

25.02.2002 D/000456

Dear Dr Lucas,

Thank you for your letter of 14 January concerning the implementation by the Member States of Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens. Article 13 of the Directive requires Member States to bring into force the laws, regulations and administrative provisions, including any penalties, necessary to comply with it not later than 1 January of this year.


Although some of the Directive's provisions have to be implemented by the above-mentioned date, various provisions do not have to be actually implemented until a later date, for example 1 January 2003 in the case of the requirements for unenriched cages.

Article 13 of the Directive also requires Member States to inform the Commission that the measures necessary to comply with the Directive have been adopted and to communicate relevant provisions of national law to it.

At the date of this letter only Germany, Spain and Austria (in respect of four Länder only), have communicated the required information to the Commission. Germany, as you are aware, has imposed more stringent legislation than the minimum standards of the Directive. Spain has imposed the minimum standards required by the Directive. Although the Austrian Länder legislation will be scrutinised in due course by the Directorate-General for Health and Consumer Protection I am not at the present time able to inform you as to whether the requirements of all those Länder which have already transposed the Directive include standards higher than the minimum.

Infringement procedures are currently being opened against the Member States in default.

Yours sincerely,



David Byrne

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