

Animal Husbandry – the Consumers Health Protection, Environment and Animal Welfare problems in the New Member States

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In the period of time after EU enlargement the new Member States slowed down their implementation of the European Union Environmental Protection legislation connected their agricultural policies.

Entering European Union became a turning point for the agriculture of most of the new Member States, most of all because of the need of redirecting their agricultural policies. This is especially important for Polish agriculture taking into account that in terms of sales volume, Poland is Europe's sixth biggest food and beverage producer, after Germany, Great Britain, France, Spain and Italy. How will Polish agriculture look like in 10 or 20 years from now? None of Polish governments of the last 15 years satisfactorily answered this question. We are witnessing recently a clash of two major concepts of agriculture: "Modernisation" supported by multinational giants: Cargill, Smithfield Foods, Monsanto, Danish Crown; and "saving of family farms" supported by Polish Government and Polish Agricultural Chambers.

If the Modernisation Camp will win then Polish agriculture will look like intensive farming areas of Iowa, North Carolina, Netherlands or Denmark. This kind of industrial farming means vast overproduction of low quality products which will undermine position of French, British and Italian farmers and what is very important - the production of foreign own factory farms don't bring benefit for local communities, local people and are in contradiction to the traditional sustainable model of Polish agriculture with its old animal welfare and environmental protection standards. Similar problems in Hungary led to recent massive farmers strikes in this country.

We are witnessing progressive centralisation of decisionmaking in the new Member States in the realm of the agriculture and environmental protection – the decisions of local communities in this field are often marginalized – for the administration of central government it is tempting to create policies with very limited amount of consultations with regional and local authorities and non-governmental organisations as well. This phenomenon is especially increased after May 2004 accession due to more and more complex regulations on all levels of governing but should be diversified in all new Member States in nearest future.

Increasing problem of factory farming development in the new Member States

Some new Member States like Poland doesn't have regulations limiting the size of the factory farms, so there is not any legal hindrance for companies like Smithfield Foods to build factory farms housing 850,000 pigs in one installation (an existing farm of Smithfield Foods in the state of Utah is of this size) which would mean a vast disaster for Central European environment caused by million of tonnes of liquid pig manure reaching the environment of this part of Europe. Besides of that there are many studies that show that factory farms have a devastating impact on rural

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economies and quality of life. There is not a single empirical study showing net benefits to rural communities. Studies show that property values in counties hosting pork factories fall because the damage of Environment, on average by 30%. Important for the state of the environment is also the fact that under crowded stressful conditions in factory farms, the animals must be kept alive by constant doses of antibiotics, and heavy metals. Antibiotic resistant bacteria and residues of these additives naturally end up in their waste.

How difficult situation has developed in new Member Countries shows the case of Smithfield Foods big scale industrial farms. During its 425th Meeting the Helsinki Commission (HELCOM 25/2004) in Helsinki, Finland stated: *“At the behest of Polish government, Polish Inspectorate for Environment protection decided to investigate 14 out of 24 Smithfield’s farms in Poland. Environmental inspection admitted that farm management had not applied for proper permits. At present, the farms are collecting necessary permits for their actions without ceasing their activity. However, the problems of over-manuring of soil and pouring liquid manure in direct neighbourhood of water bodies remain unsolved. Both the lack of permanent monitoring of the soil quality and shifting the responsibility for manure management onto the subjects not disposing enough land, will cause a gradual increase the pollution from such agricultural/industrial activities to the Baltic Sea. It is worth emphasizing that the highest degree of industrial farming occurs exactly in the Baltic drainage basin.”*

Environmental Commissioner of the European Union Margot Wallstrom has dealt with Smithfield Foods issue in Poland and Hungary and in her letter of 22.07.2003 (B-1049 Brussels) she wrote: *“I understand that the Polish Environmental Protection Inspectorate have carried out inspections of the farms concerned and that their report states that closure of the farms in accordance with Article 354 of the Polish Environmental Law remains a possibility if the farms have not received the required integrated permits by 1 January 2004 when they will again be inspected.”*

Polish authorities were obliged to execute Polish Environmental Law and the directive IPPC 96/61EC requiring closing down all pig farms with more than 2,000 places for production pigs (over 30 kg) or 750 places for sows not possessing required IPPC Directive permits starting from 1st January 2005. Although most of these farms even didn't apply for IPPC permits, no single one was closed down because of lack of action of Polish Environmental Inspection. Article 228 of the Treaty allows the EU Commission to ask the European Court of Justice to impose a financial penalty on the new Member State concerned.

