

THE CASE FOR A UK BAN ON FOIE GRAS MADE BY FORCE-FEEDING



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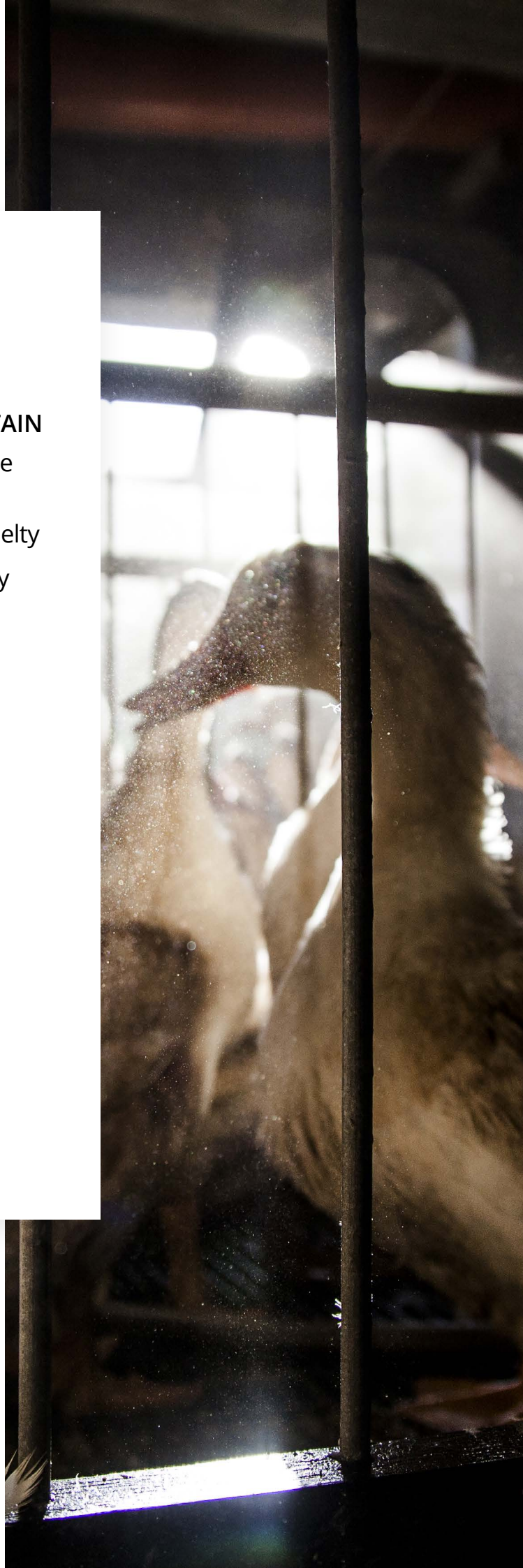
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FOREWORD

The United Kingdom is globally perceived as a leader in animal welfare. While there is certainly much more to be done to protect animals under UK legislation, it is true that the UK has been one of the pioneering nations to lead the way in animal protection. 2022 marks exactly 200 years since the world's first animal protection law came into play. The 'Act to Prevent the Cruel and Improper Treatment of Cattle', also known as 'Martin's Act', made it illegal to inflict unnecessary suffering upon farmed or 'domestic' animals including cows, horses and sheep.¹

As a nation, we have come a long way since then and have passed landmark animal protection laws that are doing more to offer animals their rightful protection under UK legislation. This approach towards heightening legal protections for animals was most recently evidenced by the UK Government releasing its long-awaited 'Action Plan for Animal Welfare' in May 2021 - a move strongly welcomed by the UK public. The Department of Environment, Food and Rural Affairs (Defra) presented the plan as the UK's 'first ever action plan to improve the welfare and conservation of animals at home and abroad'.²

A key piece of this puzzle is the Government's exploration of a long-awaited ban on foie gras made by force-feeding.

However, while Defra's plans to spearhead the UK to 'lead the way on animal welfare through a flagship new Action Plan' was mentioned in 2021's Queen's Speech, making it crystal clear that the Government was serious about improving animal protection, just one year later - there was no mention of this plan. A ban on foie gras made by force-feeding was nowhere in sight during the Queen's Speech of 2022.

We do, however, still have a limited but critical window of opportunity to put in place the ban.

There is tremendous public support for a ban, providing a chance for historic change for animals and a long-term legacy in legislation. In a YouGov poll commissioned by Animal Equality in May 2022, 86% of respondents who expressed an opinion showed opposition to the force-feeding of animals, and 81% supported a ban on foie gras imports.

