



## SCIENTIFIC OPINION

### CHANGE OF REGULATION (EC) NO 543/2008<sup>1</sup> ABOUT MINIMUM WEIGHT OF LIVER FOR THE PRODUCING OF FATTY LIVER ("FOIE GRAS") FROM DUCKS AND GEESE

#### SUMMARY

Representative of the **environmental organization "GAIA - Voice of the Voiceless", Belgium**, requested the support of the Bulgarian government to the European Commission for:

1. amendment of EC Regulation (EC) No 543/2008 and in particular amendment of the wording introducing the weighting requirements for duck and geese 'fatty liver' (*foie gras*) products (Article 3 (3) - minimum weight of 300 g for duck liver and 400 g for goose liver), arguing that these requirements oblige producers to fatten (forced feed) the birds to meet the requirements laid down in the Regulation and
2. a ban on the practice of forced feeding of ducks and geese before slaughter, arguing that a number of scientific reports indicate that the process of forced feeding causes severe health problems to the birds, severely poor welfare and increased mortality.

**The Association of Bulgarian producers of *foie gras*** also presented their position. It is clear from the opinion that the producers strongly oppose GAIA's proposal to amend the existing legislation, considering that in its present form it protects consumers from falsifying the Foie Gras products and the appearance of non-compliant the quality products. In support of their argument, they state that production conditions are in line with bird welfare and reject claims that forced feeding is causing serious health problems for birds. Producers argue that they offer a standardized, healthy and taste-unique product on the international market, produced in a "conventional/traditional" way and fully compliant with the Foie Gras standard and with the welfare requirements.

In conclusion, the business operators' view of the weight requirements for duck and goose liver production is that any changes in legislation to remove the minimum weight requirements for fatty liver would violate the Foie Gras standard and would be detrimental to its production in Europe and to trade.

Their collective statement thus expressed cannot be interpreted as representative of the whole group of producers in this branch because the individual opinions of the individual producers are not registered. Supporting a general thesis on this case without written confirmation cannot give a clear and categorical representation of individual attitude to this business.

#### FINDINGS IN THE SCIENTIFIC LITERATURE

Most findings in the scientific literature indicate that forced feeding causes some short-term (12-14 days) adverse effects on ducks and alternative methods of substitution should be sought without worsening *foie gras* quality. If it is possible to achieve *foie gras* production without forced feeding, the duck liver must not reach a weight with pathological effects. Unsuitable

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<sup>1</sup> Commission Regulation (EC) No 543/2008 of 16 June 2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultry meat (*OJL 157, 17.6.2008, p. 46-87*)

accommodation and management should be prevented and permissible limits of contact dermatitis (foot and fingers), chest blisters and gait abnormalities should be established – these disorders should be restricted to some level before slaughter. Limits should also be established for lesions on the wings and other organs found after slaughter.

Some of these risks for health and welfare of birds can be mitigated by effective management. There are evidences of the industry's efforts to use modern food equipment to improve the design of feed tubes and the use of the same seers/personnel with whom animals are used to and do not get so frightened. Other improvements may include immediate identification and removal of injured animals and moderation of dietary levels in order to achieve a balance between product yield and animal welfare.

## CONCLUSIONS:

1. There are no specific welfare requirements in the Bulgarian legislation for the breeding of waterfowl (ducks and geese) and no requirements to reduce the discomfort or unnecessary suffering in this specific fattening method that is applied to the production of fatty liver according to the *foie gras* standard.
2. Although there are no animal welfare studies in Bulgaria, the available evidence suggests that current practices of enhanced assisted feeding and management in the production of *foie gras* pose a certain health risk for ducks and geese intended for its production. The practice of intensive nutrition results in some temporary adverse effects on liver function and the general health of birds. This can be compensated for by introducing specific additional good practices and measures that increase bird comfort during the fattening cycle, which lasts only 12-14 days.
3. Migratory birds have mechanisms to accumulate food before migration. Gray geese (*Anser anser*), a species that is traditionally the main one used to produce fatty goose liver, are migratory birds. The Muscovy ducks (*Cairina moschata*) are not migratory and most Mallard ducks (*Anas platyrhynchos*) migrate poorly – the hybrids between them - Mullard ducks also are not migratory. Accumulation of food prior to migration may result in an increase in the liver size, but probably not more than double.
4. The current system of fattening with a forced feeding to produce *foie gras* meets only 3 of the 12 criteria described in the Welfare Quality® project and does not meet any of the principles outlined there.
5. Ducks and geese grown for fat production are the only farm animals which are not allowed to use their basic biological mechanisms to regulate the food they eat.
6. Forced feeding produces reversible changes in liver tissue, referred to in medicine as steatosis (obesity of liver parenchyma cells). It is a value to *foie gras* producers and is desirable for them, but it significantly increases some risks of premature death of the ducks.
7. The highest mortality was found to be in direct association with debeaking (beak trimming) of ducklings on the 21st day to reduce cannibalism;
8. Excessive consumption of duck and geese fatty liver produced under the technology of *foie gras* may, under certain conditions, have negative consequences for human health<sup>2</sup>. Duck and geese fatty liver contains an amyloid protein that can accelerate the development of amyloidosis in susceptible human individuals. However, this product is a delicacy and not a basic food for man.