Besides of Smithfield Foods, in 2005 large controversy was caused also by another multinational industrial pig farming company: *Polen Invest/Poldanor* operating in Poland, Lithuania, Latvia, Czech Republic and Slovakia. A Member of European Parliament Margrete Auken commented the case of this company this way: *“Weaker environmental standards in new Member States could be tolerated for one or two years in exceptional cases, if it is to the benefit of local producer. But what we see here is the cynical exploitation of weaker Polish environmental laws by Danish pig-farmers. They are operating under conditions which would never be approved in Denmark – and they are doing so with Danish Government aid which*

Animal Husbandry - the Consumers Health Protection, Environment and Animal Welfare problems in the New Member States

they were given under the clear condition that they would comply with Danish environmental laws."

Agriculture produces nitrous oxide (N₂O), methane (CH₄), and carbon dioxide (CO₂) that are of substantial importance for the greenhouse effect with global warming as the ultimate result. These emissions are mainly attributable to livestock farming and combustion from heating and agricultural machinery. About three quarters of the methane emissions from agriculture come from animal digestion. All these facts are showing how dangerous for the greenhouse effect would have an unchecked development of factory farming of animals in the new Member States – Poland, Hungary, Czech Republic, Slovakia, Estonia, Latvia and Lithuania.

Nitrate Directive

The Council Directive 91/676/EEC aims to prevent the introduction into surface waters and ground waters of excessive levels of nitrates due to the presence of excessive amounts of agricultural fertilisers and agricultural waste. Excessive nitrate levels cause undesirable ecological changes in water and contribute to the proliferation of harmful blooms of algae. They can also adversely affect public health. The Directive required new Member States to carry out monitoring of surface waters and ground water, to identify nitrate-polluted waters and to designate vulnerable zones (zones of intensive agriculture that include nitrate-polluted waters). In all new Member States this Directive is not respected enough and the common problem especially in Poland and Hungary is bad application of it – there is lack of, or insufficient designation of, vulnerable zones as well as the failure to establish action programmes as required by the Directive.

Functioning of the Veterinary Inspection

All new Member States and especially Poland needs to make major efforts in its farm animal health and welfare sector, Polish Supreme Control Chamber (NIK) reports are foundation for serious concerns about the country's veterinary standards.

The report titled: "Animal Welfare and Functioning of the State Veterinary Inspection" published in Warsaw in January 2005 states: *"The Supreme Control Chamber inspections exposed functioning without any veterinary supervision business entities of trading, transporting and slaughtering animals as well as the meatpackers. The Inspection proved much lower number of animals examined by the State Veterinary Inspection than the actual number of slaughtered animals. Vast majority of the animal trading points – 87%, and slaughterhouses – 100%, don't comply with the existing regulations. There are still existing in Poland business entities not registrated with County Veterinary Services and not inspected by Veterinary Service although this inspection is obligatory."*

In the highly publicised in Poland by organizations OTOZ Animals and Compassion in World Farming cases of animal cruelty in the slaughterhouses of Zelistrzewo, Poland, it became publicly known that responsible veterinarians cannot be punished because of existing regulations of the Polish Veterinary Law. The

Animal Husbandry - the Consumers Health Protection, Environment and Animal Welfare problems in the New Member States

Supreme Control Chamber in the quoted above January 2005 report states: *“The veterinary doctors who are hired by State Veterinary Inspection to inspect the slaughterhouses are not public functionaries which means that they cannot be accused of insufficient supervision (of the slaughtering process) due to the formal reasons”*.

Freedom of access to information

Directive 90/313/EEC on freedom of access to information on the environment aims to make information that public authorities hold on the environment more accessible to the public, and to ensure that fair standards of access are applied across the Community. According to Directive 90/313/EEC new Member States must remove existing limitations and ensure that environmental information is made available in response to a request from a member of the public, and any refusal must be based on a limited list of exceptions, which include national security, commercial confidentiality, etc. The authority that receives the request must reply within 2 months of receiving it. Among the most common grounds of complaint relating to this Directive are: refusal by national authorities of the new Member States to provide the information requested, slowness of response, excessively broad interpretation by national government departments of the exceptions to the principle of disclosure, and unreasonably high charges. For example Voivodship Inspectorate of Environmental Protection in the city of Koszalin, Poland is accused by citizens of consequent refusing making copies of IPPC Directive permits' applications for the large-scale pig farms in the region of West Pomerania.

