

Protection of Chickens Kept for Meat under EU Law: Legalized Suffering?

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Abstract: The chicken (*Gallus gallus domesticus*) is the most numerous domestic animal in the European Union, with several billion individuals slaughtered annually for meat production. Over recent decades, selective breeding has prioritized rapid growth and high feed efficiency, resulting in chickens reaching slaughter weight at an exceptionally early age. This article examines the legal framework governing the welfare of chickens killed for meat in European Union law, with particular attention to the adequacy of existing standards in safeguarding the animals' behavioral and physiological needs. Using a comparative approach, the article analyzes relevant EU legislation and juxtaposes these provisions with current scientific evidence on poultry welfare. It demonstrates that, despite limited progress in recognizing chickens' welfare requirements, the legislation remains insufficient in several key areas, particularly with respect to selective breeding that prioritizes high productivity at the expense of animal welfare. By highlighting these gaps, the article underscores the need for a more evidence-based approach to animal welfare law and policy, emphasizing the necessity of revising the current legislative standards for the keeping of chickens kept for meat and rethinking the broader food system in which these animals are produced.

Keywords: animal welfare, European Union law, broiler chickens, selective breeding, animal agriculture

1. Introduction

The chicken (*Gallus gallus domesticus*) is the most commonly farmed vertebrate in the European Union (EU), with approximately 6.5 billion birds slaughtered in the bloc in 2024, mostly in Poland (20%), France (12%), Spain (12%), Germany (10%), and Italy (9%).¹ Before slaughter, most of these animals are confined in industrial farming operations commonly referred to as factory farms. Although these facilities lack any official definition under EU law, they are generally characterized by the housing of large numbers of animals at high stocking densities, with the system designed to minimize inputs while maximizing outputs. As a result, the behavioral needs of animals are often reduced to a minimum, and animals suffer from health and welfare issues stemming from breeding practices that prioritize rapid growth and high productivity beyond animals' natural physiological limits. The exact extent of factory farming in the EU is difficult to determine because EU law lacks quantitative thresholds for such farms. However, we can use the existing legislation,

¹ "Poultry Production," Agri-Food Data Portal, European Commission, accessed January 25, 2026, <https://agri-data.ec.europa.eu/extensions/DashboardPoultry/PoultryProduction-m.html>.

particularly Directive 2010/75/EU on industrial emissions,² as a partial reference point. Nearly 11,000 industrial farms in the EU housing more than 40,000 poultry fall within the scope of the Directive; most of which keep chickens.³ Consequently, the sector exerts a non-negligible environmental footprint both within and outside the EU. In addition to domestic on-farm emissions, including ammonia, it drives significant land use and land-use change impacts through its reliance on imported feed.⁴

Throughout human history, chickens have been a staple of the homestead. With the rise of industrial farming, their populations multiplied to the extent that chickens are now the most numerous domesticated animals in the world, with more than 27 billion chickens living at any given time.⁵ Over recent decades, intensive selective breeding (i.e., the human-controlled process of choosing parents with desirable traits to amplify those traits in their offspring) has resulted in vast physiological differences between hens kept for egg production (laying hens) and chickens kept for meat (broiler chickens), despite being the same species. For that reason, when discussing chickens, a clear distinction must be made between laying hens and broiler chickens, since their husbandry differs greatly in practice and is subject to markedly different legal regulation.

This paper focuses on the latter category, especially on how legislation falls short in providing chickens kept for meat with sufficient protection, leading to a system where widespread suffering is legalized rather than prevented. For reasons of scope, the paper is limited to on-farm welfare and does not extend to the protection of these animals during transport and slaughter.

2. “Frankenchicken”: Welfare of Commercially Kept Broiler Chickens

2.1. Selective Breeding for Rapid Growth

Modern broiler chickens are bred to grow extremely fast. Nowadays, chickens are slaughtered at 5–6 weeks of age, when they weigh approximately 2.5 kilograms. In 1957, it took chickens 101 days to reach 1.82 kg; by 2001, they were reaching the same weight in just 32 days.⁶ Compared to their wild ancestors, chickens kept for meat have much larger breast muscles, with the breast muscle-to-body weight ratio having doubled from 9% to 18% in modern lines.⁷ The fast progress of selective breeding practices has been clearly

² Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (OJ L 334, 17 December 2010), as applicable prior to amendment by Directive 2024/1785 of 24 April 2024, Point 6.6, Annex I.

³ “The Face of European Farming,” AGTivist Agency, accessed January 25, 2026, <https://stories.agtivistagency.com/the-face-of-european-farming/>.

