

Agricultural Manual Poultry

Conditions for Participation

1 Introduction

As part of the Initiative Tierwohl companies and associations from agriculture, the meat industry and food retail have made it their joint objective to promote more animal-friendly and more sustainable meat production.

Also in the future they want to offer consumers poultry meat of exceptional quality and great variety whilst at the same time focusing even more on animal welfare as the foundation of their business.

A comprehensive programme to promote animal welfare in poultry producing companies (broiler production, turkey production, Peking duck) has been developed with stakeholders of meat industry, science, and further interest groups for this purpose.

This manual contains the conditions for participation for livestock owners in the Initiative Tierwohl Poultry.

2 Conditions for Participation for Livestock Owners

2.1 Participants, participation

Admission to the Initiative Tierwohl Poultry is open to all poultry farmers, who produce broilers, turkeys or Peking ducks as participants of the QS-scheme or are eligible for delivery in another comparative, QS-recognised quality assurance system.

All poultry sheds located at one location (at the same address) should participate in the Initiative Tierwohl. Sheds, which are officially registered under one registration-number must participate together in this initiative.

Livestock owners, who are obliged to comply with the requirements defined in laws and regulations, must also comply with these for participation in the Initiative Tierwohl.

Participation in the initiative is voluntary.

2.2 Registration and admission procedure

Livestock owners, who decide to participate in the initiative, participate via agricultural coordinators. The following procedure applies to registering for participation:

- a) Livestock owners commission the agricultural coordinator of their choice to register them for participation in the Initiative Tierwohl. When they commission the coordinator they provide the following data with a Participation Declaration:
 - The company's master data (inter alia location number (in Germany German Livestock Transport Regulation No.), production scope, address, Operations Manager, species (for turkeys a distinction is made between hens and cocks), stock density, animals produced per annum in kg live weight.
 - Date, from which the specified animal welfare requirements can be fulfilled (implementation date). As from the stated date the livestock owners must have implemented all the requirements and must be able to prove this at any time in the audit.

- Bank details/Tax assessment regime for the company (till 31.03.2024) for the payment of the animal welfare payment.

The implementation date can be chosen at any time from 1st October 2023. For locations already participating in the Initiative Tierwohl in the 2021-2023 programme, the implementation date for seamless participation should be three months before the end of the previous certification period, so that the last confirmation audit for the 2021-2023 programme can be carried out together with the programme audit for the new programme.

- b) The agricultural coordinator registers the producers in the Initiative Tierwohl database. The relevant data are forwarded to the operating company's clearing house. Companies may register at any time.
- c) Producers may participate in the Initiative Tierwohl after successfully passing a programme audit.

2.3 Term and termination

Participation in the Initiative Tierwohl Poultry is unlimited in time. Ordinary termination can be declared with a notice period of three months to the end of a month. The right to extraordinary termination for good cause remains unaffected.

2.4 Implementation of the requirements, monitoring, inspection

2.4.1 Implementation of the requirements / Programme Manual

On submission of the Participation Declaration the livestock owner shall become conversant with the Initiative Tierwohl Programme Manual for Producers, as amended.

The requirements of the Initiative Tierwohl, the Conditions of Participation, the inspection system and any other documents relevant to the conduct of the programme are published on the website of the Initiative Tierwohl, www.initiative-tierwohl.de, in their current version. In their entirety these documents form the Initiative Tierwohl Programme Manual and apply to livestock owners.

This Programme Manual may be regularly further developed and amended by the bodies of the operating company.

This applies in particular, if circumstances arise, which make a modification of the Programme Manual and the Initiative Tierwohl requirements essential (e.g. cases of incidents and crises with consequences for the public image and reputation of the Initiative Tierwohl, changes in the legal position).

The responsible bodies in the Initiative Tierwohl are entitled, irrespective of other provisions, to undertake these modifications during the term of the contract, for which the livestock owner has acquired claims.

In this case the livestock owner is obliged to implement the modifications. If he does not wish to do so, he is entitled to end his participation in the Initiative Tierwohl by ordinary termination.

The livestock owner is obliged to inform himself regularly about the currently valid requirements. Adjustments shall be communicated in due time.