Recommendations:

Transposition and implementation of all the existing legislation within the agreed timeframes

The European Union should make an effort to ensure that the new Member States correctly transpose and implement all the existing legislation within the agreed timeframes. In the period after the date of accession the new Member States have devoted considerable efforts to ensuring compliance with EC environmental and animal welfare legislation. These efforts should be maintained in order to ensure that the implementation of EC environmental and animal welfare law is not compromised by this greatest ever EU enlargement. Such a need is underlined by the fact that there are important environmental assets, such as nature conservation features, to be protected in these new Member States. The new Member States should put more emphasis to EC Regulation 2078/92 (on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside) which promote a broader use of extensive management methods.

Public participation and transparency

Animal welfare and environmental-oriented agriculture is of increasing concern to the general public, non-governmental organisations, professional associations, and farmers' trade unions. Therefore, the framework for the greater involvement of

Animal Husbandry - the Consumers Health Protection, Environment and Animal Welfare problems in the New Member States

stakeholders at all stages in the development of environmental and animal welfare law needs to be further developed. There is an urgent need to improve transparency, and awareness of the state of implementation EU laws in the new Member States.

Growing difficulty in the timely and correct implementation as well as proper practical application of EC environmental legislation by the new Member States will lead to growing number of complaints received and infringement cases opened by the EU Commission. There is an urgent need to ensure formal, explicit and correct transposition of several aspects of the Directive 90/313/EEC, including the obligation to automatically provide reasons following a refusal of access to the information.

Veterinary and Health Inspections: setting animal welfare policy

In all new Member States the Veterinary and Health Inspections should be responsible for publicly auditing standards of animal welfare agreed with the Ministry of Agriculture, so that farms can demonstrate to their customers in the supply-chain that they are producing food which is both safe and humanely produced. Farm animal welfare and food safety are indivisible. Whilst the Ministries of Agriculture of new Member States should retain its responsibilities for setting animal welfare policy.

Urgent actions must be taken, on the factory farms in new Member States, to bring down the levels of disease-causing bacteria. These actions need to include improved hygiene (so that animals, for example, are not forced to lie or stand in their own excrement), more access for animals to natural daylight and the outdoors, and significant reductions in overcrowding.

Reduction of nutrient losses/animal feed additives

Corrective measures are necessary for all new Member States with factory farming liquid manure problems. Such measures are: **extended manure storage capacity, increased winter green cover, nutrient balances, crop production plans** for a more appropriate fertilisation and timing of manure spreading etc. Wide spread among new Member States usage of growth promoters and antibiotics as growth promoters in animal fodder must be stopped as they may cause bacterial resistance with a future likely impact on humans. The use of growth promoters and antibiotics varies in different countries. Because on the poor Veterinary Inspections in the New Member States it can become a serious problem to a larger extent in the old EU countries. A reduction in the use of growth promoters and antibiotics makes it necessary to increase the efforts to improve the general situation for the animals, such as fodder, housing and cleanliness to ensure a high production of good quality. Raising healthy animals in humane conditions is an important measure for sustainable agriculture. Additions of e.g. zinc or copper to fodder to newly weaned piglets can greatly influence the zinc or copper content of manure and also in the long run of the soil. Such additions to fodder must be minimised or eliminated. Consideration must be taken to the environment when processing animal feed.

Animal Husbandry - the Consumers Health Protection, Environment and Animal Welfare problems in the New Member States

Improving internal controls

An important instrument in preventing corruption in the state inspections of new Member States is an efficient internal control system. Public institutions should be scrutinised on a routine basis; strong internal controls are important components of democratic governance and management systems in administration, which is commonly recognised in EU countries. There is an urgent necessity to urgently strengthen internal control systems in state administration in all new Member States.

Unequal access to information

According to Polish Supreme Control Chamber (NIK) the state administration bodies capable of handling particular matters do not always provide proper information to everybody concerned about the existing possibilities. Profits from this or another way of handling a given case become available only to those who are aware of the existence of such possibilities and apply for them. In order to counteract corruption it is necessary to establish such procedures in the activity of public bodies setting procedures to guarantee to all parties concerned equal access to information on possible ways to handle cases in a given office.

Code of good manufacturing practice for the production of animal feed

It is highly recommendable to substantially reduce in all the new Member States the number of authorised animal feed ingredients available to feed producers. Feed companies should operate in accordance with the code of good manufacturing practice for the production of animal feed, which means that feed materials can only be used if a risk assessment has been carried out.