A ban would also end the needless suffering of millions of animals. The production of foie gras is currently banned in the UK on animal welfare grounds. So the question remains: why is the Government continuing to allow foie gras to be imported into the UK, while deeming this torturous product as too cruel to produce here?

Through examining the evidence, and considering opinions from scientific experts, politicians and the public, one message is clear: the UK does not choose animal cruelty.

Let's take advantage of this moment in history by banning foie gras made by force-feeding once and for all.



JENNY CANHAM

Campaigns and Public Affairs Specialist,
Animal Equality UK



INTRODUCTION

When judging how much progress a country is making in terms of improving animal protection, we must look at the very cruellest practices that country currently allows. In the UK, while we may consider ourselves a nation of animal lovers, we are supporting one of the cruellest farming practices that exists in the world today, in terms of the undeniable and proven anguish, cruelty and torment it causes to animals.

Force-feeding ducks and geese, in order to produce foie gras, involves confining millions of ducks and geese per year into small cages. Over a two week period, these animals are brutally constrained and painfully force-fed multiple times a day, a sickening process known as 'gavage'. As the name suggests, everything about this practice is forced: a tube is forced down the throats of ducks and geese, forcing them to ingest volumes of food far larger than they would willingly eat. This is all to produce a 'delicacy' food

item, that is in reality the diseased liver of the duck or goose who endured the agonising practice.

Force-feeding animals is a crime to carry out in the UK, this first came into force under The Welfare of Farmed Animals (England) Regulations 2000, which later became The Welfare of Farmed Animals Regulations 2007, yet we continue to import 200 tonnes of the product onto our shores every single year.

Foie gras a product, once considered 'luxury', is now deemed outdated by the British public, who has for many decades stood firmly against such treatment of animals - so much so that it is a crime to produce foie gras in the UK.

By continuing to sell and import this item, the UK is essentially condoning, profiteering and paying for this wicked treatment towards animals to take place further afield.

However, the tides began to turn in March 2021, after decades of hard work from animal protection organisations, when Defra announced that significant progress was being made towards a ban on foie gras made by force-feeding. On 6th March 2021, Defra sources confirmed that it was determined to implement the ban on foie gras 'in the next few months'. An official spokesperson from Defra stated that it had always been clear that foie gras production 'raises serious concerns' and that 'now our future relationship with the EU has been established, the Government is considering further steps it could take in relation to foie gras'.³

Just a month later, Defra released its Action Plan for Animal Welfare, which included mention of foie gras, confirming its plans to finally move closer to this long-awaited ban.



Now the transition period has finished, we are committed to building a clear evidence base to inform decisions on banning the import or sale of foie gras and other products derived from low-welfare systems. These reforms complement our wider drive towards improving global welfare standards and curbing the loss of global biodiversity.

