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**Legislative proposal by member Ouwehand amending the Animals Act (Wet dieren) and the Economic Offences Act (Wet op de economische delicten) in connection with the abolition of industrial livestock production**

No **TBC**

**LEGISLATIVE PROPOSAL AS AMENDED FOLLOWING THE OPINION OF THE ADVISORY DIVISION OF THE COUNCIL OF STATE**

We, Willem-Alexander, by the grace of God, King of the Netherlands, Prince of Orange-Nassau, etc.

Greetings to all who shall see or hear the following. Be it known:

Whereas We have considered that it is desirable to amend the Animals Act and Economic Offences Act in order to achieve humane forms of livestock farming;

Having heard the Advisory Division of the Council of State, and in consultation with Parliament, We hereby agree and decree:

**ARTICLE I AMENDMENT TO THE ANIMALS ACT**

The Animals Act shall be amended as follows:

A

Article 2.1 shall be amended as follows:

1. Paragraphs 3 to 7 are renumbered as paragraphs 4 to 8.
2. After paragraph 2, a paragraph is inserted with the following text:
3. The conduct prohibited by paragraph 1 shall also include, in the case of animals kept commercially for the production of animal products, physical procedures other than those referred to in Article 2.8 in order to keep the animal within a given system or housing if there is no veterinary need.
3. In paragraph 5 (new), the phrase ‘paragraph 3’ is replaced by ‘paragraph 4’.
4. In paragraph 6 (new), the phrase ‘paragraph 3’ is replaced by ‘paragraph 4’.
5. In paragraph 8 (new), the phrase ‘paragraph 6’ is replaced by ‘paragraph 7’.

B

Paragraph 12 of Article 2.2 is deleted.

C

After Article 2.2, a new article is inserted, reading as follows:

**Article 2.2a. Withholding care from animals kept for production**

1. Keepers of animals shall be prohibited from keeping animals, in the course of business, for the production of animal products in such a way that animals are permanently or systematically deprived of opportunities to meet the behavioural needs scientifically established for the species or animal category concerned, which shall include at least the following:

- a. for pigs, being able to:
  - 1°. maintain stable social bonds throughout their entire lives;
  - 2°. access adequate opportunities for shelter, escape or retreat;
  - 3°. rub and scratch, for example on rubbing walls, brushes or tree trunks, and to take mud baths in order to cool and groom themselves;
  - 4°. explore their surroundings in search of food, through the availability of materials that are edible and/or that can be chewed, investigated and manipulated;
  - 5°. explore and scavenge, forage, root in the ground, sniff;
  - 6°. for sows prior to farrowing, to engage in nest-building behaviour and provide maternal care by having sufficient space and suitable materials;
  - 7°. for piglets, to engage in suckling behaviour from the sow until at least six weeks of age;
  - 8°. rest in a place that is clean, comfortable and provides sufficient space to maintain separate dunging and lying areas and not be disturbed by active pigs;
  - 9°. consume sufficient appropriate feed by means of a sufficient number of feeding places to be able to feed simultaneously and without competition;
  - 10°. have unrestricted access to clean water through a sufficient number of drinking troughs placed at appropriate height for the pigs concerned;
  - 11°. for piglets, to have adequate milk intake;
  - 12°. achieve thermal comfort by means of an adequate room temperature, free access to warmer or cooler places within the living environment and possibilities for maintaining body heat;
  - 13°. have access to fresh air and a non-harmful housing climate, including non-harmful ammonia concentrations;
- b. for bovines, being able to:
  - 1°. maintain social bonds in a herd with animals of different ages;
  - 2°. access adequate opportunities for escape or retreat and the opportunity to isolate themselves in case of illness or calving;
  - 3°. be reared with the mother, at least until the calf is adequately able to ingest roughage;
  - 4°. groom their coat;
  - 5°. forage, search for, manipulate and eat feed;
  - 6°. choose to either stay outside or seek shelter;
  - 7°. engage in maternal behaviour, with sufficient peace and space for seclusion from the herd;
  - 8°. for calves, to engage in suckling behaviour ;
  - 9°. rest and lie comfortably with suitable bedding material or flooring, with sufficient space for all animals to lie stretched out and to stand and lie down without hindrance;
  - 10°. eat and drink clean water and suitable feed available without restriction, in a manner

consistent with the animals' preferences, with a sufficient number of feed and water troughs provided in both the indoor area and the outdoor run;

11°. achieve thermal comfort, by having a free choice to move about and seek out a comfort zone;

12°. have access to fresh air and a non-harmful housing climate, including non-harmful ammonia concentrations;

c. for chickens, being able to:

1°. maintain social bonds in a group size and space that is appropriate;

2°. explore, scratch and forage on suitable surfaces, and take dust baths;

3°. have access to suitable litter;

4°. access adequate opportunities for escape, shelter or retreat;

5°. engage in nesting behaviour;

