WELSH STATUTORY INSTRUMENTS

2003 No. 1726 (W.189)

ANIMALS, WALES
PREVENTION OF CRUELTY

The Welfare of Farmed Animals (Wales) (Amendment) Regulations 2003

Made - - - -	*9th July 2003*
Coming into force - -	*14th July 2003*

The National Assembly for Wales, in exercise of the powers conferred by section 2 of the Agriculture (Miscellaneous Provisions) Act 1968(**1**) and now vested in it(**2**), and after consultation (in accordance with section 2 of the said 1968 Act) with such persons appearing to it to represent any interests concerned as it has considered appropriate, makes the following Regulations:

Title, application and commencement

1.—(1) These Regulations are called the Welfare of Farmed Animals (Wales)(Amendment) Regulations 2003 and apply in relation to Wales.

(2) These Regulations come into force on 14th July 2003.

Transitional Provisions

2.—(1) The provisions of paragraph 29(2) of Schedule 6 to the Welfare of Farmed Animals (Wales) Regulations 2001(**3**) as amended by these Regulations apply in relation to holdings newly built, rebuilt or brought into use for the first time on or after 1st January 2003, but in the case of all other holdings these provisions do not apply until 1st January 2005.

(2) The provisions of paragraphs 13, 37, 38 and 39 of Schedule 6 to those Regulations apply in relation to all holdings newly built, rebuilt or brought into use for the first time on or after 1st January 2003, but in the case of all other holdings these provisions do not apply until 1st January 2013.

Amendments to the Welfare of Farmed Animals (Wales) Regulations 2001

3.—(1) The Welfare of Farmed Animals (Wales) Regulations 2001 are amended in accordance with the following provisions of this Regulation:

(**1**) 1968 c. 34.
(**2**) By virtue of the National Assembly for Wales (Transfetr of Functions) Order 1999 S.I. 1999/672).
(**3**) S.I. 2001/2682 (W.223), as amended by S.I. 2002/1898 (W.199).

(2) In regulation 2 the following paragraph is inserted after paragraph (4):

(5) Expressions which are not defined in paragraph (1) above and which appear in Council Directives 91/630/EEC(**4**) and 2001/88/EC(**5**) and Commission Directive 2001/93/EC(**6**) have the same meaning in these Regulations as they have for the purposes of that Community legislation.

(3) After regulation 8 the following regulation is inserted —

"**Training**

8A. Any person who employs or engages persons to care for pigs must ensure that that person has received instructions and guidance on the provisions of these Regulations which relate to pigs.".

(4) Schedule 6 is substituted by the following Schedule:

"SCHEDULE 6 Regulations 2(3) and 8

ADDITIONAL CONDITIONS THAT APPLY TO THE KEEPING OF PIGS

PART I

INTERPRETATION

1. In this Schedule —

"boar" ("*baedd*") means a male pig after puberty, intended for breeding;

"gilt" ("*banwes*") means a female pig intended for breeding after puberty and before farrowing;

"piglet" ("*porchell*") means a pig from birth to weaning;

"rearing pig" ("*mochyn magu*") means a pig from ten weeks to slaughter or service;

"sow" ("*hwch*") means a female pig after the first farrowing; and

"weaner" ("*porchell diddwyn*") means a pig from weaning to the age of ten weeks.

PART II

GENERAL ADDITIONAL CONDITIONS

Inspection

2. All pigs shall be inspected by the owner or keeper of the pigs at least once a day to check that they are in a state of well being.

3. Where necessary, sick or injured pigs shall be temporarily isolated in suitable accommodation with dry comfortable bedding.

Tethering

4. No person shall tether or cause to be tethered any pig except while it is undergoing any examination, test, treatment or operation carried out for any veterinary purpose.

(**4**) OJ No. L 340, 11.12.1991, p.33.
(**5**) OJ No. L 316, 1.12.2001, p.1.
(**6**) OJ No. L 316, 1.12.2001, p.36.

5.—(1) Where the use of tethers is permitted in accordance with paragraph 4, they shall not cause injury to the pigs and shall be inspected regularly and adjusted as necessary to ensure a comfortable fit.

(2) Each tether shall be of sufficient length to allow the pigs to move as stipulated in paragraph 6(2) below and the design shall be such as to avoid, as far as possible, any risk of strangulation, pain or injury.

Accommodation

6.—(1) A pig shall be free to turn round without difficulty at all times.

(2) The accommodation used for pigs shall be constructed in such a way as to allow each pig to —

(a) stand up, lie down and rest without difficulty;

(b) have a clean, comfortable and adequately drained place in which it can rest;

(c) see other pigs, unless the pig is isolated for veterinary reasons;

(d) maintain a comfortable temperature; and

(e) have enough space to allow all the animals to lie down at the same time.

7.—(1) The dimension of any stall or pen used for holding individual pigs in accordance with these Regulations shall be such that the internal area is not less than the square of the length of the pig, and no internal side is less than 75% of the length of the pig, the length of the pig in each case being measured from the tip of its snout to the base of its tail while it is standing with its back straight.

