

# Participation Declaration for livestock owner

## Registration for the Initiative Tierwohl – sow production

- Separate registration required for each official registration number (Registration number according to the German Livestock Transport Regulation) and each production scope

### Company data

Company/ trade name: \_\_\_\_\_

Street/No.: \_\_\_\_\_

Post code: \_\_\_\_\_ City: \_\_\_\_\_

Country: \_\_\_\_\_

First and last name **of legal representative**: \_\_\_\_\_

Telephone (landline and/or mobile): \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

The Initiative Tierwohl (hereinafter: ITW) is a programme to promote animal welfare at the agricultural production level of livestock owners. Sow producers who are approved by the Gesellschaft zur Förderung des Tierwohls in der Nutztierhaltung mbH (operating company) to participate in the ITW programme receive a price surcharge for the delivery of weaned ITW piglets from the piglet rearing company for implementing the ITW requirements. The bodies of the ITW have issued a recommendation on the price surcharge to be paid by the piglet rearing companies to the sow production companies.

I hereby declare: I would like to participate in the ITW. I commission and authorise

\_\_\_\_\_ as coordinator, to safeguard my interests in the ITW to issue the necessary legally binding declarations to the operating company and the service providers brought in by the operating company and to register the following location in the ITW database:

<b>Location Registration Number</b>	
<b>Location</b> certified in accordance with the EU Eco-regulation or a standard of organic farming associations with a quality standard higher than the EU Eco-regulation	<input type="checkbox"/> No <input type="checkbox"/> Yes, in accordance with:
<b>Location data</b>	Name/ identifier
	Street/No.
	Post code/ City
<b>production scope</b>	sow production Please register the production scopes <i>piglet production</i> and <i>pig production</i> and the <i>pig farming producer community</i> on separate declarations of participation
<b>Contact person for auditing</b> (where necessary please give further information on the attached sheet)	First name and surname
	Telephone (landline/mobile)
	Fax/E-Mail

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	Most convenient times for Contact from .... to ... (times)
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### **Registration, approval**

My coordinator shall register the aforesaid location in the ITW database. On registration I shall be registered for participation in the ITW. I am aware that the operating company does not take any decision on my participation in the ITW until after a programme audit has been conducted. I have no claim to admission to the ITW. If I am approved for participation in the ITW by the operating company, my coordinator shall inform me immediately of my admission and my participation in the ITW.

### **Obligations for approval**

By signing this declaration of participation, I undertake directly to the coordinator and also to the operating company, for the case of the admission of my location:

1. to become conversant with the ITW **programme manual**, including the conditions of participation in the Pig Farming Manual, as amended. The ITW Programme Manual is the entirety of all documents describing the programme and its implementation, which are published on the ITW website, [www.initiative-tierwohl.de](http://www.initiative-tierwohl.de), in their current version and as they apply to me. I will regularly inform myself about the currently valid requirements. Should any changes come into force, the operating company will inform me in good time.
2. **in regular audits and inspections to provide evidence** of the implementation of the requirements in accordance with the catalogue of criteria for sow production as from the implementation date stated by me in the data sheets for registration (Annex 1a). I am aware that the refusal to allow inspection of documents, the production of copies or photographic documentation may result in a general critical ("K.O.") assessment, to the loss of eligibility of delivery in the ITW and to a system of sanctions.
3. to provide evidence of the implementation **without omission** during the entire term of the certification of the **requirements** documented and certified by the certification body and to provide evidence of the implementation in the audit provided for in the programme manual in accordance with the inspection system.

Shall allow announced and unannounced audits to be undertaken on my premises by the certification bodies approved by the sponsoring company, employees of the sponsoring company or by persons commissioned by the sponsoring company and shall permit the necessary inspections, as well as inspection of the required documents.

I am aware that I and my participating location may be sanctioned, if the implementation without omission of the requirements in the audit and other inspections cannot be verified.

4. to recognise that a price surcharge for my ITW piglets will only be paid to me by the piglet rearing company purchasing the piglets if it participates in the Initiative Tierwohl itself. I am aware that the piglet rearing company will only pay a price surcharge for ITW piglets once and with discharging effect to the trading partner who supplies the ITW piglets. If I am not myself a trading partner of the piglet rearing company, the person who delivers my ITW piglets as a trading partner of the piglet rearing company is the debtor of the price surcharge to which I am entitled.

The operating company and the bodies of ITW are authorised to adjust the recommendation on the amount of the price surcharge if necessary. I have no claim to payment from the operating company. I am also

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aware that the operating company is not liable for the payment of the price surcharge by the piglet rearing companies and the amount of the price surcharge paid.

5. to pay **sanctions** to be complied with and penalties imposed for breach of contract directly to the operating company.