⁴ Fabio Sporchia et al., “The Environmental Footprints of the Feeds Used by the EU Chicken Meat Industry,” *Science of the Total Environment* 886 (2023): 163960, <https://doi.org/10.1016/j.scitotenv.2023.163960>.

⁵ “Animal Welfare,” Our World in Data, accessed January 25, 2025, <https://ourworldindata.org/animal-welfare>.

⁶ Gerald B. Havenstein, Peter R. Ferket, and Masab A. Qureshi, “Growth, Livability, and Feed Conversion of 1957 versus 2001 Broilers When Fed Representative 1957 and 2001 Broiler Diets,” *Poultry Science* 82, no. 10 (2003): 1506, <https://doi.org/10.1093/ps/82.10.1500>.

⁷ Carl J. Schmidt et al., “Comparison of a Modern Broiler Line and a Heritage Line Unselected since the 1950s,” *Poultry Science* 88, no. 12 (2009): 2610, <https://doi.org/10.3382/ps.2009-00055>.

illustrated by a 2014 study by Zuidhof *et al.*, which compared the growth of three different strains of chickens kept for meat: unselected strains from 1957 and 1978, and Ross 308 from 2005, one of the most commercially used broiler strains worldwide. All three strains were grown until 56 days of age, by which they gained 905, 1,808, and 4,202 grams, respectively.⁸ Fifty years of selective breeding have thus more than quadrupled the weight reached during the same time window. This selection for rapid weight gain has led animal welfare advocates to coin a new term – “Frankenchicken” – an apt nod to a scientist from Mary Shelley’s iconic horror novel, who created an unnatural, yet sentient, creature with little regard for the creature’s well-being.

Broom considers the issues of fast-growing chickens to be the most serious animal welfare problem in the world, “in terms of how bad the problem is for individuals and numbers of animals affected.”⁹ The rapid growth and disproportionately large breast muscles lead to a range of health and welfare issues that accompany the animals throughout a significant part of their lives. Because of their poorer health compared with slow-growing breeds, fast-growing broilers are a significant consumer of antimicrobials. The Netherlands provides an instructive case study: antibiotic use per animal is six times higher in fast-growing broilers than in slow-growing birds.¹⁰ Slow-growing chickens, defined by the European Food Safety Authority (EFSA) as hybrids that grow less than 50 g/day,¹¹ are estimated to only constitute about 5–10% of the commercially kept broilers.¹²

As chickens grow, their bodies, especially their leg bones, fail to keep pace with muscle growth, commonly leading to locomotory disorders. The causal link between rapid growth and locomotory issues is clear, as slower-growing breeds show lower susceptibility to these problems. Mobility is crucial for chickens, as it enables them to engage in natural behaviors, such as exploring and foraging. Moreover, lame animals also suffer from hunger and thirst when they cannot reach feeders and drinkers, unable to fulfill even the most basic physiological needs.¹³ Locomotory problems are highly prevalent in commercial broiler chicken flocks; a 1994 study found some form of walking impairment in 90% of birds a week before their slaughter, with 26% having severe impairments that compromised their welfare.¹⁴ Similar results can be found in other studies, including a UK-based study by Knowles *et al.* from 2008, in which 28% of 51,000 chickens

⁸ Martin J. Zuidhof *et al.*, “Growth, Efficiency, and Yield of Commercial Broilers from 1957, 1978, and 2005,” *Poultry Science* 93, no. 12 (2014): 2970–82, <https://doi.org/10.3382/ps.2014-04291>.

⁹ Donald M. Broom, *Broom and Fraser’s Domestic Animal Behaviour and Welfare*, 6th ed. (Wallingford: CABI, 2022), 353.

¹⁰ Cólín Nunan, *Ending Routine Farm Antibiotic Use in Europe: Achieving Responsible Farm Antibiotic Use Through Improving Animal Health and Welfare* (Brussels: EPHA, 2022), <https://epha.org/wp-content/uploads/2022/02/report-ending-routine-farm-antibiotic-use-in-europe-final-2022.pdf>.

¹¹ EFSA Panel on Animal Health and Welfare, “Welfare of Broilers on Farm,” *EFSA Journal* 21, no. 2 (2023), <https://doi.org/10.2903/j.efsa.2023.7788>.

¹² European Commission, *Report from the Commission to the European Parliament and the Council on the Impact of Genetic Selection on the Welfare of Chickens Kept for Meat Production*, COM(2016) 182 final (Brussels, 2016).

¹³ EFSA, “Welfare of Broilers on Farm.”