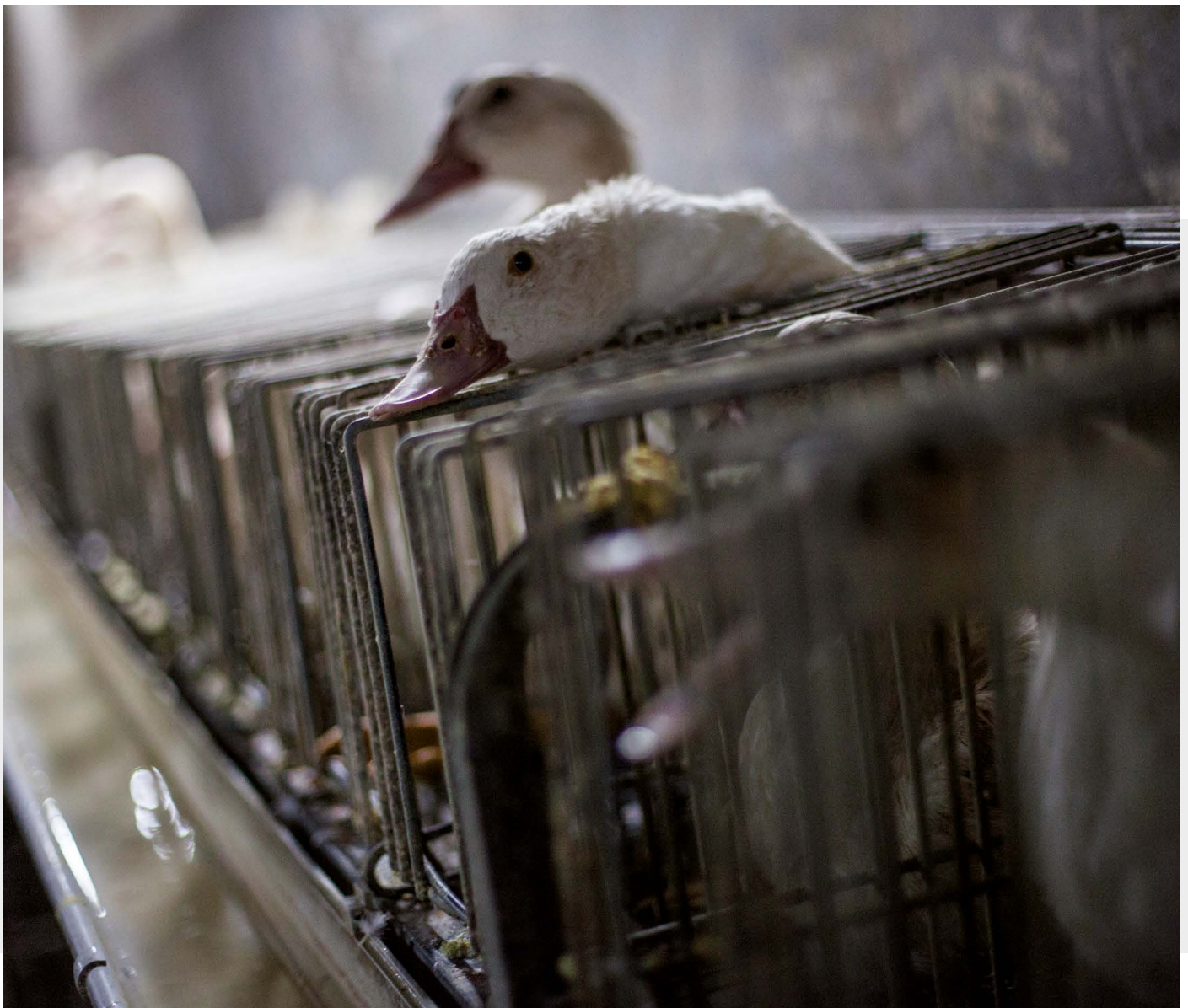
THE DEPARTMENT OF ENVIRONMENT,
Food and Rural Affairs (Defra's Action Plan for Animal Welfare, launched May 2021)



These plans to finally address the current contradiction in UK domestic animal protection legislation against continued imports of products made by force-feeding was welcomed by the UK public with relief. It appeared that the Government was finally committed to re-establishing itself as a leader in animal welfare on the world stage.

Yet our collective optimism was dashed when, on 19th February 2022, reports revealed that the Government is considering backtracking on plans to ban foie gras made by force-feeding.⁴

Taking a data-driven approach, and using past legislation to evidence enabling powers and cast a legal precedent, this report determines whether or not a ban on the importation of foie gras made by force-feeding is indeed legally legitimate and reflective of the UK public's 'personal choice'. Further, we examine the consistent political support, including Conservative politicians leading the way towards securing the long-awaited end to this out-voted product in the UK.





THE CASE FOR A FOIE GRAS FREE BRITAIN

Foie gras produced by force-feeding is extremely controversial and has been condemned by campaigners and academics alike. Due to the extreme cruelty involved, force-feeding farmed animals has been effectively banned throughout the UK since the year 2000.⁵ Yet, the UK still imports approximately 200 tonnes of the product every year. Demand for foie gras in the UK is low, with many restaurants banning it in recent years.

ANIMAL CRUELTY IN FORCE-FEEDING FOR FOIE GRAS PRODUCTION

Investigative evidence of animal cruelty

Known for its undercover investigations, Animal Equality has conducted investigations into 11 foie gras farms in Spain and France since 2012. The harrowing images show ducks and geese suffering severely in barren, wire cages, with terrified birds struggling whilst they are ruthlessly force-fed with metal tubes.

The ruthless process causes the bird's liver to swell to up to ten times its natural size; this diseased liver is then marketed and sold as foie gras. The British public continues to show outrage and disgust when viewing these horrors.

In November 2018, Peter Egan, actor and animal advocate, and Dr Emma Milne, TV veterinarian, joined Animal Equality in exposing the reality of foie gras production by visiting a foie gras farm in France.⁶ They witnessed terrified, panting ducks crammed into tiny, filthy cages and geese struggling to escape as a vast amount of food was pumped down their throats using a large metal tube. This particular farm proudly offers tours to show the practice of force-feeding to the public. In response to the treatment that took place, Dr Emma Milne said, "The vocalisation [of the birds] was absolutely clear that it was an extremely unpleasant experience. If that's what they're happy to show you, I dread to think what some of the worse farms are like."



I have seen the cruelty involved in foie gras production with my own eyes and it is, without doubt, one of the most devastating things I have ever witnessed. I decided to write a letter to the Government as, like most of the UK, I am growing impatient to see the end to imports of this horrific product.