In the event of failure to implement the requirements (Section 2)

- a) I lose my eligibility of delivery to the ITW and the claims linked to the eligibility of delivery to payment of the animal welfare payment. The conditions for participation in the Agricultural Manual Pig determine whether and how I can recover my eligibility of delivery to the ITW. I am aware that the eligibility of delivery of my location can also cease temporarily, if I pass the ITW audit or inspection in accordance with the ITW inspection system, but discrepancies from the basic QS system criteria or a comparable recognised quality assurance system are discovered.
  - b) I am prepared to pay a penalty for breach of contract to the operating company. The amount of this penalty for breach of contract depends on the animal welfare payment I have received from the operating company for implementing the ITW piglet rearers requirements since the last successful inspection in accordance with the ITW inspection system.
  - c) I may be temporarily or permanently excluded by the operating company from further participation in the Initiative Tierwohl. With the temporary or permanent exclusion, my eligibility of delivery in the ITW is cancelled. The eligibility of delivery for my company may also be temporarily cancelled if an ITW audit is passed but nonconformities with the basic criteria of the QS scheme or a comparable recognised quality assurance system are identified. In this case, eligibility of delivery will only be restored once I have demonstrated to the certification body that I have implemented the necessary corrective actions and these have been labelled as rectified in the ITW database.
  - d) The operating company reserves the right to report a criminal offence in particularly serious cases.
  - e) My certification body is entitled to withdraw the certification granted to me for the registered location and where applicable, require the return of the certificate issued.
6. to participate in the **audit costs** and the **costs for administration and organisation** (bundling of livestock owners). The amount of my participation is determined between my coordinator and myself (e.g by means of a scale of fees) I undertake to pay the agreed amount in due time to my coordinator
  7. to notify my certification body and my coordinator without delay of all material operational changes, the effect of which could call into question the effects on the participation of my location in the ITW and the continuing existence of the certification.

### **Term and termination**

My participation in the ITW is unlimited. I can terminate my participation with three months' notice to the end of the month.

My right to extraordinary termination for good cause shall remain unaffected. Good cause exists in particular, if the technical committee or the project group in accordance with the conditions for participation decides on modifications to the programme manual and the ITW requirement and these become effective during a period, for which I have acquired or will acquire claims in the ITW. In this case I am entitled to terminate my participation in

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the ITW at the point in time of the entry into effect of the modifications; in all other cases I am entitled to terminate for good cause with immediate effect.

I must declare the termination of my participation in the ITW to my coordinator. My termination becomes effective in the first instance on receipt by the operating company (de-registration from the animal welfare database by the coordinator).

I am aware that

1. having terminated the participation I have no claim to re-admission to the ITW. With termination of my participation in the ITW the commissioning and authorisation of the coordinator also terminates, without any requirement for a further declaration.
2. the financing of the operating company and its Initiative Tierwohl by the authorised economic operator is the implicit purpose of the ITW. If the activity of the operating company is completely discontinued, for instance, because the funding for the initiative can no longer be secured or it is impossible to continue the ITW for legal reasons without extensive changes, my participation in the Initiative Tierwohl ends also.

### **Commissioning/authorisation of the coordinator**

On signature the commissioning and authorisation of the coordinator associated with the Participation Declaration comes into force. In his own right my coordinator accepts liability arising from this commissioning and authorisation; for vicarious agents he accepts liability only for culpable intent and gross negligence. The limitation of liability does not apply to loss arising from the breach of material contractual duties. In these cases the coordinator shall be liable in accordance with the statutory provisions. In the case of the breach of duties essential to the contract the operating company's liability is limited to foreseeable, typically occurring damage

If I wish to continue to participate in the ITW, but wish to change coordinator, I am entitled to terminate the commissioning and authorisation of the coordinator associated with the Participation Declaration by the third day of the quarter by giving written notice to the end of the quarter to the coordinator. I am aware that the coordinator is entitled to terminate with the same notice. On the coming into effect of the termination, at the latest however on the expiry of two months from the coming into effect of the termination, I must have commissioned and authorised another approved coordinator by signing a new Participation Declaration. In the periods, during which I have not commissioned and authorised a coordinator, I have no eligibility of delivery

I am aware that my participation in the ITW ends automatically, if on the expiry of two months from the coming into effect of the termination I have not commissioned and authorised a new coordinator. In this case also I am obliged to implement the ITW requirements up until the final confirmation audit. My right to terminate the commissioning and authorisation of the coordinator for good cause remains unaffected.

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Place, date

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Livestock owner - Signature of legal representative

We hereby accept the commissioning and authorisation associated with this Participation Declaration.

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Place, date

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Coordinator - Signature of legal representative

**Attachments**    Data sheet for registration (Annex 1a)  
                          Privacy policy