



**COUNCIL OF
THE EUROPEAN UNION**

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VETER 45**

NOTE

from : Commission
to : Council

Subject : Update on compliance with the Laying Hens Directive in the Member States in view of the 1/1/2012 ban on unenriched cages
- Information from the Commission

Delegations will find attached an information note submitted by the Commission to be dealt with under "Any other business" at the Council (Agriculture and Fisheries) on 14 November 2011.

INFORMATION FROM THE COMMISSION SERVICES

**ON THE "UPDATE ON THE COMPLIANCE WITH THE LAYING HENS DIRECTIVE
IN THE MEMBER STATES IN VIEW OF THE 1/1/2012 BAN ON UNENRICHED
CAGES"**

Council Directive 1999/74/EC on the protection of laying hens and adopted 13 years ago, provides for Member States to ensure that unenriched cages are replaced by enriched cages or alternative systems by 1 January 2012.

Member States are primarily responsible for the implementation of Council Directive 1999/74/EC.

The Commission has informed Ministers on the state of compliance with the Directive in several occasions, including during the Agricultural Council of last October.

The Commission intends to recall to Member States the engagement taken in previous Agricultural Councils to ensure the proper implementation of the phasing out of unenriched cages for hens as foreseen by Council Directive 1999/74/EC as of 1 January 2012.

In particular, due the continuous evolution of the situation, the Commission will present the assessment of the current state of implementation of the ban on unenriched cages across the EU, based on the data received by Member States and reviewed by the experts from Member States in a dedicated meeting held on 28 October 2011.

The phasing out of unenriched cages by 1 January 2012 in all Member States is considered essential to avoid important distortions of the internal market and to avoid the loss of confidence by EU consumers.

The Commission intends to firmly highlight to Member States the importance to urgently take all the necessary measures to ensure compliance with Council Directive 1999/74/EC and to continue providing transparent and harmonized data on the implementation of the measures to date.

The Commission intends to start as soon as possible the process to open infringement proceedings towards the Member States that are not in compliance.

