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COMMISSION RECOMMENDATION (EU) 2016/336**of 8 March 2016****on the application of Council Directive 2008/120/EC laying down minimum standards for the protection of pigs as regards measures to reduce the need for tail-docking**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Council Directive 2008/120/EC ⁽¹⁾ requires Member States to ensure that tail-docking is not carried out routinely but only where there is evidence that injuries to sows' teats or to other pigs' ears or tails have occurred.
- (2) The practice of tail-docking of pigs is carried out to prevent tail-biting, an aberrant behaviour which has a multi-factorial origin. That practice is likely to cause pain to pigs and is therefore detrimental to their welfare.
- (3) Directive 2008/120/EC provides that before carrying out tail-docking other measures are to be taken to prevent tail-biting and other vices, taking into account environment and stocking densities. For that reason, inadequate environmental conditions or management systems are to be changed.
- (4) Directive 2008/120/EC also requires Member States to ensure that pigs have permanent access to a sufficient quantity of material to enable proper investigation and manipulation activities, such as straw, hay, wood, sawdust, mushroom compost, peat or a mixture of such ('enrichment material'), which does not compromise the health of those animals.
- (5) The European Food Safety Authority has provided scientific opinions on the risks associated with the tail-biting in pigs and possible means to reduce the need for tail-docking ⁽²⁾ and also a scientific opinion concerning a multifactorial approach on the use of animal and non-animal based measures to assess the welfare of pigs ⁽³⁾. The findings of those scientific opinions should be taken into account in the best practices referred to in this Recommendation.
- (6) Husbandry systems differ across the Member States. It is therefore necessary to recommend at Union level best practices aimed at reducing the need for tail-docking and optimised solutions for providing enrichment materials.
- (7) This Recommendation should be applied in accordance with the provisions of Directive 2008/120/EC and other relevant Union legislation applicable to the welfare of pigs.

HAS ADOPTED THIS RECOMMENDATION:

1. When applying the general requirements on the prevention of tail-biting and thereby a reduction of routine tail-docking as laid down in Annex 1 to Directive 2008/120/EC, Member States should take account of the best practices guidance based on scientific knowledge set out in paragraphs 2 to 7.
2. Member States should
 - (a) ensure that farmers carry out a risk assessment of the incidence of tail-biting based on animal and non-animal based indicators ('the risk assessment'), and
 - (b) establish compliance criteria with the requirements set out in the legislation and make them publicly available on a website.
3. The following parameters should be checked when carrying out the risk assessment:
 - (a) the enrichment materials provided;
 - (b) cleanliness;
 - (c) thermal comfort and air quality;
 - (d) health status;

- (e) competition for food and space,
- (f) diet.

Based on the results of the risk assessment, appropriate management changes in farms should be considered, such as supplying appropriate enrichment materials, comfortable environmental conditions, assuring a good health status and/or providing a balanced diet for pigs.

4. Enrichment materials should enable pigs to fulfil their essential needs without compromising their health. For that purpose, enrichment materials should be safe and have the following characteristics:
 - (a) **Edible**— so that pigs can eat or smell them, preferably with some nutritional benefits;
 - (b) **Chewable**— so that pigs can bite them;
 - (c) **Investigable**— so that pigs can investigate them;
 - (d) **Manipulable**— so that pigs can change their location, appearance or structure.
5. In addition to the characteristics listed in paragraph 4, enrichment materials should be provided in such a way that they are:
 - (a) of sustainable interest, that is to say, they should encourage the exploratory behaviour of pigs and be regularly replaced and replenished;
 - (b) accessible for oral manipulation;
 - (c) given in sufficient quantity;
 - (d) clean and hygienic.
6. In order to fulfil pigs' essential needs enrichment material should meet all the characteristics listed in paragraphs 4 and 5. To that end, enrichment materials should be categorised as:
 - (a) **optimal materials**— materials possessing all the characteristics listed in paragraphs 4 and 5 and therefore such materials can be used alone;
 - (b) **suboptimal materials**— materials possessing most of the characteristics listed in paragraphs 4 and 5 and therefore such materials should be used in combination with other materials;
 - (c) **materials of marginal interest**— materials providing distraction for pigs which should not be considered as fulfilling their essential needs and therefore optimal or suboptimal materials should also be provided.
7. In order to check that pigs have access to sufficient and proper enrichment materials, Member States should ensure that farmers follow best practices regarding appropriate indicators to monitor the welfare of the pigs kept under their care. That assessment method for checking access to enrichment materials should include checks based on:
 - (a) animal indicators, such as the presence of bitten tails, skin lesions and/or abnormal behaviour by pigs (such as a low level of interest in the enrichment materials provided, fights to use enrichment materials, biting elements other than the enrichment materials provided, rooting their faeces or in the case of sows, an increase in false nest building behaviour), and
 - (b) non-animal indicators, such as the frequency of renewal, accessibility, quantity and cleanliness of the enrichment materials provided.
8. The Commission should monitor the application of this Recommendation and provide more detailed information on the best practices referred to in paragraphs 2 to 7, in line with the latest and most pertinent scientific knowledge on a publicly available Commission's website.
9. Member States, with the active involvement of farmers, should perform appropriate dissemination of the best practices referred to in paragraphs 2 to 7.

Done at Brussels, 8 March 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Council Directive 2008/12/EC of 18 December 2008 laying down minimum standards for the protection of pigs (OJ L 47, 18 2 2009, p. 5)

⁽²⁾ <http://www.efsa.europa.eu/en/efsajournal/pub/611>

⁽³⁾ <http://www.efsa.europa.eu/en/efsajournal/pub/3702>

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