage. The alarm should be tested at least once per week to ensure that it is working and to identify and correct any faults as soon as possible. Tests performed shall be documented.

Subsection 2 of Section 17 shall read:

There shall be sufficient eating and drinking stations. All *birds* shall be able to access water and feed easily. If the *birds* do not have free access to feed, there shall be sufficient trough space for all *birds* to eat at the same time. The *birds* shall *always* have free access to drinking water of good quality. All *birds* shall have access to at least two drinking stations. The *drinking stations* shall be designed and maintained so as to ensure as little water wastage as possible.

The new Subsection 3 of Section 17 shall read:

Pullets and breeding animals transported between poultry farms shall be fed by the recipient within 24 hours of last having been fed by the supplier. If the birds are used to being fed two or more times per day, the birds shall be fed within 12 hours. The time spent loading and unloading the birds shall not be included in the 12 hours under the second sentence in this subsection. The birds shall be able to easily find feed and water upon arrival at the recipient facility.

The new Section 17 a shall read:

Section 17 a *Litter and dust baths*

The birds shall have access to litter. The litter shall be made from a loose material, such as sand, gravel, wood chips, straw or peat, that encourages the birds to peck and

scratch. The surface of the litter shall be dry and the entire layer of litter shall be kept adequately dry so that the birds will use it and may do so without experiencing any discomfort. New litter shall be used every time new poultry are introduced.

The entire usable area for turkey and broilers shall be covered in litter.

In addition, the birds shall have access to an adequate amount of materials suitable for dust baths.

For birds that are kept in cages, the dust bath shall be located and designed in such a way that all of the birds in the cage can use the dust bath during the course of the day without any material escaping from the bath. The birds shall be able to come into contact with the material when dustbathing.

The new Section 17 b shall read:

Section 17 b *Enriched living environment*

In addition to the requirements set out in Section 9 a and Section 17 a, all birds shall have access to various suitable materials designed to energise and encourage the birds to perform natural behaviours such as exploration, activity, play, searching for feed, pecking and resting, as well as spending time at height. The materials used *must* be adapted to the age and specific needs of the birds, such as platforms for broilers and turkeys.

Section 19 shall read:

Section 19. *Handling*

Capture and other handling of poultry shall be undertaken with great care in order to avoid *causing* injury or unnecessary fear to the *birds*. During depopulation of cages, the *birds shall be supported* under the sternum or held in some other manner so that the wings or other body parts are not damaged.

Poultry shall not be *lifted* or carried by one leg. The carrying distance should be limited to the extent *possible*. *The birds shall be carried in a manner appropriate for their size and weight.*

No-one shall carry more than one turkey at a time. Turkeys shall be carried with their heads facing upwards, except at the moment at which they are lifted up. Until they are 14 weeks of age, turkeys shall either be carried by holding around both legs or being held close to the carrier, supported by the body and arm of the carrier. Turkeys older than 14 weeks or belonging to a flock with an average weight of more than 10 kg per bird shall be carried by holding around both legs and supporting the root of one wing.

Section 20 shall read:

Section 20 *Hygiene*

The poultry facilities shall have good levels of hygiene. The facilities shall be cleaned and disinfected between each *introduction of birds*. *Outdoor areas* shall have drainage so that they do not become *muddy*.

Dead birds shall be removed daily.

Section 21 shall read:

Section 21 *Surgical interventions and the ban on the removal of body parts*

No surgical interventions shall be performed on poultry unless necessary to investigate, prevent or treat disease or injury on the part of the bird. All interventions shall take into account the functional ability and quality of life of the bird. However, until 1 January

2030, it will still be permissible to remove the outermost toe joint on the tail toe of cocks to prevent hens from being injured.

All procedures relating to poultry shall be carried out by a veterinarian using a gentle method recognised in veterinary medicine. Birds shall be given the necessary anaesthesia and pain relief with a sufficient duration of action.

Section 25 shall read:

Section 25 Requirements relating to loose housing systems

In loose housing systems for laying hens, there shall be

- a. a maximum of nine hens per m² of useable area available to the hens
- b. nests, suitable for laying eggs and with a surface other than netting. There shall either be at least one individual nest for every seven hens or at least 1 m² of nest space per 120 hens when communal nests are used.
- c. at least 250 cm² of littered area per hen, the litter occupying at least one third of the floor surface,
- d. feeding troughs that the hens can use without hindrance, with a minimum of 10 cm of trough space per hen in the case of linear feeding troughs or a minimum of 4 cm of trough space per hen in the case of circular feeding troughs.
- e. water troughs that the hens can use without hindrance, with a minimum of 2.5 cm of trough space per hen or a minimum of 1 cm of trough space per hen in the case of circular drinking vessels. Where nipple drinkers or drinking cups are used, there shall be at least one nipple drinker or water nipple per ten hens.
- f. substrate in the pens designed to adequately support each of the forward-facing claws on each foot.

