

Labelling of Animal Source Foods



Introduction

In the past ten years, labeling initiatives informing consumers on farm animal welfare in food production have emerged in EU Member States. Today, there are a dozen labeling schemes pertaining to farm animal welfare in at least six Member States. The diversity of these voluntary initiatives from the private, public, and non-profit sector fits the expectations of European consumers, who demand information on farm animal welfare, as 47% of EU citizens “do not believe there is currently a sufficient choice of animal welfare friendly food products in shops and supermarket.”^[1]

The EU institutions have taken such a popular request seriously. The European Commission’s Farm-to-Fork Strategy (“F2F”), which provides a series of reforms in agriculture and food policy, hence refers to labeling as a central instrument to provide consumers high-quality information, including related to animal welfare. More specifically, the F2F recommends the enactment of an EU animal welfare label. To achieve such an objective, the European Commission presented on June, 15 2020 the creation of a sub-group on labeling as part of the Animal Welfare Platform.^[2]

Differents Types of Labels

Animal welfare label: aims to inform consumers on the specific treatment animals have received over the course of producing the food they are a part of (meat, fish) or contributed to produce (dairy, eggs).

Method-of-production label: aims to inform consumers on the production method employed over the course of the production of a food product. Not all information on method of production is related to animal welfare (for example, a traditional type of cooking “wood-fired,” “smoke fired”; or industrial techniques like mechanically-separated meat). Information on the method of production describing housing types

indirectly informs consumers on the treatment of animals. An example is the labeling of shell eggs sold in the EU (organic; free- range; barn; cages).

Method-of-Production Plus (“MoP+”): A label that would combine method-of-production marking with simple information on animal welfare, based on a core set of animal welfare indicators. This type of label is prospective, although labels such as *Haltungsform* (Germany), Lidl UK’s method-of-production labeling for poultry meat and the *Etiquette bien-être animal* (France) contain elements of an MoP+ label.

Suggestion for MoP + labeling matrix for chicken meat. The descriptors are drawn from the existing voluntary marketing terminology for poultry meat, as per Regulation EC/543/2008.

Descriptor	Intensive indoor (minimum EU legal requirements)	Improved indoor (European Chicken Commitment)	Free range	Traditional free range	Free range - total freedom
Marking	1	2	3	4	5
Icon indicative of animal welfare level	Icon 1	Icon 2	Icon 3	Icon 4	Icon 5

Mandatory Labeling

To achieve its objective to inform consumers, an animal welfare-related label must be mandatory for all products sold in the EU. Mandatory labeling for all products is desirable for three reasons:

1. Mandatory labeling would ensure that all products are labeled, and not just the ones that perform well on animal welfare – an important shortcoming of voluntary labels.
2. Mandatory labeling would entail regulation by the government, which consumers perceive as more reliable than private certifiers.^[3]
3. A multi-level label required on all products by law would be more effective in harmonizing practices and setting improvement targets easily identifiable for producers.

A Wide Scope, Capturing the Whole Supply Chain

To ensure full transparency to consumers, the scope of an animal welfare-related label should cover the entire supply chain: breeding, fattening, transport, and slaughter. The majority of the labels in Europe have limited scope which only covers the on-farm treatment of animals, and some time transport and/or slaughter. Very few include the welfare of animals during breeding.

A Multi-Level Label

Labels can have one level (also called tier) or multiple levels. Multi-leveled labels set the path for progress for farmers who wish to engage in best practices. A multi-level label also allow producers engaged in high welfare practices to better differentiate their products on the market, and thus be more competitive with cheaper products. For example, with a multi-level label, a broiler producer with higher welfare indoors production is able to distinguish their final product from a producer with standard indoors production. A single level label would not for such differentiation.

Conclusion: The Case for a Mandatory, Multi-Level, “MOP+” Label

An MoP + label would achieve the following positive outcomes on the E.U. agricultural market:



High quality information to consumers: by providing consumers with raw, objective information on both the method of production and the animal welfare criteria, the MoP + label would mitigate the risk of misleading consumers.



Market harmonization: the different levels of the MoP + would be modeled on existing segments in the different animal agriculture sectors. This has the advantage of standardizing information on front-of-pack food labels across the common market. Standardization of food information to consumers is all the more relevant in the current context of proliferating food labels on front of packs. Additionally, on the production side, the MoP + would rationalize farming methods by providing an incentive for producers to identify with a specific segment of production.



Prepare a shift towards higher welfare systems in line with consumer demands and upcoming legislative reforms, in preparation of the revision of the EU animal welfare legislation.

