

Brussels, 06.07.2007  
D(2007) 1094

Dear Dr. Lucas,

Thank you for your letter of 5 June 2007 concerning the production of foie gras.

Foie gras production is covered by Directive 98/58/EC concerning the protection of animals kept for farming purposes<sup>1</sup>. This Directive reflects, within Community legislation, the approval by the Community of the European Convention for the Protection of Animals kept for Farming Purposes of 1976 ("the Convention")<sup>2</sup>.

There are two Recommendations<sup>3</sup> of this Convention that concern the production of foie gras and these were adopted by the Council of Europe in 1999 with the support of the Community. These Recommendations do not prohibit its production as such but impose certain obligations for countries allowing its production.

The Recommendations oblige countries allowing foie gras production to encourage research on its welfare aspects and on alternative methods which do not include gavage. They foresee that until such new scientific evidence is available, the production of foie gras shall be carried out only where it is current practice and then only in accordance with standards laid down in domestic law. Finally, the competent authorities shall monitor this type of production to ensure the implementation of the provisions of the Recommendations.

Furthermore, these Recommendations contain many provisions on how the animals have to be kept.

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<sup>1</sup> OJ L 221, 8.8.1998, p. 23.

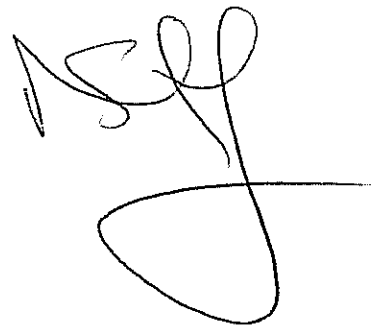
<sup>2</sup> The Community approved this Convention by Decision 78/923/EEC (OJ L 323, 17.11.1978, p. 12).

<sup>3</sup> Recommendation concerning Muscovy Ducks and hybrids of Muscovy and domestic Ducks (adopted by the T-AP on 22 June 1999); Recommendation concerning domestic Geese (adopted by the T-AP on 22 June 1999)

These Recommendations were adopted taking into account an opinion<sup>4</sup> of the former Scientific Committee on Animal Health and Animal Welfare of the European Commission. This scientific opinion did not recommend the phasing out of the production of foie gras as such but only of certain practices thereof and at this stage the Commission does not have scientific evidence to support a ban on the production of foie gras. In light of this, any restrictive measure on intra-community trade of that product has to be in compliance with the relevant Community legislation.

The Commission closely monitors the legal as well as the scientific situation of foie gras production in Europe. For example, the Commission has just been informed of new production methods which do not use force feeding. This might lead to a change of production methods in general in the near future, in particular if the market shows a preference for these products. The Commission is therefore following this issue closely.

Yours sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

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<sup>4</sup> [http://ec.europa.eu/food/fs/sc/scah/out17\\_en.html](http://ec.europa.eu/food/fs/sc/scah/out17_en.html)