6°. have sufficient space to eat, drink and rest;

7°. roost on suitable perches provided;

8°. eat and drink clean water and suitable feed available without restriction, in a manner consistent with the animals' preferences;

9°. achieve thermal comfort by means of a good housing climate that is adapted to the needs of chicks that are sensitive to cold and heat stress;

10°. have access to fresh air and a non-harmful housing climate, including non-harmful ammonia concentrations;

d. for goats, being able to:

1°. maintain social bonds;

2°. seclude themselves from the group;

3°. for kids, to be reared with the mother;

4°. have sufficient space to engage in maternal behaviour;

5°. choose between using the outdoor run and remaining in the stalls;

6°. rub and scratch;

7°. climb and rest in stalls with vertical structures;

8°. achieve thermal comfort, by having a free choice to move about and seek out a comfort zone;

9°. eat and drink clean water and suitable feed available without restriction, in a manner consistent with the animals' preferences;

e. for sheep, being able to:

1°. maintain social bonds;

2°. avoid others;

3°. for lambs, to be reared with the mother;

4°. have sufficient space to engage in maternal behaviour;

5°. eat and drink clean water and suitable roughage available without restriction, in a manner consistent with the animals' preferences;

6°. achieve thermal comfort, by having a free choice to move about and seek out a comfort zone;

7°. rub and scratch;

8°. have sufficient space to rest and lie down;

f. for rabbits, being able to:

1°. maintain social bonds;

2°. withdraw and avoid aggression;

3°. engage in maternal and nesting behaviour with sufficient nesting materials;

4°. for offspring, to engage in suckling behaviour and to receive maternal care;

5°. for dams, to separate themselves from the nest to prevent infanticide and injury to

offspring;

6°. access adequate opportunities for escape, shelter or retreat;

7°. eat and drink clean water and sufficient suitable feed available without restriction, in a manner consistent with the animals' preferences;

8°. explore, nibble, forage and rummage;

9°. lie down and rest;

10°. have sufficient space to prevent heat stress;

11°. have sufficient space for movement for the purpose of being able to jump, hop and run;

g. for ducks, being able to:

1°. access open water for preening, exploration and foraging;

2°. access a clean, dry place to rest and sleep comfortably;

3°. access sufficient feed and clean water available without restriction, in a manner consistent with the animals' preferences;

4°. achieve thermal comfort through adequate room temperature and free access to open water.

2. Additional behavioural needs according to scientific knowledge may be identified by a general administrative order for the species or animal category concerned.

3. For keepers of animals who under transitional law are not subject to the provisions of paragraphs 1 and 2, a general administrative order will define rules for the manner in which animals are to be kept to ensure that animals are not permanently or systematically deprived of opportunities to meet those behavioural needs, as referred to in paragraphs 1 and 2, that have been scientifically established for the species or animal category concerned.

D

Article 2.3a is deleted.

E

Article 2.8 shall be amended as follows:

1. Paragraph 2(b) and (c) now read as follows:

b. the performance by veterinary surgeons of physical procedures relating to the sterilisation of animals; and

c. physical procedures designated by virtue of, or pursuant to, a general administrative order, which are necessary for identification purposes and consist of a marking method other than freeze-burning.

2. A paragraph is added, reading:

6. Paragraphs 1 to 5 shall not apply to physical procedures to which Article 2.1(1) in conjunction with (3) applies.

F

In Article 8.11(2), '2.1(6)' is replaced by '2.1(7)'.

G

In Article 8.12(3), '2.1(6)' is replaced by '2.1(7)'.

H

Article 10.10 shall be amended as follows:

1. In paragraph 1, '2.1(3) and (5)' is replaced by '2.1(4) and (6)', '(10) and (12),' is replaced by 'and (10), 2.2a(2) and (3),' and 'paragraph 2(b) and' is deleted.
2. Paragraph 3 is deleted.

## **ARTICLE II AMENDMENT TO THE ECONOMIC OFFENCES ACT**

In Article 1(1°) of the Economic Offences Act, in the phrase relating to the Animals Act, '2.2a,' is inserted before '2.7,'.

## **ARTICLE III TRANSITIONAL LAW**

Article 2.2a(1) and (2) of the Animals Act shall not apply, during a reasonable transitional period to be determined by a general administrative order, ending no later than 1 January 2040, to stalls or premises that already existed prior to the entry into force of this Act and that belong to an enterprise in which animals are kept in the course of business for the production of animal products.

## **ARTICLE IV ENTRY INTO FORCE**

1. With the exception of Article I, Part E, this Act shall enter into force on 1 July 2026.
2. Article I, Part E shall enter into force on 1 January 2030.

It is hereby ordered that this Act shall be published in the Government Gazette and that all ministries, authorities, commissions and officials concerned will ensure its accurate implementation.

Issued by

The Minister of Agriculture, Fisheries, Food Security and Nature,