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References

- [¹] Special Eurobarometer 442, “Attitudes of Europeans towards Animal Welfare”, p.48, 2016.
- [²] European Commission, EU Platform on Animal Welfare, Seventh Meeting, Agenda, https://ec.europa.eu/food/sites/food/files/animals/docs/aw_platform_20200615_agenda.pdf (last visited July 8, 2020).
- [³] Hanna Schebesta, *Control in the Label – Self Declared, Certified, Accredited? On-Pack Consumer Communication about Compliance Control in Voluntary Food Scheme from a Legal Perspective*, p. 17, Wageningen Working Paper, Law and Governance 2017/4.
- [⁴] Commission Regulation (EC) No 589/2008 of 23 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs.
- [⁵] Including Article 2 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.
- [⁶] For more developments on the origins of table eggs marking, see Fondation Droit animal, éthique et sciences, « L’étiquetage des boîtes d’œufs », <http://www.fondation-droit-animal.org/impacts/etiquetage-boites-oeufs/> (last visited July 9, 2020)
- [⁷] European Commission, Evaluation of Marketing Standards Contained in the CMO Regulation, the “Breakfast Directives” and CMO Secondary Legislation, 67, November 2019 (published April 2020).

ANNEX 1

Existing Animal Welfare-Related Labels in the EU: An Overview

ANIMAL WELFARE LABELS				
Name	Country	Certification Body	Levels and type of the certification	Species covered
Beter Leven	The Netherlands	Foundation BLK (<i>Stichting Beter Leven keurmerk</i>)	Multi-level, three levels (stars)	Pigs, broiler chickens, laying hens, beef cattle, calves, rabbits, dairy cows, turkey
Für mehr tierschutz	Germany	<i>Deutscher Tierschutzbund</i>	Multi-level, two levels (stars)	Broiler chickens, pigs, egg-laying hens, dairy cows
Velfærdsdelikatesser	Denmark	<i>Dyrenes Beskyttelse</i>	Certification	Pigs, cattle, sheep, broilers, egg-laying hens
RSPCA Assured	United Kingdom	RSPCA	Certification	Broiler chickens, pigs, ducks, beef cattle, dairy cows, egg-laying hens, salmon, sheep, pullets, turkey, rainbow trout
Tierschutz Kontrolliert	Austria & Germany	Four Paws	Multi-level, two levels (gold and silver)	Pigs, dairy cows, beef cattle, egg-laying hens, ducks
ANDA Huevos	Spain	ANDA	Certification	Egg-laying hens, expanding to pigs
Bedre Dyrevelfærd	Denmark	Danish government	Multi-level, three levels (hearts)	Pigs Broilers Calves

BMEL Tierwohl Initiative	Germany	German government	Multi-level, three levels	Pigs, Turkeys and Broilers
METHOD-OF-PRODUCTION LABELS				
Halthungsform	Germany	Private stakeholders (producers and retailers)	Multi-level, four levels (1 – 4)	Broiler chickens
Method-of-Production Labeling (no name)	United Kingdom	LIDL	Multi-level, four levels	Broiler chickens
MIXED LABELS (Closest Examples to an MOP+)				
Etiquette bien-être animal	France	Multi-stakeholder nonprofit: Association Etiquette bien-être animal (producers, retailers, and four NGOs: CIWF France, LFDA, Welfarm, and OABA)	Multi-level, 5 levels (A to E)	Broiler chickens (and by 2021: pigs)

ANNEX 2

The Example of Mandatory Labeling of Shell Eggs in the EU

Four Levels

The mandatory labeling of production methods on shell eggs (or table eggs) in the EU is required in the 2008 Regulation on the marketing standards for eggs.^[4] Under EU law, all shell eggs must be marked with a code indicative of the method of production in place on the farm where the eggs originate. The regulation on the marketing standards for eggs and the regulation on the organic production^[5] define four categories of farming methods for eggs, each associated with a number: “organic eggs”(0); “free range eggs” (1); “barn eggs” (2); “eggs from caged hens” (3). Shell eggs are the only animal agricultural product required to carry a marking of methods of production in the EU.

Catering to Consumer Demand and Harmonizing Market Information

The mandatory marking of table eggs was the result of a successful action carried out by consumers associations. The demand for proper labeling of eggs originates from a private initiative, undertaken by a French farmer in the late 1960s, determined to signal his higher

animal welfare eggs on the market.^[6] The producer intended to satisfy the consumer demand for higher animal welfare products, which entailed adding information on the package regarding production methods of the eggs, as a way to justify from the premium cost of his products and allow consumers to make more informed choices. At that time though, EU law did not permit producers to add extra information on the production methods for eggs, to ensure harmonization of marketing standards and prevent competition distortion on the single market.

The Most Effective Regulation in Favor of Animal Welfare

As a result of the mandatory labeling of methods of production for eggs, the overall number of egg-laying hens kept in alternative systems (non cage systems) has steadily increased in the EU.^[7] Such a shift was caused both by the increase in consumer demand for cage-free eggs, and increased transparency in the sector, therefore leading producers to adapt to societal demand for a more humane treatment of farm animals.