Section 26 shall read:

Section 26 Additional requirements for aviaries

In production systems in which laying hens can move freely between different levels, there shall

- a. be a maximum of four levels
- b. be a distance of at least 45 cm between each level
- c. be feeding and drinking systems distributed in such a manner as to ensure equal access for all hens
- d. be arrangements in place for the levels so as to prevent droppings falling on the levels below.

Section 29 shall read:

Section 29 Requirements relating to enriched cages

It is not permitted to establish new laying hen holdings for which enriched cages are used or to add new enriched cages for existing laying hen holdings.

In enriched cages for laying hens, there shall be

- a. at least 850 cm² of cage area per hen, of which at least 675 cm² shall be usable area. The usable area shall have a width of at least 30 cm, a height of at least 45 cm and a gradient of no more than 14%. Outside the usable area, the height shall be at least 20 cm. Each cage shall have a total area of at least 2,000 cm²
- b. nests, suitable for laying eggs and with a surface other than netting. The number of nests and the size of nests shall be adapted to the size of the flock.

- c. feeding troughs that can be accessed without hindrance *and with at least 12 cm of trough space per hen*
- d. an appropriate drinking system corresponding to the size of the group. *Where nipple drinkers or cups are used, there shall be at least two nipple drinkers or cups for each hen,*
- e. a claw shortening device *to ensure that the claws of the hens become worn and do not grow too long.* The claw shortening device shall be replaced when the effect becomes too limited
- f. *a maximum of 5.5 hens per m³ of room volume.*

There shall be a corridor with a width of at least 90 cm between the cage rows. There shall be at least 35 cm between the floor and the cages on the lowermost tier.

Chapter VII. Special provisions relating to the keeping of breeding animals

Subsection 2 of Section 30 shall read:

For breeding animals of domestic fowl intended for meat production, the *animal density* shall not exceed seven animals *per m²*. In the event that not all birds are able to display normal movement and normal behaviour, the animal density *must* be decreased as required.

Subsection 3 of Section 30 shall be repealed

The current subsection 4 of Section 30 shall become the new subsection 3.

Section 31 shall read:

Section 31 Requirements relating to cages

It is not permitted to establish new facilities at which enriched cages are used to keep breeding animals or to install new enriched cages for established breeding stocks.

Breeding animals of domestic fowl of layer breeds and breeds intended for meat production are subject to the same requirements that apply to laying hens in enriched cages. For breeding animals intended for meat production, the *animal density* shall not exceed six animals *per m²*. *In the event that not all birds are able to display normal movement and normal behaviour, the animal density must be decreased as required.*

The cages shall be high enough for the birds to be able to mate without risk of injury.

Section 32 shall read:

Section 32 Requirements relating to the keeping of turkeys

For breeding turkeys, the animal density shall not exceed four hens per m² and shall not exceed two gobblers per m². In the event that not all birds are able to display normal movement and normal behaviour, the animal density must be decreased as required.

Chapter VIII shall read:

Chapter VIII. Special provisions relating to the *keeping of domestic fowl pullets*

Section 33 shall read:

Section 33 Requirements relating to keeping in loose housing systems

When keeping domestic fowl pullets loose housed, the animal density shall not exceed 15 birds per m² after 12 weeks of age and shall not exceed 12 birds per m² after 17 weeks of age. This provision may be waived for the purposes of socialisation in the laying house.

When keeping in multi-level systems, the animal density shall not exceed 24 birds per m² of usable area after five weeks of age and up to 16 weeks of age. For rearing after 16 weeks of age, the animal density shall not exceed 22 birds per m² of usable area.

In the event that not all birds are able to display normal movement and normal behaviour, the animal density must be decreased as required.

Section 34 shall read:

Section 34 Requirements relating to keeping in cages:

It is not permitted to establish new pullet holdings for which enriched cages are used or to install new enriched cages for established pullet holdings.

When keeping pullets in cages, the animal density shall not exceed 28 birds per m² after five weeks of age and shall not exceed 15 birds per m² after 17 weeks of age. In the event that not all birds are able to display normal movement and normal behaviour, the animal density must be decreased as required.

Birds that will subsequently be kept in loose housing systems once they become breeding hens or laying hens shall not be kept in cages.

The new Section 34 b shall read:

Section 34 b Breeding systems and notification from keepers keeping pullets

Breeding animals and laying hens shall be kept in the same type of housing system that they were in as pullets.