¹⁴ Stephen C. Kestin *et al.*, “Prevalence of Leg Weakness in Broiler Chickens and Its Relationship with Genotype,” *Veterinary Record* 131, no. 9 (1992): 190–4, <https://doi.org/10.1136/vr.131.9.190>.

exhibited poor locomotion, including 3.3% that were almost unable to walk,¹⁵ or a 2007 study by Sanotra *et al.* that found some degree of impaired walking ability in 75% of birds.¹⁶ As a result of decreased mobility, chickens spend more time resting. That means constant contact of their bodies with litter, which quickly becomes soiled with feces (after 14 days, 80% of litter consists of excrement and wasted feed).¹⁷ The corrosive effect of feces on the skin then leads to contact dermatitis, manifesting in breast burns, hock burns, and footpad lesions.¹⁸ For example, a 2012 study of 400 Dutch flocks found footpad lesions in 65% of chickens.¹⁹

The high oxygen demand of rapid growth puts more pressure on chickens' hearts and lungs. As a result, 27% of fast-growing chickens suffer from cardiac arrhythmia,²⁰ even though they are only a few weeks old. Growth-related metabolic conditions are common among fast-growing chickens, including ascites, an accumulation of fluid in the abdominal cavity caused by an imbalance between oxygen supply to the muscle and gut and oxygen requirements to sustain rapid growth. Many chickens also die due to the so-called sudden death syndrome, with no premonitory signs.²¹

2.2. Housing and Environment

It is estimated that 90% of chickens live in intensive farming systems without access to the outdoors.²² Broiler chickens are usually kept in large numbers, with flocks routinely consisting of 10,000–40,000 individuals.²³ Floor housing systems with very little to no environmental enrichment are common in commercial chicken farming, as are high stocking densities. About 40% of chickens are kept at stocking densities between 34 and 39 kg/m², and 26% at densities between 39 and 42 kg/m²,²⁴ which is the highest permissible legal limit. Keeping chickens at high stocking densities poses additional welfare risks, such as an inability to engage in natural behaviors, increased risk of injuries, rest problems, group stress, or contact dermatitis,²⁵ as well as an increased risk of being trampled

¹⁵ Toby G. Knowles *et al.*, “Leg Disorders in Broiler Chickens: Prevalence, Risk Factors and Prevention,” *PLoS ONE* 3, no. 2 (2008): e1545, <https://doi.org/10.1371/journal.pone.0001545>.

¹⁶ G.S. Sanotra *et al.*, “Monitoring Leg Problems in Broilers: A Survey of Commercial Broiler Production in Denmark,” *World's Poultry Science Journal* 57, no. 1 (2001): 55–69, <https://doi.org/10.1079/WPS20010006>.

¹⁷ EFSA, “Welfare of Broilers on Farm.”

¹⁸ Broom, *Broom and Fraser's Domestic Animal Behaviour and Welfare*, 354.

¹⁹ Ingrid C. de Jong *et al.*, “Footpad Dermatitis in Dutch Broiler Flocks: Prevalence and Factors of Influence,” *Poultry Science* 91, no. 7 (2012): 1569–74, <https://doi.org/10.3382/ps.2012-02156>.

²⁰ Kate M. Hartcher and Hannah K. Lum, “Genetic Selection of Broilers and Welfare Consequences: A Review,” *World's Poultry Science Journal* 76, no. 1 (2019): 154–67, <https://doi.org/10.1080/00439339.2019.1680025>.

²¹ Scientific Committee on Animal Health and Animal Welfare, *The Welfare of Chickens Kept for Meat Production (Broilers)* (Brussels, March 21, 2001), https://food.ec.europa.eu/system/files/2020-12/sci-com_scah_out39_en.pdf.

²² European Parliament, Directorate-General for Parliamentary Research Services, *The EU Poultry Meat and Egg Sector: Main Features, Challenges and Prospects – In-Depth Analysis* (Publications Office of the European Union, 2019), <https://data.europa.eu/doi/10.2861/33350>.

²³ EFSA, “Welfare of Broilers on Farm.”

²⁴ European Commission, *Study on the Application of the Broiler Directive DIR 2007/43/EC and Development of Welfare Indicators – Final Report* (Publications Office of the European Union, 2017), <https://data.europa.eu/doi/10.2875/729456>.

