

## Reports and Comments

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### Israel bans foie gras production

On 1st April 2005 a ban on the force-feeding of geese and ducks for the production of foie gras in Israel came into effect. The enforcement of this ban, after an extension period of a year and a half, resulted from the Israeli Supreme Court ruling, in August 2003, that the production of foie gras causes unacceptable suffering and was in violation of the Cruelty to Animals Law, and that the regulations allowing it (Cruelty to Animals Regulations [Protection of Animals] [Force-Feeding of Geese] 2001) were invalid. Enforcement was delayed until the end of March 2005 in order to allow producers to prepare and to lessen the impact of hundreds of job losses (approximately 100 family farms are employed in raising geese in Israel) and the end of an industry with an annual turnover of tens of millions of shekels.

The ruling of the Supreme Court on 11th August 2003, by a majority of two to one, was the result of a petition lead by Noah (The Israeli Association of Animal Protection Organisations), an umbrella organisation for animal rights organisations in Israel. A full transcript of the ruling is available (see details below) in which the reasoning behind this landmark decision is clearly explained.

When considering their verdict the judges considered various philosophical and ethical ideas about the relationship between humans and animals, highlighting the different attitudes to animals under different Israeli Laws. The examples and experiences of other countries and organisations are cited, including the constitutions of both India and Germany, as well as a number of European Directives and the European Commission's Scientific Committee on Animal Health and Animal Welfare (SCAHAW) 1998 report, which concluded that "force-feeding, as currently practiced, is detrimental to the welfare of the birds".

The majority opinion, by Justice T Strasberg-Cohen, states that "this interest [of the farmers in maintaining their livelihood as part of an agricultural industry...] cannot automatically override the counter-interest of the protection of animal welfare" and that "... 'agricultural needs' do not take sweeping precedence over the interest of animal protection". She goes on to say that "long accepted agricultural practices do not have immunity from the application of article 2(a) of the law [Animal Protection Act]...", and concludes with the statement that the "regulations deviate significantly from the purpose of the law, and thus they should be annulled". It should be noted that the minority opinion, that the production foie gras should not be banned,

resulted from the conclusion that "it is unjustified to prevent the suffering of...the geese by bringing suffering upon the farmers — which would be the result of their livelihood being wiped out in an instant", and that "the means [force-feeding geese] are proportionate to the ends [producing food], even though foie gras is a delicacy and not a basic food". However, all three judges were unanimous in their consideration that "the force-feeding process does indeed cause suffering to the geese".

This ruling may have important ramifications in other foie gras producing countries and for other agricultural methods used to raise animals for human consumption.

**Verdict of the Supreme Court of Israel — Foie Gras** August 2003. Available at <http://www.chai-online.org/foiegras.pdf>

**Scientific Committee on Animal Health and Animal Welfare (SCAHAW)** 1998 Report of the Scientific Committee on Animal Health and Animal Welfare: Welfare Aspects of the Production of Foie Gras in Ducks and Geese. Available at [http://europa.eu.int/comm/food/fs/sc/scah/out17\\_en.pdf](http://europa.eu.int/comm/food/fs/sc/scah/out17_en.pdf)

*K Parkes*

*UFAW*

### Guide to the management of feather pecking and cannibalism in free range laying hens

From 1st January 2011, beak trimming of laying hens in all systems of production will be prohibited in the UK under Schedule D of the Welfare of Farmed Animals (England) (Amendment) 2002. In order to smooth the transition, Defra (Department for Environment, Food and Rural Affairs) initiated an 'Action Plan on Beak Trimming' working group, with the aim of addressing a number of management and welfare issues that will arise as a result of the ban, including the problem of how to deal with the risk of feather pecking and cannibalism. This publication, which is a set of guidance notes and not a statutory or industry code, is the result of a number of workshops set up to discuss the practical management of these issues in free range flocks by those directly concerned with the management of laying hens.

This booklet is not a set of rules on to how to prevent feather pecking and cannibalism, but rather a discussion of the factors which may increase or decrease the risk of their incidence. As the booklet itself acknowledges, there are not always scientific data to corroborate some of the suggestions as they are based on practical field experience. The booklet is also careful to point out that changing a particular husbandry procedure can affect other factors, and that changes should be made cautiously and always under the guidance and advice of a veterinarian or other advisor.

The booklet begins by discussing the key factors associated with a decreased risk of feather pecking, including the need to match housing conditions in the rearing and in the laying environments, to obtain correctly reared,