COMMISSION DIRECTIVE 2001/93/EC

of 9 November 2001

amending Directive 91/630/EEC laying down minimum standards for the protection of pigs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs ([1]) as amended, and in particular Article 5 thereof,

Whereas:

(1) Pursuant to Article 6 of Directive 91/630/EEC the Scientific Veterinary Committee adopted on 30 September 1997 an opinion regarding the welfare of intensively kept pigs.

(2) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes ([2]), drawn up on the basis of the European Convention for the protection of animals kept for farming purposes, establishes Community provisions applying to all farmed animals in relation to construction requirements for animal housing, insulation, heating and ventilation conditions, equipment inspection and inspection of livestock. It is therefore necessary to deal with these matters in the Annex to Directive 91/630/EEC when more detailed requirements have to be established.

(3) When pigs are kept in groups, appropriate management measures for their protection should be taken to improve their welfare.

(4) Tail docking, tooth clipping and tooth grinding are likely to cause immediate pain and some prolonged pain to pigs. Castration is likely to cause prolonged pain which is worse if there is tearing of the tissues. Those practices are therefore detrimental to the welfare of pigs, especially when carried out by incompetent and inexperienced persons. As consequence, rules should be laid down to ensure better practices.

(5) The abovementioned report of the Scientific Veterinary Committee recommended that, in the interests of their welfare, piglets should not be weaned from the sow aged less than 28 days, unless the health of either the sow or her piglets would otherwise be adversely affected or advantages for the health of the piglets justify an earlier weaning.

(6) The measures provided for in this Directive are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 91/630/EEC is replaced by the text in the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2003 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 9 November 2001

For the Commission
David BYRNE
Member of the Commission

([1]) OJ L 340, 11.12.1991, p. 33.
([2]) OJ L 221, 8.8.1998, p. 23.