²⁵ EFSA, “Welfare of Broilers on Farm.”

or crushed, especially when animals get scared and hysteria occurs.²⁶ Moreover, the risk of heat stress increases as more birds emit more body heat, but there is less space for heat to dissipate (while the amount of metabolic heat in broiler chickens has increased by 30% over the past 20 years).²⁷

2.3. Broiler Breeders

Separately, serious welfare concerns arise for broiler breeders, i.e., parents, grandparents, great-grandparents, and pure (pedigree) lines, with the top of this breeding pyramid genetically selected for desirable traits. Selective breeding for rapid growth induces excessive feed intake in animals if fed *ad libitum* (without restriction), which becomes physiologically unsustainable for these birds that live far beyond the standard slaughter age of broiler chickens (typically 64 to 70 weeks),²⁸ as they quickly become obese and their health and fertility decline.²⁹ As a result, birds used for breeding are feed-restricted starting at two weeks of age, with feed reduced to up to 20% of ad libitum intake during certain production periods. Breeders are thus faced with a welfare dilemma: either satisfying their large appetite that would lead to extreme growth and early death, or living in a state of chronic hunger. Feed restriction leads to frustration, pacing, and aggression, including mating aggression that negatively affects the welfare of female birds. As it is common for hungry breeding birds to compensate by drinking excessive amounts of water, thus manipulating water dispensers and wetting the litter, it is a common practice to limit their access to water as well.³⁰

Two welfare-compromising practices must be highlighted that are uncommon on chicken farms but are routinely present on broiler breeder farms. Firstly, it is the use of individual or collective cages, especially for birds selected for individual and social traits, whose reproduction is controlled, i.e., the higher tiers of the breeding pyramid. In 2021, it was estimated that 360,000 individual and 75,000 collective cages were used in Europe for breeding broilers, often with no or very limited enrichment that birds need, such as nest boxes, litter, or perches. These caged systems restrict animals' movement, preventing them from performing behaviors they are naturally motivated to do. Secondly, broiler breeders often undergo mutilations, i.e., invasive body-altering procedures, which are meant to "mitigate" abnormal behaviors that are responses of animals to unsuitable living conditions. For broiler breeders, these include the removal of the tip of the beak (beak-trimming) and of one or more toes or claws, which are routinely performed without medication, such as analgesics, and lead to chronic pain.³¹

²⁶ Broom, *Broom and Fraser's Domestic Animal Behaviour and Welfare*, 353.

²⁷ Yvonne V. Thaxton et al., "Symposium: Animal Welfare Challenges for Today and Tomorrow," *Poultry Science* 95, no. 9 (2016): 2198–207, <https://doi.org/10.3382/ps/pew099>.

²⁸ EFSA, "Welfare of Broilers on Farm."

²⁹ Christine J. Nicol, *The Behavioural Biology of Chickens* (Wallingford: CABI, 2015), 153.

³⁰ EFSA, "Welfare of Broilers on Farm"; Ingrid C. de Jong and Rick A. van Emous, "Broiler Breeding Flocks: Management and Animal Welfare," in *Achieving Sustainable Production of Poultry Meat*, ed. Todd Applegate, vol. 3, *Health and Welfare* (Cambridge: Burleigh Dodds Science Publishing, 2017), accessed March 18, 2023, <https://edepot.wur.nl/455810>.

³¹ EFSA, "Welfare of Broilers on Farm."

3. Broiler Chickens under EU Law: Protection in The Age of Mass Production

3.1. Animals as Sentient Beings

Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings, establishing that in some of the Union's policy areas, including agriculture, full regard must be paid to the welfare requirements of animals. This acknowledgement, embedded in the EU's primary law, has an undoubted symbolic value and has, to a certain degree, influenced the interpretation of EU law by the Court of Justice of the European Union (CJEU),³² which has also affirmed animal welfare as one of the "legitimate objectives in the public interest pursued by European Union legislation."³³ However, the practical impact of Article 13 on animal welfare legislation has so far been minimal, which is less surprising if we consider the dual status of farmed animals; concurrently, to sentient beings, the TFEU considers them to be agricultural products pursuant to Article 38. Hence, animal welfare legislation attempts to reconcile the non-market objective of ensuring animal welfare with the EU's market objectives, especially "to increase agricultural productivity."³⁴ Nevertheless, economic considerations tend to dominate decision-making processes. As a result, a virtually self-contradictory legal reality exists, where laws recognize the animals' ability to suffer, while, in the same breath, legalizing farming practices that cause inherent, significant, long-term suffering.

3.2. General Farming Directive

Chickens, like other vertebrate "animals bred and kept for farming purposes," fall within the scope of Directive 98/58/EC (the General Farming Directive),³⁵ one of the five directives that form the on-farm animal welfare legislation in the EU. The General Farming Directive is grounded in the requirement, set out in Article 3, that animals must not be caused "any unnecessary pain, suffering or injury." However, in light of the broader EU animal welfare *acquis* and the legality of many harmful farming practices, even when more humane alternatives exist, the concept of "unnecessary suffering" is typically interpreted through a strongly anthropocentric lens, in which trivial human interests outweigh even the most basic needs of animals.