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<sup>2</sup> „The welfare of ducks during foie gras production“, Authors: Rochlitz, I; Broom, DM, Source: Animal Welfare, Volume 26, Number 2, May 2017, pp. 135-149(15), Publisher: Universities Federation for Animal Welfare, DOI: <https://doi.org/10.7120/09627286.26.2.135>

9. The requirements of the Recommendations to the European Convention ETS No. 87 on the protection of animals kept for farming purposes, which have the character of secondary legislation and their requirements are obligatory, have not been introduced in the legislation of the Republic of Bulgaria.

#### **RECOMMENDATIONS:**

1. It is highly desirable that producers of *foie gras* in possible future discussions to express their professional opinion by being open to their individual position in polls or other public discussions.
2. The current system of production of fatty liver corresponds to 3 of the 12 criteria described in the Welfare Quality® project and does not meet any of the principles outlined there. Bulgaria, as a country that has ratified the European Convention on ETS No. 87, should introduce its Recommendations into its national legislation:
  - a. Recommendation concerning Muscovy ducks (*Cairina moschata*) and hybrids of Muscovy and domestic ducks (*Anas platyrhynchos*) - adopted by the standing committee on 22 June 1999 (in accordance with article 9, paragraph 3 of the convention, this recommendation will enter into force on 22 December 1999),
  - b. Recommendation concerning domestic geese (adopted June 22, 1999),
  - c. Recommendation concerning domestic ducks (adopted 22 June 1999),
3. To adopt and apply "good practices" for the rearing of ducks and geese for fatty liver with specific requirements and techniques for assisted forced feeding, reducing their discomfort during this stage of production and preserving the welfare of the birds.
4. Look for alternatives to forced feeding, and at this stage, it is necessary, in order to maintain the *foie gras* standard, to apply good practices in the production process that reduce the harmful effects on birds welfare; Geese could be stimulated to spontaneous overeating by manipulating the length of the day and with a diet consisting of restriction of feed followed by ad-libitum feeding. This approach could eventually become a method of producing fatty liver without the need for forced assisted feeding.
5. Stop the practice of debeaking (beak trimming) of ducklings and look for alternative forms to prevent cannibalism and improve well-being during the growth period in mallard ducks.
6. Where ducks are kept indoors without free access to external enclosures, the premises shall be stored in such a way that the ambient temperature, air speed, relative humidity, dust level and other atmospheric conditions do not adversely affect the health of the birds. The stocking density should be adjusted to the ventilation capabilities of the buildings and maintain appropriate temperatures to prevent heat stress, especially in hot weather.
7. Ventilation and waste collection and storage facilities shall be designed, maintained and managed so as to prevent birds from exposing gases such as ammonia, hydrogen sulphide and carbon dioxide in concentrations that cause bird discomfort or are in concentrations harmful to their health.
8. Where the health and welfare of ducks depends on the automatic or other mechanical systems located in the premises, it is imperative to install an effective alarm system and to take measures to ensure continued adequate ventilation in the event of failure of power or equipment.
9. Countries that produce ducks and geese fatty liver should encourage the study of welfare aspects as well as alternative methods of the force feeding process.

10. Until new scientific evidence for alternative methods and their animal welfare aspects has been developed, the production of *foie gras* should be carried out only under current practice and in accordance with the standards laid down in the legislation.
11. The competent authorities must ensure strict compliance with all the recommendations developed concerning the production of *foie gras*.

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