

- **Italy found guilty of non-compliance with cage ban**

European Court of Justice says Italy must pay court costs, but no additional fine for delays in removing battery cages

Release Date: 2014-05-30

Italy has been found guilty by the European Court of Justice of failing to comply with the EU ban on battery cages, which came into force on January 1, 2012. During lengthy proceedings, the Italian authorities claimed they did not have sufficient time to make sure all farms were compliant by the deadline.

In April last year, the European Commission decided to take Italy and Greece to the Court of Justice of the European Union over their failure to correctly implement Directive 1999/74/EC banning “un-enriched cages.” Despite repeated calls from the Commission to address the situation, the two countries had failed to comply with the law.

The case against Greece has still to be resolved while Italy, which is now compliant, will only have to pay legal costs, and no financial penalties will be levied.

The judgment and proceedings have been far from universally welcomed.

NFU Scotland’s animal welfare policy manager Penny Johnston commented: “It is incredibly frustrating to hear that Italy will go unpunished for allowing its farmers to continue to use illegal cage systems, undercutting our egg producers for the last two and a half years.

“That is unacceptable; it is a slap in the face to all nations – including Scotland – that took the steps and bore the costs of upgrading egg systems. To add insult to injury, the fine makes a mockery of the penalty system, given that this was a clear and deliberate flouting of the rules.

“There is another case against Greece still outstanding. Again it would appear that the Commission has also only asked that costs of the court case be paid by Greece if found guilty.”

'Absurd excuse'

According to Compassion in World Farming, the Italian authorities claimed that there was insufficient time to prosecute non-compliant farmers.

“What an absurd excuse,” commented Annamaria Pisapia, director of CIWF Italia, adding: “Is Italy saying it can’t enforce the law in its own territory? The country had 13 years to prepare for the ban. What was lacking was the political will, which was cast aside in favor of the interests of those who stood to gain economically. Simply put, it was more lucrative to continue using barren battery cages.”