The Annex to the General Farming Directive lays down requirements on staffing, housing, feeding, and mutilations. Being rather vague in wording and leaning towards the use of unclear terms, such as "appropriate" and "necessary," the Annex reads like a list of general principles of animal care rather than measurable standards, which has led to different interpretations at the national level and non-harmonized, fragmented protection of farmed animals in the EU that mostly fails to produce tangible effects. This is

³² Diane Ryland, "Taking Stock of Art. 13 TFEU in EU Agriculture: Reading Art. 13 as a Whole," *European Papers* 8, no. 1 (2023): 191–219, <https://doi.org/10.15166/2499-8249/646>.

³³ CJEU Judgment of 17 October 2013, *Herbert Schaible v. Land Baden-Württemberg*, Case C-101/12, ECLI:EU:C:2013:661; CJEU Judgment of 23 April 2015, *Zuchtvieh-Export GmbH v. Stadt Kempten*, Case C-424/13, ECLI:EU:C:2015:259.

³⁴ Consolidated version of the Treaty on the Functioning of the European Union, Article 39.

³⁵ Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes (OJ L 221, 8 August 1998), Article 1(2)(d), Article 2(1).

more so concerning for species or categories of animals for which any species-specific legislation is lacking and whose protection under EU law thus relies exclusively on the General Farming Directive; for example, broiler breeders. While point 14 of the Annex establishes that “no animal shall be provided food or liquid in a manner [...] which may cause unnecessary suffering or injury,” broiler breeders are routinely fed- and even water-restricted, causing inherent and long-term suffering. Although one could argue that feed restriction of fast-growing broilers actually does protect their health by preventing obesity, thus complying with Article 14’s requirement to feed animals in sufficient quantity to maintain their health, water restriction is motivated primarily by the need for easier litter management. Similarly, while point 7 prescribes that animals’ freedom of movement must not be restricted “in such a way as to cause it unnecessary suffering or injury,” broiler breeders at the higher levels of the breeding pyramid are routinely kept in cages, where their movement and behavioral repertoire are severely limited, once again leading to suffering.

Concerning breeding procedures, point 20 of the Annex lays down that “natural or artificial breeding or breeding procedures which cause or are likely to cause suffering or injury to any of the animals concerned must not be practiced.” Furthermore, point 21 provides that “no animal shall be kept for farming purposes unless it can reasonably be expected, based on its genotype and phenotype, that it can be kept without detrimental effect on its health or welfare.” It is worth noting that there is legal uncertainty regarding precisely what constitutes “breeding procedures,” and translations into other EU languages exacerbate that uncertainty. Whereas the English term “breeding procedures” or Slovak “rozmnožovacie postupy” appear to refer to techniques used in the controlled reproduction of animals, other language versions, including French (“méthodes d’élevage”), Czech (“způsoby chovu”), or German (“Zuchtmethoden”), employ a broader concept related to animal farming more generally. Cimadori, di Concetto, and Grieger point out that while the legislative history of the General Farming Directive suggests that the intent was to regulate the selective breeding of animals, such as fast-growing broilers, imprecise drafting and lack of linguistic consistency enabled Member States to adopt non-restrictive interpretations, ultimately resulting in the absence of any national prohibitions on highly selected animal breeds.³⁶

3.3. Broiler Directive

Council Directive 2007/43/EC (the Broiler Directive) is the first species-specific legislation in EU law on the protection of chickens kept for meat. Farms with fewer than 500 chickens, hatcheries and farms keeping broiler breeders are excluded from the scope, making them subject only to the General Farming Directive.³⁷ The Directive also does not apply to extensive and free-range production, as well as organic farming, which are

³⁶ Ilaria Cimadori, Alice Di Concetto, and Khara Grieger, “The Protection of Selectively Bred and Gene Edited Farm Animals under EU Law,” *European Journal of Risk Regulation* 16, no. 3 (2025): 1098–114, <https://doi.org/10.1017/err.2025.12>.

³⁷ Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production (OJ L 182, 12 July 2007), Article 1(1).

subject to more stringent rules. To be certified as extensive, free-range, or traditional free-range, production must comply with certain rules regarding the minimum age of chickens at slaughter and stocking density, which exceed the standards of conventional farming under the Broiler Directive.³⁸ In organic farming, chickens must either reach the minimum age of 81 days or come from slow-growing strains,³⁹ have access to the outdoors for a specified portion of their lives,⁴⁰ and be provided with environmental enrichment.⁴¹ Stocking density is limited to 21 kg/m² for chickens kept for meat and 6 birds/m² for their parents,⁴² and maximum flock size is laid down for both categories.⁴³ However, these alternative farming systems represent only a very small fraction of chickens kept commercially.

