

Vultures starving under EU Animal by-products Regulation

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The EU Animal By-products Regulation ((EC)1774/2002) is currently being revised, with discussions ongoing in both the European Parliament and Council.

This Regulation has had unexpected severe and long term starvation consequences for populations of birds, particularly Vultures, that feed on dead carrion, particularly in their main remaining stronghold, the Iberian Peninsula. These birds are protected under the EU Wild Birds Directive (79/409/EEC). Other animals such as bears are also affected in some regions.

BirdLife is asking for a modification of Article 27 of this Regulation to allow easier access for these species to their natural food, while maintaining strict EU biosecurity rules.

Unintended starvation of birds due to EU health rules

The 2002 Regulation dramatically changed livestock management and banned:

1. the abandonment of dead animals in fields, and
2. their removal to specific designated locations, or 'dumps'.

This new regime poses a serious unintended problem for the conservation of carrion-feeding birds such as Vultures that, as a result, are failing to find enough food to survive. The situation is particularly serious in Spain and Portugal, which host more than 50% of the European population of carrion-feeding birds. The plight of groups of starving Vultures has been widely reported in the media.

Commission has made efforts, but they are still insufficient

When brought to light, a series of EU decisions was instigated by the Commission with the aim of improving the situation. However, these measures are still insufficient, particularly on the Iberian Peninsula, and Vultures and other birds continue to starve.

Carrion-feeding bird populations under threat in Spain

Species	Number of pairs	Year
Black kite (<i>Milvus migrans</i>)	9.455-10.926	2005
Red kite (<i>Milvus milvus</i>)- wintering population	35.523-36.233	2004
Bearded Vulture (<i>Gypaetus barbatus</i>)	81	2002
Egyptian vulture (<i>Neophron percnopterus</i>)	880-972	2008
Griffon vulture (<i>Gyps fulvus</i>)	19.840-20.478	2008
Black vulture (<i>Aegypius monachus</i>)	1845	2006
Spanish Imperial eagle (<i>Aquila adalberti</i>)	232	2007

BSE crisis initiated rapid and extensive changes in EU health practices

The strict EU rules on carcass clearance were brought into existence under a different situation. BSE, or ‘mad cow disease’, has declined since 2005 after it was demonstrated that the peaks in 2003 and 2004 came from livestock born in the 1990s, when the parent animals were fed with contaminated feed. Goats and sheep do not suffer from BSE. All reported cases of related Transmissible Spongiform Encephalopathy (TSE) in these animals arose from scrapie, a disease known for many years not to transmit to humans. All three animals (cows, goats, sheep) are a key food source for carrion-feeding birds.

Update of rules urgently needed: conservation and biosecurity can both be met

BirdLife believes it is appropriate to update the rules for handling animal by-products not eligible for human consumption in order to allow dead livestock to be removed to recognised locations or, as was previously the case with extensive livestock rearing, the abandonment in the wild where they are immediately consumed by carrion feeders. As a 2007 SEO/BirdLife report has demonstrated, in the Iberian Peninsula (including parts of France) the present carcass regime has caused mass starvation of Vultures and other such birds. Therefore, this legislation should be revised so that the requirements for biosecurity and the conservation of these species can both be met.

Solution: largely in Article 27 – for Amendment text see attached Annex

BirdLife proposes modifications to Article 27 derogations regarding the collection and use of animal by-products. These would allow Member States to implement, where appropriate, a combination of the following solutions:

1. Manage feeding stations, or ‘muladares’. It is necessary to allow Member States to establish feeding places without unnecessary restrictions, taking into account all threatened carrion-feeding species, including, where appropriate, mammals such as bears. These stations are sometimes called *muladares* in Spain.

Although important, **the Commission’s proposal relies too much on feeding stations**. Some of these locations already attract thousands of hungry Vultures, and there are inherent risks in relying on them too heavily e.g. vulnerability to poisoning of large parts of bird populations.

... further measures needed. In Spain, particularly in the north, extensive goat and sheep farming is widespread. Despite 1.5 million small ruminants being tested for BSE between 200-2006 only one French goat has exhibited BSE. Yet the carcasses of goats and sheep have still had to be cleared away. We believe this is a disproportionate regime and the following are needed:

2. Define Special Activity Zones for Carrion-Feeding Birds.

3. Allow exceptions to the compulsory removal of livestock carcasses in areas under extensive management that do not involve Specified Risk Material (SRM).

4. Allow exceptions to the compulsory removal of sheep and goat carcasses so that they can be disposed of naturally.

5. Allow exceptions to compulsory carcass removal for extensively-reared cattle younger than 24 months (free from Specified Risk Material).

6. Approve the designation of new “farm unit” Feeding Stations.

For further information

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ANNEX

Suggested Amendments to Commission proposal on Animal By-products Regulation (COM(2008)345)),

AMENDMENT 1

Article 27

1. The competent authority may, by way of derogation from Sections 1 and 2, authorise, under conditions which ensure the control of risks to public and animal health, the collection and/or use of:

Justification

This change allows Member States the possibility to use Category 2 and Category 3 materials for wild animals (Art 27.1.b.v) without necessarily having to collect them. For reasons described below (see amendment no. 4) it is particularly important to allow this type of derogation in Member States where the effective conservation of endangered or protected necrophagous wild mammal and bird species requires that these species are able to find dispersed carrion in the open countryside. Dead animals from extensive livestock farming form an important source of such carrion. An alternative and equally acceptable amendment would be *..the collection and use of ..*

AMENDMENT 2

Article 27

...