(2) Paragraph 7(1) does not apply to a female pig for the period between seven days before the predicted day of her farrowing and the day on which the weaning of her piglets (including any piglets fostered by her) is complete.

(3) A person shall not be guilty of an offence in accordance with regulation 13(1) of contravening or failing to comply with this paragraph by reason of the keeping of a pig in a stall or pen —

(a) while it is undergoing any examination, test, treatment or operation carried out for veterinary purposes;

(b) for the purposes of service, artificial insemination or collection of semen;

(c) while it is fed on any particular occasion;

(d) for the purposes of marking, washing or weighing it;

(e) while its accommodation is being cleaned; or

(f) while it is awaiting loading for transportation,

provided that the period during which it is so kept is not longer than necessary for that purpose.

(4) A person shall not be guilty of an offence in accordance with regulation 13(1) of contravening or failing to comply with this paragraph by reason of the keeping of a pig in a stall or pen which the pig can enter or leave at will, provided that the stall or pen is entered from a stall or pen in which the pig is kept without contravention of this paragraph.

Artificially lit buildings

8. Where pigs are kept in an artificially lit building then, lighting with an intensity of at least 40 lux shall be provided for a minimum period of 8 hours per day subject to Schedule 1, paragraph 16, to these Regulations.

Prevention of fighting

9.—(1) If pigs are kept together, measures shall be taken to prevent fighting which goes beyond normal behaviour.

(2) Pigs which show persistent aggression towards others or are victims of such aggression shall be isolated or kept separate from the group.

Cleaning and disinfection

10.—(1) Housing, pens, equipment and utensils used for pigs must be properly cleaned and disinfected as necessary to prevent cross-infection and the build-up of disease-carrying organisms.

(2) Faeces, urine and uneaten or spilt food must be removed as often as necessary to minimise smell and avoid attracting flies or rodents.

Bedding

11. Where bedding is provided, this must be clean, dry and not harmful to the pigs.

Floors

12. Where pigs are kept in a building, floors shall —

(a) be smooth but not slippery so as to prevent injury to the pigs;

(b) be so designed constructed and maintained as not to cause injury or suffering to pigs standing or lying on them;

(c) be suitable for the size and weight of the pigs; and

(d) where no litter is provided, form a rigid, even and stable surface.

13. When concrete slatted floors are used for pigs kept in groups the maximum width of the openings must be —

(a) 11mm for piglets;

(b) 14 mm for weaners;

(c) 18mm for rearing pigs;

(d) 20 mm for gilts after service and sows;

the minimum slat width must be —

(e) 50 mm for piglets and weaners;

(f) 80 mm for rearing pigs, gilts after service and sows.

Feeding

14.—(1) All pigs must be fed at least once a day.

(2) Where pigs are housed in a group and do not have continuous access to feed, or are not fed by an automatic feeding system, feeding the animals individually, each pig must have access to the food at the same time as the others in the feeding group.

Drinking water

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

Environmental enrichment

16. To enable proper investigation and manipulation activities to take place, all pigs must have permanent access to a sufficient quantity of material such as straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such which does not adversely affect the health of the animals.

Prohibition on the use of the sweat-box system

17. Pigs shall not be kept in an environment which involves maintaining high temperatures and high humidity (known as the "sweat-box system").

Noise levels

18. Pigs shall not be exposed to constant or sudden noise. Noise levels above 85dBA shall be avoided in that part of any building where pigs are kept.

Interventions

19. Save as set out in paragraphs 21 to 26 of this Schedule, no intervention procedures which result in damage to or loss of a sensitive part of the body or the alteration of the bone structure shall be carried out except for therapeutic or diagnostic purposes.

20. The procedures set out in paragraphs 21-26 of this Schedule may only be carried out under hygienic conditions by a veterinary surgeon, or where it is legally permitted, by a person who has been trained in accordance with these regulations and who is experienced in performing the procedures.

21. The following procedures shall not be carried out routinely but only where there is evidence that injuries to sows teats or to other pigs' ears or tails have occurred:

(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;

(b) docking of a part of the tail,

but no tooth reduction or tail docking may be carried out unless other measures to improve environmental conditions or management systems have been taken in order to prevent tail biting and other vices.

22. Male pigs may be castrated provided the means employed do not involve tearing of tissues.

23.—(1) If docking of tails is carried out after the seventh day of the pig's life it shall only be performed under anaesthetic and additional prolonged analgesia by a veterinary surgeon.

(2) If castration is carried out after the seventh day of the pig's life it shall only be performed by a veterinary surgeon in accordance with the provisions of the Protection of Animals (Anaesthetics) Act 1954 (**7**).

24. Boars' tusks may be reduced in length where necessary to prevent injuries to other animals or for safety reasons.

25. Nose rings may be not be put in animals kept continuously in indoor husbandry systems.

26. Ear tagging or ear notching may be carried out for identification purposes.

(**7**) 1954 c. 46.