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**JUDICIAL REVIEW PROCEEDINGS CHALLENGE INFLECTION OF
CHRONIC HUNGER ON BROILER CHICKEN BREEDING FLOCK AND
USE OF FAST-GROWING BROILERS**

**COURT ACTION BY COMPASSION IN WORLD FARMING AGAINST
DEPARTMENT FOR ENVIRONMENT, FOOD & RURAL AFFAIRS**

B R I E F I N G

On 27 November 2003, the High Court ruled against Compassion in World Farming (CIWF) in its Judicial Review (JR) proceedings in respect of the imposition of hunger on the broiler breeding flock and the use of fast-growing broiler chickens (broilers are the chickens reared for their meat). JR is the process whereby the lawfulness of the government's policies or actions can be challenged.

CIWF's case was against the Department for Environment, Food & Rural Affairs (DEFRA).

The broiler industry comprises 2 separate flocks: the breeding flock whose role is to produce chicks, and the ordinary flock who are slaughtered at around 6 weeks of age for their meat.

CIWF argued that under EU and UK law the use of fast-growing broiler genotypes should be brought to an end as these lead to:

1. Chronic hunger arising from the use of restricted feeding regimes in the broiler breeding flock, and
2. Painful leg disorders and heart failure in the broilers reared for their meat.

Each year over 800 million broilers are reared in the UK. This makes them by far the most numerous of all farm animals. In the EU as a whole, over 4,000 million broilers are reared each year.

The background to the JR proceedings is as follows.

Leg and heart problems

Modern broilers have been selectively bred to reach their slaughter weight of around 2 kg. in just 41 days, which is twice as fast as 30 years ago. What grows quickly is the muscle (meat), but the legs, heart and lungs often fail to keep pace with the rapid body growth. As a result, the legs often buckle under the strain of supporting the overdeveloped body; this leads each year to millions, probably tens of millions, of broilers in the UK suffering from painful, sometimes crippling, leg disorders. In the worst cases, birds can only move by crawling on their shanks.

The heart and lungs also fail to keep pace with the rapid body growth with the result that millions of UK broilers a year die of heart failure without even being able to reach their slaughter age of 41 days.

Hunger in the broiler breeding flock

The health problems of broilers are so severe that if – instead of being slaughtered at 6 weeks – they were allowed to live on, many would die before reaching sexual maturity at around 24 weeks.

This is a major problem for one sector – the broiler breeders – the birds whose role it is to produce the chicks, who will then be reared for meat. The breeders must not only survive into adulthood, but stay sufficiently healthy to breed.

If the breeders were fed normally, many would die before sexual maturity and the survivors would suffer from reduced fertility. To avoid these problems, the industry has to slow down the breeders' growth rate. To do this they feed them on severely restricted rations which lead to the birds being very hungry. Some are fed as little as one fifth of the quantity they want to eat.

A report by the European Commission's Scientific Committee on Animal Health and Animal Welfare (SCAHAW) states that the "chronic quantitative food restriction" to which broiler breeders are routinely subjected leads to them being "very hungry". The SCAHAW condemned this practice stating that "The severe feed restriction ... results in unacceptable welfare problems" and they insisted that "The welfare of breeding birds must be improved".

CIWF's legal argument

Para. 14 of the Annex to the EU's 1998 General Farm Animals Directive stipulates that animals must be given a sufficient quantity of food to maintain them in good health and satisfy their nutritional needs. In addition, UK law requires animals to be given sufficient food to promote a positive state of well-being. CIWF's legal argument is that restricted feeding regimes leading to chronic hunger in broiler breeders breach these laws.

Paragraph 21 of the Directive's Annex provides that "No animal shall be kept for farming purposes unless it can reasonably be expected, on the basis of its genotype ... that it can be kept without detrimental effect on its health or welfare".

CIWF believes that there is abundant scientific evidence to show that fast-growing broiler genotypes cannot be kept without many of the birds suffering from painful leg disorders and heart problems, and that therefore the use of these fast-growing genotypes should be brought to an end.

PETER STEVENSON

Political and Legal Director
Compassion in World Farming