PETER EGAN

Actor and animal advocate



Scientific evidence of animal cruelty

The public's desire to see a ban on foie gras made by force-feeding enacted is understandable given the cruelty involved in its production.

An abundance of scientific evidence, including a study conducted by animal welfare experts at the University of Cambridge in 2015,⁷ shows that foie gras production by force-feeding generates severe physical and psychological pain for the animals involved, and not only when the tube is down their throats. The production process causes their livers to swell up to ten times their natural size, which can be compared to roughly the size of a small football.

The animals used to produce foie gras are force-fed from 12 weeks of age. They are force-fed twice daily with a feeding tube powered by a pneumatic or hydraulic pump. The report 'The Welfare of Ducks During Foie Gras Production' by Professor Donald Broom and Doctor Irene Rochlitz states, 'Younger birds will be fed between 180 to 200g of maize per meal, increasing to 450g (1000g after water is added to make mash) per meal towards the end of the force-feeding stage.'

Up to 400 individually caged ducks per hour can be force-fed by one person using a pneumatic pump (Guémené & Guy 2004), and even more if a hydraulic dispenser is used.⁷

Broom and Rochlitz also explore a number of studies that show different stages of force-feeding. For example, experiments by Servièrre et al (2002) described 'signs of sub-acute moderate and multifocal oesophagitis, which may be a result of effects of abrasion and distension of the upper digestive tract caused by food boluses.' In other experiments, force-fed ducks were shown to have neurogenic inflammation of the upper digestive tract.⁷

Mulard ducks, who are widely recognised as being particularly nervous, fearful and hyper reactive, are most often farmed and slaughtered to produce foie gras. In response to scientific experiments, the report states: 'Birds show panic and flight responses to the approach of humans and are generally described as being 'sensitive to the environment' (Guémené et al 2002; Guémené et al 2006b; Laborde & Voisin 2013).⁷

Ducks are typically slaughtered at 100 days old, with geese at 112 days, and their diseased livers will then be marketed as the pâté known as foie gras.

UK BAN ON FORCE-FEEDING ANIMALS

The process of gavage is considered incompatible with the provisions of The Welfare of Farmed Animals (England) Regulations 2000,⁸ which later became The Welfare of Farmed Animals Regulations 2007, which is mirrored across England, Northern Ireland, Scotland, and Wales.

Domestic legislation states that: 'Animals shall be fed a wholesome diet which is appropriate to their age and species and which is fed to them in sufficient quantity to maintain them in good health, to satisfy their nutritional needs and to promote a positive state of well-being.'

And: 'No animals shall be provided with food or liquid in a manner, nor shall such food or liquid contain any substance, which may cause them unnecessary suffering or injury.'

This renders the practice of force-feeding illegal in the UK on animal welfare grounds, yet by importing approximately 200 tonnes of foie gras here, we are essentially paying for approximately 250,000 ducks and geese to endure the painful force-feeding practice every single year. There is no logical explanation for this hypocrisy in UK law.



PUBLIC DEMAND FOR A FOIE GRAS FREE BRITAIN

Animal Equality, along with other animal protection groups including PETA UK and Open Cages, has relentlessly campaigned to ban the importation of foie gras made by force-feeding for many years, always with the UK public firmly standing alongside.

A petition started by Animal Equality in 2017 has currently surpassed a quarter of a million signatures from members of the public who demand to see a ban enacted as soon as possible. Celebrities have joined Animal Equality to hand in petition signatures to 10 Downing Street upon most recently reaching the 225,000 signature milestone,⁹ continually emphasising the strong public demand to ban imports of foie gras made by force-feeding.

This petition has now surpassed a quarter of a million signatures from members of the public who demand to see a ban enacted as soon as possible. They are joined by an overwhelming 86% of respondents to a YouGov poll commissioned by Animal Equality in May 2022, who showed opposition to the force-feeding of animals, with 81% supporting a ban on foie gras imports.

Celebrities worked with Animal Equality to submit a letter which acknowledged the strong public support for a ban stating that ‘the UK public is sick to death of foie gras made by cruel force-feeding’,¹⁰ and recognising the milestone of Animal Equality’s petition surpassing a quarter of million signatures: ‘Each and every signature represents another person who is, quite frankly, fed up with foie gras’.¹¹

The letter’s signatories join numerous other celebrities who have spoken out in favour of a foie gras ban in recent years, including Alan Carr, Thandiwe Newton, and Dev Patel.