In its recitals, the Broiler Directive acknowledges that “the fast growth rate of chicken strains currently used for this purpose is not accompanied by a satisfactory level of animal welfare and health,” and recognizes the negative effect on high stocking densities. However, it does not introduce measures to prevent the use of fast-growing breeds and allows stocking density at levels that remain too high from an animal welfare perspective. Article 3 provides that stocking density must not exceed 33 kg/m², but granted that certain conditions are met, up to 42 kg/m² is allowed. In contrast, EFSA indicates that above 11 kg/m², the severity of footpad dermatitis increases, while walking ability and the capacity to engage in behavioral needs decrease.⁴⁴ The gap between legislative standards and scientific evidence on animal welfare is therefore stark. The Broiler Directive only sets a minimum threshold that the Member States are required to achieve, but does not prevent them from adopting more ambitious standards to increase the level of protection (as pointed out in Article 1(2)). For example, Austria sets the maximum stocking density at 30 kg/m²,⁴⁵ Germany at 39 kg/m²,⁴⁶ and Sweden at 20 kg/m², but if certain conditions are met, up to 36 kg/m² is allowed (animals must, however, not be stocked at a density exceeding 25 individuals/m²).⁴⁷ Nevertheless, at the Member State level, regulatory

³⁸ 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 poultrymeat (OJ L 157), Annex V.

³⁹ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14 June 2018), Point 1.9.4.1 a), Part II, Annex II.

⁴⁰ *Ibid.*, Point 1.9.4.4. d).

⁴¹ *Ibid.*, Points 1 and 4, Part IV, Annex I of Commission Implementing Regulation (EU) 2020/464 of 26 March 2020 laying down certain rules for the application of Regulation (EU) 2018/848 (OJ L 98, 31 March 2020).

⁴² *Ibid.*

⁴³ *Ibid.*, Article 15(3)(b)(i) and (iii).

⁴⁴ EFSA, “Welfare of Broilers on Farm.”

⁴⁵ Verordnung der Bundesministerin für Gesundheit und Frauen über die Mindestanforderungen für die Haltung von Pferden und Pferdeartigen, Schweinen, Rindern, Schafen, Ziegen, Schalenwild, Lamas, Kaninchen, Hausgeflügel, Straußen und Nutzfischen (1. Tierhaltungsverordnung), BGBl. II Nr. 485/2004 (Austria), Point 5.3, Annex 6.

⁴⁶ Verordnung zum Schutz landwirtschaftlicher Nutztiere und anderer zur Erzeugung tierischer Produkte gehaltener Tiere bei ihrer Haltung (Tierschutz-Nutztierhaltungsverordnung – TierSchNutzV), BGBl. I S. 2043 (Germany), § 19 (3).

⁴⁷ Statens jordbruksverks föreskrifter och allmänna råd om djurhållning inom lantbruket m.m., SJVFS 2010:15 (Sweden), § 7–8, Chapter 7.

ambition generally does not extend beyond the Broiler Directive's baseline. Moreover, as the Commission noted, non-compliance with the legally set maximum stocking densities are a common occurrence in certain Member States.⁴⁸

Farms that stock chickens at densities over 33 kg/m² must record mortality, and results of *post-mortem* (after death) inspections must be evaluated for possible indicators of poor welfare, including "abnormal levels" of contact dermatitis. To date, the Broiler Directive is the only EU animal welfare legislation to include a species-specific animal-based indicator (i.e., a marker used to assess animal welfare measured directly on an animal) that is systematically monitored. However, it is not specified what "abnormal levels" are, leading to subjective interpretations, and Commission audits found that, for the majority of the EU chicken farming sector, the systems to monitor, collect, and assess information on the on-farm welfare of broilers used at slaughterhouses are incomplete and ineffective.⁴⁹

Apart from stocking density, chicken houses must comply with requirements of Annex I, which cover standards on feeding, water provision, light intensity, ventilation, noise, and mutilations, mostly in more general terms. What is missing from the Annex and is not required by law is environmental enrichment, including access to a covered veranda, elevated platforms, or various materials for birds to peck at. This omission is not surprising, considering the Directive's narrow approach, which is largely calibrated to prevailing industrial chicken production, but EFSA strongly recommends providing environmental enrichment to promote more movement and better opportunities for chickens to engage in natural behaviors.⁵⁰

4. Recent Developments and Perspectives for EU Chicken Protection in the Future

4.1. From "Revision" to "Modernization" of Animal Welfare Legislation

In 2020, the EU introduced the Farm to Fork Strategy, which included a list of planned measures to promote more sustainable agriculture and food production, including a transition to a more plant-rich diet with less meat. Referring to an "urgent need" to improve animal welfare, the Strategy foresaw a revision of the animal welfare legislation, including the Broiler Directive, "to align it with the latest scientific evidence, broaden its scope, make it easier to enforce and ultimately ensure a higher level of animal welfare," with proposals scheduled to be presented by the European Commission by the end of 2023.⁵¹ To that end, EFSA published a series of scientific opinions to inform future legislation. With respect to broiler chickens, it was recommended to use only slower-growing hybrids with

⁴⁸ European Commission, *Commission Staff Working Document: Fitness Check of the EU Animal Welfare Legislation*, SWD(2022) 328 final / SWD(2022) 329 final (Brussels, 2022).