Keepers that keep pullets for breeding shall, no later than at the time of delivery, inform the egg producer of the system in which the hens were housed, the race or hybrid, number of birds, hatching date, mortality rate of the breeding stock, health status, vaccination status and any medical treatment.

Section 35 a shall read:

Section 35 a Stocking density

The standard stocking density for broilers shall be a maximum of 25 kg/m².

Broiler producers that are able to document that the foot health of the chickens is good through the achieved foot pad dermatitis score may increase stocking density in line with Section 35 b of this regulation. However, it is not permitted to produce at a stocking density higher than a maximum of 36 kg/m². In addition, in order to produce at densities above 34 kg/m², the requirements laid down in Annex 2 and 3 must also be met.

The Norwegian Food Safety Authority may grant permission for temporary infringement of maximum stocking density in the event of unforeseen circumstances that cause delays to the delivery of animals to a slaughterhouse.

Section 35 b shall read:-

Section 35 b Foot health programme for broilers

The foot health programme is based on an assessment of broilers' foot pad dermatitis at the time of slaughter, with subsequent division into three classes:

Class 0: Nothing of note

Class 1: Mild injury, small lesions

Class 2: Severe injury, severe lesions.

Foot pad dermatitis scores shall be calculated on the basis of the classification in the first subsection and are subdivided into levels A, B and C.

At the start of the programme, three introductions of birds with A in succession are required to increase the maximum density from 34 to 36 kg. Producers that can document three introductions with A in succession directly before they start the programme may increase the maximum density from 34 to 36 kg immediately. The level subsequently achieved affects the density as follows:

<i>Permitted max. density</i>	<i>Level achieved</i>	<i>Consequences for next introduction</i>
Over 25 kg up to and including 33 kg	One introduction with A	Increase by a maximum of 2 kg.
<i>From and including 34 kg up to and including 36 kg</i>	Three introductions with A in succession	Increase by a maximum of 2 kg.
Over 25 kg up to and including 36 kg	One introduction with B	Reduction by 3 kg.
	Exception: an introduction with B occurs after four introductions with A in succession	No change.
Over 25 kg up to and including 36 kg	One introduction with C	Reduction by 5 kg.

If circumstances beyond the producer's control result in a high classification for one introduction, the Norwegian Food Safety Authority may, upon application, decide that the level achieved shall not result in reduced density in the subsequent introduction.

Section 35 c shall read:

Section 35 c *Special documentation for broilers kept at densities from and including 34 kg/m²*

In the case of densities of chicken up to and including 34 kg/m², in addition to the information in Section 4 d, the requirements addressed in Annex 2 and 3 shall also be documented.

Section 37 shall read:

Section 37 *The turkey foot health programme*

The foot health programme shall be based on an assessment of turkey hens' foot pad dermatitis at the time of slaughter, with subsequent division into four classes:

Class 0: Nothing of note

Class 1: Mild injury

Class 2: Severe injury, less than 50% of the foot pad dermatitis area

Class 3: Severe injury, more than 50% of the foot pad dermatitis area.

In the event of severe injury to less than 50% of the foot pad dermatitis area, but also severe injury to one or more toes, the foot pad dermatitis shall be assigned to class 3.

Foot pad dermatitis scores shall be calculated on the basis of the classification in the first subsection and are subdivided into levels A, B, C and D.

The animal density when introducing day-old turkey chicks shall be adjusted as follows based on the foot pad dermatitis score achieved during the previous introduction:

Level	Score (average foot pad dermatitis score for all slaughtered turkey hens)	Animal density of day-old turkey chicks/m ² in the subsequent introduction
A	150-179	4.6
B	180-209	4.5
C	210-239	4.4
D	240 or higher	4.3

If circumstances beyond the producer's control result in a high classification for one introduction, the Norwegian Food Safety Authority may, upon application, decide that the score achieved shall not result in reduced density in the subsequent introduction.

Chapter XI shall read:

Chapter XI. Administrative provisions

Annex 3, Section 1 and 2, shall read:

1. In the event of stocking density *from and including 34 kg/m²*, the keeper shall ensure that the documentation accompanying the flock contains the following information: daily mortality rate, *the total daily mortality for the entire introduction* based on the *keeper's* calculations and the race or hybrid of which the flock consists.
2. Under the supervision of the Norwegian Food Safety Authority, the slaughterhouse shall register the information mentioned under point 1, together with the number of animals dead upon arrival at the slaughterhouse, indicating the producer and the holding/chicken house. The plausibility of the data and of the *total daily mortality rate for the entire flock introduced* shall be checked, taking into account the number of animals slaughtered and the number of animals dead upon arrival at the slaughterhouse.

II

These changes shall take effect immediately.