2. The competent authority may authorise, by way of derogation from Sections 1 and 2, and in accordance with conditions laid down pursuant to paragraph 3 of this Article, the feeding of the Category 1 material referred to in Article 11(b)(ii) to zoo animals and to endangered **or protected** species and **of** necrophagous birds **species** living in their natural habitat.

Justification

This will allow the taking into account of all species of necrophagous birds protected under EU or national law and of other species (e.g. mammals), which are also necrophagous and are currently threatened, as is the case of brown bear *Ursus arctos* (which is not covered by any derogation included in current legislation).

AMENDMENT 3

Article 27

...

In Article 27.3.(ii) *the measures which are necessary to ensure that access of other species to the material fed is being prevented.*

3.:

- (b) the feeding of Category 1 material as referred to in paragraph 2 may be authorised, including:
 - (i) the species of necrophagous birds in certain Member States to which such material may be fed;
 - (ii) ~~the measures which are necessary to ensure that access of other species to the material fed is being prevented~~ *the specified conditions for the prevention of risks to public health and animal health.*

Justification

This amendment opens the possibility for Member State to establish feeding stations without unnecessary restrictions. Each Member State would be able to establish feeding stations with or without measures that ensure access for other species. Such flexibility is important in cases such as the north of Spain, where some feeding places for necrophagous birds can be used by brown bear (*Ursus arctos*).

AMENDMENT 4

Article 27

...

New paragraph

4. Measures for the implementation of this Article may be adopted by the Commission in order to exclude the collection of material from Categories 1, 2 and 3 in certain areas of the Natura 2000 network or other areas in which, for reasons of conservation of endangered species, or protected necrophagous birds, such measures are needed in order to comply with Directives 79/409/EEC and 92/43/EEC. Such exclusion will be allowed under specified conditions for the prevention of risks to public health and animal health.

These derogations will not affect Decision 2005/830/CE and derogations envisaged in Article 27.2.

Justification

This amendment deals with the fact that it is known that only using feeding stations, or ‘muladares’, is not enough to maintain the current populations of carrion-feeding birds (e.g. 100,000 Griffon Vultures in Spain). In Spain, particularly in the north, extensive goat and sheep farming is widespread, and dead livestock help to maintain carrion-feeding bird populations. Despite the enormous effort made by Member States to detect BSE in small ruminants, examining more than 1.5 million animals between 2000-2006, only one French goat has been found infected.

For Spain it is neither possible nor desirable to seek to maintain necrophagous bird populations only at feeding stations, or ‘muladares’. Some of these locations already attract thousands of vultures to feed, and there are inherent risks in relying on them too heavily as a food source for necrophagous birds. For example, there would be serious consequences if at some point in the future it becomes impossible to bring carcasses to these locations. Furthermore, if livestock carcasses can only be left at these feeding stations then there is a risk that Vultures become overly accustomed to feeding here, and nowhere else. This carries grave risks if there were to be a poisoning incident at one of these locations. Evidence of mass death of millions of Vultures in India has highlighted the extreme vulnerability of these populations where carrion is contaminated, causing increases in rabid dogs and therefore rabies in humans.

COMMISSION PROPOSAL

Article 27

Derogations regarding the collection and use of animal by-products for special feeding purposes

1. The competent authority may, by way of derogation from Sections 1 and 2, authorise, under conditions which ensure the control of risks to public and animal health, the collection and use of:

- (a) Category 2 material, provided that it comes from animals which were not killed or did not die as a result of the presence or suspected presence of a disease communicable to humans or animals;
- (b) Category 3 material for the feeding to:
 - (i) zoo animals;
 - (ii) circus animals;
 - (iii) reptiles and birds of prey other than zoo or circus animals;
 - (iv) fur animals;
 - (v) wild animals the meat of which is not destined for human consumption;
 - (vi) dogs from recognised kennels or packs of hounds;
 - (vii) maggots for fishing bait.

2. The competent authority may authorise, by way of derogation from Sections 1 and 2, and in accordance with conditions laid down pursuant to paragraph 3 of this Article, the feeding of the Category 1 material referred to in Article 11(b)(ii) to zoo animals and to endangered or protected species of necrophagous birds living in their natural habitat.

3. Measures for the implementation of this Article may be adopted by the Commission on the conditions under which:

- (a) the collection and use as referred to in paragraph 1 may be authorised with respect to channelling, storage and use of Category 2 material and Category 3 material for feeding, including in the case of newly emerging risks;
- (b) the feeding of Category 1 material as referred to in paragraph 2 may be authorised, including:
 - (i) the species of necrophagous birds in certain Member States to which such material may be fed;
 - (ii) the measures which are necessary to ensure that access of other species to the material fed is being prevented.

Those measures designed to amend non essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 48(4).