⁴⁹ European Commission, *Use of Slaughterhouse Data to Monitor Welfare of Broilers on Farm – Overview Report* (Publications Office of the European Union, 2016), <https://data.europa.eu/doi/10.2772/57892>.

⁵⁰ European Food Safety Authority, "Welfare of broiler on farm."

⁵¹ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A Farm to Fork Strategy for a Fair, Healthy and Environmentally-Friendly Food System*, COM(2020) 381 final, May 20, 2020.

a growth rate of less than 50 g/day, significantly improve housing conditions, and phase out the use of individual cages, mutilations, and the practice of water restriction for breeders.⁵² The Commission's own evaluation of the animal welfare legislation concluded that the *acquis* "needs to be updated to reflect societal expectations and ethical concerns, scientific and technological evidence, developments and future sustainability challenges."⁵³ Despite this conclusion, the Commission failed to publish any legislative proposals concerning farmed animals within the established timeframe, except for a proposal revising Regulation 1/2005 on the protection of animals during transport.⁵⁴

The Commission appointed in 2024 brought a noticeable change in policy direction, emphasizing competitiveness while reducing the focus on sustainability.⁵⁵ That approach was also reflected in the Farm to Fork Strategy's successor, the Vision for Agriculture and Food, introduced in 2025, which does not share the ambition of transforming our food systems. Despite this shift, the revision of animal welfare legislation was carried over into the new term, albeit in a significantly curtailed version. In June 2025, the Commission announced a call for evidence for "modernization of EU legislation," targeting on-farm animal welfare for certain animals. Severely limited in scope compared to the revision planned for 2023, this modernization considers four key measures: phase out of cages; animal welfare indicators and digitalization; requirements for imports of animals and animal products; and phase out of chick culling (the killing of male day-old chicks in the laying hens' sector). The proposal (or the first in the series) is currently planned for the last quarter of 2026.⁵⁶

This legislative update may address broiler welfare through the first three measures listed. The Commission is considering cage-free farming of broiler breeders as part of its 2021 response to the "End the Cage Age" European Citizens' Initiative, which called on the EU's executive to propose a complete ban on the use of cages for all animals kept commercially for food production, and was signed by nearly 1.4 million EU citizens.⁵⁷ However, key issues, such as the selective breeding of fast-growing broilers or their housing conditions, appear set to remain at the *status quo*. That raises concerns that the current modernization process will do little to alleviate the suffering of chickens kept for meat, despite the large population of these animals and the intensity of their suffering.

There is likewise little incentive from Member States to push for more stringent legislation at the EU level, given their general alignment with the Broiler Directive's current level of ambition. Nonetheless, a notable political impetus has recently emerged

⁵² EFSA, "Welfare of Broilers on Farm."

⁵³ European Commission, *Commission Staff Working Document*.

⁵⁴ European Commission, *Proposal for a Regulation of the European Parliament and of the Council on the Protection of Animals during Transport and Related Operations*, COM(2023) 770 final, 2023/0448 (COD) (Brussels, December 7, 2023).

⁵⁵ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A Competitiveness Compass for the EU*, COM(2025) 30 final (Brussels, January 29, 2025).

⁵⁶ European Commission, *Call for Evidence for an Impact Assessment*, Ref. Ares(2025)4864849 (Brussels, June 18, 2025).

⁵⁷ European Commission, *Communication from the Commission on the European Citizens' Initiative (ECI) "End the Cage Age"*, C(2021) 4747 final (Brussels, June 30, 2021).

in the Council of the European Union. Denmark has started highlighting the issue of fast-growing broilers and advocating for an EU-wide phase-out, pursuant to a political agreement signed between the government and several parties across the political spectrum to focus on this sector.⁵⁸

4.2. Market-Shaping Tools: Paving the Way for Legislative Action?

Given the difficulty of achieving legislative reform of welfare standards for broiler chickens and the overwhelming share of the market that fast-growing broilers hold, other mechanisms have been explored to reduce reliance on highly selectively bred chickens, possibly adapting the market to future regulatory actions. Public procurement represents a relatively accessible instrument for incentivizing more sustainable food production. In 2023, the Swedish National Agency for Public Procurement revised procurement criteria to include chicken breeds with a slow growth rate, giving municipalities in the country the opportunity to apply this procurement requirement to their chicken meat purchases.⁵⁹ Denmark also foresees a phase-out of government procurement of fast-growing chickens as part of its political agreement.⁶⁰