2.4.2 Auditing and inspection

A certification body commissioned by the coordinator and approved by the operating company regularly monitors the implementation of the requirements.

The livestock owner is obliged to provide evidence of implementation of the requirements of the Initiative Tierwohl with effect from the implementation date stated by it in an audit in accordance with the Initiative Tierwohl inspection system. A certification body conducts this programme audit and also other audits provided for in accordance with the Initiative Tierwohl Programme Manual.

The auditors of certification bodies are entitled

- a) in the programme audit and all subsequent audits to record relationships discovered at the livestock owner's location, in particular with respect to the implementation of the Initiative Tierwohl requirements by producing photographs or copies of the relevant documents.

Certification bodies are entitled to disclose the documents to the competent Initiative Tierwohl bodies. Irrespective of this, certification bodies and auditors of coordinators are obliged to treat documents and data from this company as confidential.

- b) to inspect audit reports of the quality assurance scheme(s) (QS scheme or comparable quality assurance system, recognised by the operating company), in which the livestock owner participates.
- c) to inspect audit reports for certification in accordance with the EU Eco-regulation (organic programme based thereon), in which the livestock owner participates.

Refusal to allow inspection of documents, production of copies or recording of photos may result in a general critical ("K.O.") assessment, loss of the eligibility of delivery in the Initiative Tierwohl or to a system of sanctions.

The certification body shall confirm the implementation of the requirements to the livestock owner after a successful programme audit. On the release of the audit report in the database the livestock owner is admitted to the initiative. The certification body is authorised to issue to the livestock owner a certificate in accordance with the Initiative Tierwohl inspection system. The approval or certificate issued on the basis of a successful programme audit is valid until the end of the calendar year following the programme audit.

If a livestock owner terminates the participation of a site, a programme audit must be carried out within three months before or two weeks after termination (= termination date) for final verification.

The livestock owner must prove implementation without omission during the entire term of the certificate of the requirements documented and certified by the certification body and must provide evidence of implementation in the audit provided for in the Programme Manual in accordance with the inspection system. The operating company is entitled to have additional audits of the participating companies undertaken.

No legal consequences for subsequent audits within the meaning of provision made to safeguard existing standards can be derived from the findings or lack of findings from an audit and any other inspections.

The contact person responsible for the audit at the location, their contact details and the times at which they can best be reached can be deposited by the livestock owner with the Initiative Tierwohl via their coordinator.

The livestock owner is obliged to notify the certification body responsible for the company and the responsible coordinator promptly of material operational changes (e.g. change of operations manager, leasing and renting, shed extensions) or production changes (e.g. conversion from turkey hen production to turkey cock production), the effects of which could call into question the company's participation and the existence of the certificate. Registration and/or claim to payment may cease to apply, if operational changes are not flagged up and are not agreed with the certification body and the coordinator.

2.5 Payment of a price surcharge

The participating livestock owner receive a price surcharge for Initiative Tierwohl fattening poultry from the participating abattoirs for the implementation of the Initiative Tierwohl requirements for broiler and turkey fattening. The bodies of the Initiative Tierwohl have made the following recommendation on the level of the price surcharge for broiler and turkey with effect from 1st April 2024:

- 2.75 ct per kilogram live weight for broilers
- 3.25 ct per kilogram live weight for turkey hens
- 4.00 ct per kilogram live weight for turkey cocks

The operating company and the committees in the Initiative Tierwohl are entitled to adjust the level of the recommendation if necessary.

No recommendations for animal welfare price surcharges were agreed for Peking duck. These are to be freely agreed between the market participants.

Poultry farmers and abattoirs enter into bilateral agreements on the supply of Initiative Tierwohl fattening poultry, the level of the price surcharge and delivery conditions. Livestock owners and buyers should base their agreements on the level of the price surcharge on the recommendation made by the bodies of the Initiative Tierwohl.

There is no claim for payment against the operating company, nor is the operating company liable for the payment of the price surcharge by the abattoir companies and its actual amount.

