



Council of the
European Union

Brussels, 16 February 2022
(OR. en)

6288/22

AGRI 52
AGRIFIN 14
AGRIORG 16
DENLEG 15
FOOD 13
SAN 95
CONSOM 37

NOTE

From: General Secretariat of the Council
To: Council

Subject: 16-week period for free range eggs in relation to the avian influenza situation in 2021-2022
- Information from the Netherlands delegation, supported by Austria, Bulgaria, Cyprus, Denmark, Estonia, Ireland, Italy, Luxembourg, Malta, Portugal, and Romania

Delegations will find in the Annex a note from the Netherlands delegation, supported by Austria, Bulgaria, Cyprus, Denmark, Estonia, Ireland, Italy, Luxembourg, Malta, Portugal, and Romania on the above-mentioned subject, to be dealt with under "Any other business" at the Council (Agriculture and Fisheries) on 21 February 2022.

16-week period for free range eggs in relation to the avian influenza situation in 2021-2022

Currently, several EU member states are facing a severe epidemic of highly pathogenic avian influenza (HPAI). In almost every member state of the EU outbreaks in kept poultry have occurred, and large numbers of wild (water-) fowl as well as mammals have been infected with HPAI. The Friedrich-Loeffler Institute described the current avian influenza epidemic in Europe as the largest ever. Also scientists of Wageningen University foresee that the outbreaks in wild animals could become endemic.

However, the obligation to keep poultry indoors is paramount and at the same time has huge financial consequences for the free range egg sector when the housing order exceeds 16 weeks. After this period, according to EU legislation, eggs from free range poultry farms can no longer be marketed as free range.

In many member states this period of 16 weeks will end soon while the risk of avian influenza infecting poultry holdings remains high.

Looking at the last decennium we see an increasing number of long lasting outbreaks of avian influenza in the whole of the EU, with almost as many times confinement periods exceeding the derogation period.

There is growing concern among free range layer farmers whether the concept of free range is still worth its investment. The risk is that if farmers will adapt their business strategy and switch to concepts that are less sensitive to the consequences of confinement measures, this will have consequences for the other market segments.

Of course, we saw last year that retail in some Member States were willing to support the free range farmers they had contracted. The question is justified if that willingness will last year after year.

The European Commission is asked to take the necessary steps to make this possible. Considering the exceptional situation and the importance of keeping all biosecurity measures in place as long as necessary, the 16-weeks period for free range layer sector should not apply until a risk analysis shows that the confinement can be lifted. At the same time we do acknowledge that Member States are called to work with the European Commission to explore more permanent long term solutions.
