



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach

Brussels

Dear [REDACTED],

I would like to thank you for your email of 19 August 2021 (our reference Ares (2021)5810658) regarding the disbudding of small calves in organic production.

In your email, you state that Member States have different approaches to applying the requirements of the current organic regulations in relation to disbudding. For example, some Member States grant a general permission for disbudding calves. For this reason, you would like to receive clarification on what could be the specific health, welfare or hygiene reasons justifying the disbudding of small calves under Regulation (EU) 2018/848<sup>1</sup>.

Disbudding means the removal of the horn buds in calves when the actual horn is still absent or very small (< 2 cm), which generally includes animals up to 2 months of age<sup>2</sup>. It is a mutilation that can cause stress and pain to the animals but is considered less stressful and painful than dehorning.

Since one of the objectives of organic production is to contribute to high animal welfare standards, Regulation (EU) 2018/848 sets strict rules regarding the use of this procedure, laid down, in particular, in points 1.7.7, 1.7.8 and 1.7.9 of Annex II, Part II related to animal welfare for livestock:

*“1.7.7 Any suffering, pain and distress shall be avoided and shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.*

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02018R0848-20201114&qid=1629713916479&from=EN>

<sup>2</sup> <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2012.2669>

[REDACTED]

*1.7.8. Without prejudice to developments in Union legislation on animal welfare, tail-docking of sheep, beak trimming undertaken in the first three days of life, and dehorning may exceptionally be allowed, but only on a case-by-case basis and only when those practices improve the health, welfare or hygiene of the livestock or where workers' safety would otherwise be compromised. Disbudding may be allowed only on a case by case basis when it improves the health, welfare or hygiene of the livestock or where workers' safety would otherwise be compromised. The competent authority shall only authorise such operations where the operator has duly notified and justified the operations to that competent authority and where the operation is to be carried out by qualified personnel.*

*1.7.9. Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and/or analgesia and by carrying out each operation at only the most appropriate age by qualified personnel.”*

Based on these provisions, Member States competent authorities cannot grant “a general permission for disbudding”. However, the wording ‘only on a case by case basis’ could be understood as on a farm basis since in most cases it appears that similar health, welfare or hygiene conditions or risks for workers’ safety will prevail on a given farm. This could include, for example, infections of the buds, fights and consecutive injuries with other animals, repetitive injuries of older animals with horns at the feeders, etc.

Finally, the wording “*The competent authority shall only authorise such operations where the operator has duly notified and justified the operations to that competent authority*” should be understood in such a way that an authorisation must be reviewed regularly; the operator should at least notify to the relevant competent authority on an annual basis why these operations are justified, to avoid that such operations become a “routine” practice, since the intention of the Legislators was clearly to limit mutilations in organic livestock.

The present opinion is provided on the basis of the facts as set out in your email of 19 August and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours faithfully,