Poultry fattening covers the phase after housing for fattening until sale for slaughter. A price surcharge is only foreseen for those slaughter animals that have been accepted as fit for food by an abattoir participating in the Initiative Tierwohl and have been slaughtered.

2.6 Loss of eligibility of delivery, sanctions

In the event of failure to implement the requirements of the Initiative Tierwohl

- a) The livestock owner loses its eligibility of delivery to the Initiative Tierwohl and the entitlement to payment of the price surcharge associated with the eligibility of delivery.

On the loss of eligibility of delivery in consequence of non-compliance with the requirements its participation in the Initiative Tierwohl ends. The claims linked with its participation cease to apply for the future. The certification body is entitled to require from the livestock owner the return of the certificate for the registered location and/or the certificate issued.

A company's eligibility of delivery can also cease temporarily, if it passes an Initiative Tierwohl audit or inspection in accordance with the Initiative Tierwohl inspection system, but discrepancies from the basic QS scheme criteria or a comparable recognised quality assurance system are discovered.

In this case the eligibility of delivery is not granted again until implementation of the required corrective actions have been proven to the certification body and the latter has identified these as remedied in the Initiative Tierwohl database.

- b) A penalty for breach of contract can be imposed by the operating company at its reasonable discretion. The amount of this depends on the animal welfare price surcharge, which the livestock owner has received for the implementation of the Initiative Tierwohl requirements. The period of time, which has elapsed since the last successful audit (programme audit, where applicable, stock check), if the livestock owner is unable to prove implementation of the requirements at a later point in time (reversal of the burden of proof). In determining the contractual penalty, the operating company assumes that the livestock owner has received

the animal welfare price surcharge recommended in the Initiative Tierwohl. The livestock owner can claim against the contractual penalty within the framework of an objection procedure and also prove that he has received a deviating price surcharge.

- c) The livestock owner may be temporarily or permanently excluded by the operating company from further participation in the Initiative Tierwohl. Temporary or permanent exclusion causes its eligibility of delivery to cease to exist and its claims arising from its participation cease to apply.
- d) The operating company reserves the right to report a criminal offence in particularly serious cases.

The operating company and the provider of the standard for certified quality assurance (QS scheme and comparable quality assurance systems, recognised by the operating company) shall exchange information relevant to the achievement of the aims of this initiative. This shall apply in particular to information on animal welfare violations, which have been ascertained on the premises of the participating livestock owners.

2.7 Critical incidents

The livestock owner is obliged to notify without delay the coordinator, the operating company and, insofar as there is a legal obligation, the competent government agencies, of critical incidents, which are of significance for the Initiative Tierwohl. Critical incidents are situations which represent or could lead to a danger to people, animals, the environment, property or the Initiative Tierwohl as a whole.

In particular this includes

- a) all discrepancies from the requirements of the Initiative Tierwohl, if these discrepancies could jeopardise animal welfare and animal health.
- b) all judicial enquiries under criminal law or regulatory law initiated against the livestock owner, if these proceedings are related directly or indirectly to the securing or the implementation of the relevant provisions of animal welfare legislation.
- c) all media searches regarding the location, critical media reports and public protests, which directly or indirectly involve issues of animal welfare or protection of animals.

2.8 Requirements

By registering, the livestock owners undertake for the case of their admission to implement at all the registered locations the requirements of the Initiative Tierwohl Poultry with effect from the implementation date stated at registration.

Details are described in the respective manual agriculture catalogue of criteria and in the explanatory notes to the Catalogue of Criteria in the respective current version. The documents are published on the website of the Initiative Tierwohl at www.initiative-tierwohl.de.

By registering, the livestock owners also undertake to allow the respective abattoirs to disclose the extended inspection results to the body commissioned by the operating company.

If the livestock owners are unable to prove in full detail in the audits the implementation of the requirements, they lose their eligibility of delivery in the Initiative Tierwohl. For renewed admission to the Initiative Tierwohl a new programme audit must be conducted.

Gesellschaft zur Förderung des Tierwohls in der Nutztierhaltung mbH

MD Dr. Alexander Hinrichs, Robert Römer
Schwertbergerstraße 14
53177 Bonn
Tel +49 228 336485-0
info@initiative-tierwohl.de