By contrast, corporate commitments represent a form of private governance in which companies voluntarily raise their production standards and serve as a strategic mechanism for animal advocacy groups to achieve progress. One example is the Better Chicken Commitment (BCC), a set of voluntary welfare standards that require, among others, the keeping of slower-growing hybrids. BCC was addressed in England's Animal Welfare Strategy, launched at the end of 2025, which includes among its proposed actions support for "voluntary measures to move away from the use of fast-growing meat chicken breeds."⁶¹

It was also through corporate initiative, rather than legislative work, that Norway has emerged as the European country closest to phasing out fast-growing broiler chickens. Companies operating in the Norwegian poultry sector have committed, through a joint declaration, to phasing out the use of fast-growing broiler chickens in the country by the end of 2027.⁶² While phasing out welfare-compromising practices in animal agriculture through regulatory bans remains essential to establish higher minimum welfare standards within the legal framework, such voluntary commitments may facilitate the transition and demonstrate practical feasibility.

⁵⁸ "Sammen om Dyrene: Aftale om Dyrevelfærd 2024–2027," Ministeriet for Fødevarer, Landbrug og Fiskeri, February 9, 2024, accessed February 2, 2026, <https://fvm.dk/arbejdsomraader/veterinaer/sammen-om-dyrene>.

⁵⁹ "Breeds with Limited Growth Rate – Chicken," Upphandlingsmyndigheten, accessed February 2, 2026, <https://www.upphandlingsmyndigheten.se/en/criteria/food/chicken-turkey-and-hens/chicken/breeds-with-limited-growth-rate---chicken/spearhead/>.

⁶⁰ Ministeriet for Fødevarer, Landbrug og Fiskeri, *Politisk forståelse af handlemuligheder vedrørende hurtigt voksende slagtekyllinger*, June 23, 2023, accessed February 2, 2026, https://fvm.dk/Media/638481754747703963/Politisk_forstaaelse_af_handlemuligheder_vedr_hurtigt-voksende_slagtekyllinger.pdf.

⁶¹ Department for Environment, Food & Rural Affairs, *Animal Welfare Strategy for England*, December 22, 2025, <https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england>.

⁶² "Nortura og KLF med felles bransjeerklæring for dyrevelferd," Kjøtt- og fjørfebransjens Landsforbund, accessed February 2, 2026, <https://kjottbransjen.no/nortura-og-klf-med-felles-bransjeerklæring-for-dyrevelferd/>.

5. Conclusion

The welfare of chickens raised for meat is undeniably one of the most significant ethical concerns in animal farming. To minimize the time required to reach slaughter weight, these animals have been selectively bred for extremely rapid muscle growth, triggering a cascade of serious welfare problems. Despite their vast numbers and the intensity of their exploitation, the level of protection afforded to these animals under EU law remains weak.

EU legislation avoids addressing the welfare of highly selectively bred animals through a more stringent regulation of breeding strategies that pursue mainly traits linked to productivity, and the species-specific standards applicable to broiler chickens merely scratch the surface, particularly when assessed against the most recent scientific recommendations on chicken welfare issued by the European Food Safety Authority. In addition, broiler breeders – the parent birds and earlier generations – are largely overlooked by EU law, despite the health and welfare consequences arising from selective breeding combined with longer lifespans. These animals remain subject only to the general farmed animal welfare standards, which have produced little tangible protective effect. While it is evident that the current legislative framework needs to be amended, political momentum appears limited following the largely unsuccessful attempt to revise the EU animal welfare *acquis* under the Farm to Fork Strategy in 2023. Consequently, progress is currently pursued through other means, mainly corporate commitments.

Although scientific evidence clearly indicates the need to prohibit the breeding of fast-growing broilers and to introduce stronger regulatory requirements for the keeping of chickens and breeder birds, the welfare of these animals cannot be assessed in isolation from the broader food system within which their production takes place. Meaningful improvements in animal welfare are difficult to achieve within a system characterized by large-scale industrial production, where the maximization of outputs at the expense of animal welfare remains a defining feature. Consequently, discussions of animal welfare reform must be embedded within a wider debate on food system transformation, including the politically sensitive issue of reducing meat consumption and promoting a shift towards more plant-rich diets. Such a transition would reduce the overall number of animals farmed and “free up” resources to enable better living conditions for those that remain. Adopting this more holistic approach would generate benefits beyond animal welfare, most notably for environmental sustainability and public health.

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