There is no place for foie gras in the UK - or anywhere else for that matter. The practice of force-feeding is absolute agony for ducks and geese, and it's high time that the UK ends its support of this suffering.

DR AMIR KHAN
NHS GP and TV doctor



Animal Equality’s campaign to ban the importation of foie gras made by force-feeding has garnered significant media attention over the years, with articles in the Observer, the Guardian, BBC, iNews, the Mirror, the Daily Mail, the Telegraph, the Financial Times, the Grocer and more, reaching millions of people in the process.



POLITICAL DEMAND FOR A FOIE GRAS FREE BRITAIN

There is strong political appetite for a ban on foie gras made by force-feeding.

Animal Equality has secured cross-party backing, with leading political figures in the Conservative, Labour, SNP, Liberal Democrat and Green parties announcing support for a ban. With the help of Henry Smith MP, Animal Equality hosted a reception in the House of Commons and prompted an adjournment debate in Parliament on the proposed ban.

In April 2020, following lobbying from Animal Equality and sympathetic MPs, Lord Zac Goldsmith confirmed in a letter that “The production of foie gras from ducks or geese using force feeding (known as gavage) raises serious animal welfare concerns” and is “incompatible with our domestic legislation”.

After Defra sources confirmed publicly in March 2021 that they were determined to implement a ban ‘in the next few months’, a group of MPs from each country in the UK submitted an open letter response to this calling for a concrete roadmap of next steps to be shared.¹²

In August 2021, having still not received a response from Defra, MPs submitted a follow-up letter demanding to see progress on this issue and requesting an urgent roundtable discussion. Again, their calls for action were ignored.

Political support for a ban on foie gras made by force-feeding has continued to grow stronger. In an informal email poll carried out by Animal Equality, sent in March 2022, over 50 MPs from across political parties confirmed they currently support a UK ban on this product.

In May 2022, Sir Roger Gale, Veteran Conservative MP and a patron of the Conservative Animal Welfare Foundation, publicly spoke out in support of Animal Equality’s campaign, claiming that Cabinet members blocking the foie gras ban are ‘out of step’ with the public.¹³



Shoving a funnel down a goose’s throat and then over feeding it with corn, is a revolting practice...Why should we allow produce to be imported into the United Kingdom that we don’t allow our farmers to produce?

SIR ROGER GALE,
Veteran Conservative MP





CONTRADICTIONS WITH OTHER UK ANIMAL PROTECTION LEGISLATION

As animal protection is a matter that engages strong concern from the public, various practices have been banned throughout the years under UK legislation. The argument against limiting personal choice is not a persuasive one, as it, in fact, is the public who is pushing for these changes. Public demand has been taken on board as the UK strives to uphold its reputation as leaders in animal welfare.

IMPORT BANS ON MEAT DERIVING FROM OTHER ANIMALS

Importing whale meat into the UK/EU is illegal under the Convention on International Trade in Endangered Species (CITES),¹⁴ with potential imprisonment or fines of up to £5,000 for bringing the product into the UK.¹⁵

Due to rigorous campaigning from organisations like Greenpeace and strong public demand, the ban on imports of whale meat followed the International Whaling Commission issuing a moratorium on commercial whaling in 1982 which came into effect in 1986,¹⁶ marking the virtual end of large-scale whaling around the world.

There has been immense public outrage regarding the cruelty involved in whaling, and recognition that whale meat could simultaneously not be sold in the UK without supporting a trade that the public is so deeply against.

While it similarly could be argued that banning the import of whale meat is restricting personal choice for people who may wish to buy such items, this is not an issue that blocked progress on implementing legislation. The focus instead has rightly been on acting in response to the overwhelming public outrage and demand for a ban.



CONTRADICTIONS WITH WIDER UK ANIMAL PROTECTION BANS



WILD ANIMALS IN CIRCUSES ACT 2019

The Wild Animals in Circuses Act was enacted on 20th January 2020, making it illegal for circuses performing in England to use wild animals.

The legislation was passed 13 years after the Government first committed to act, with similar promises made by successive governments over subsequent years.

In June 2011, backbench MPs voted unanimously to instruct the Government to bring forward legislation to ban the use of wild animals in circuses, demonstrating the clear backing of both public opinion and the House of Commons.

Announcing plans to legislate on the issue on ethical grounds¹⁷ in 2012, the Coalition Government published its draft legislation¹⁸ the following year. In its foreword, Defra Minister Lord de Mauley states: 'Today the overwhelming view of the public, as well as such respected bodies as the RSPCA, is that travelling circuses are no place for wild animals' and that 'this legislation will end the use of wild animals in travelling circuses in this country. It will also help ensure that our international reputation as a leading protector of animals continues into a new global era.'

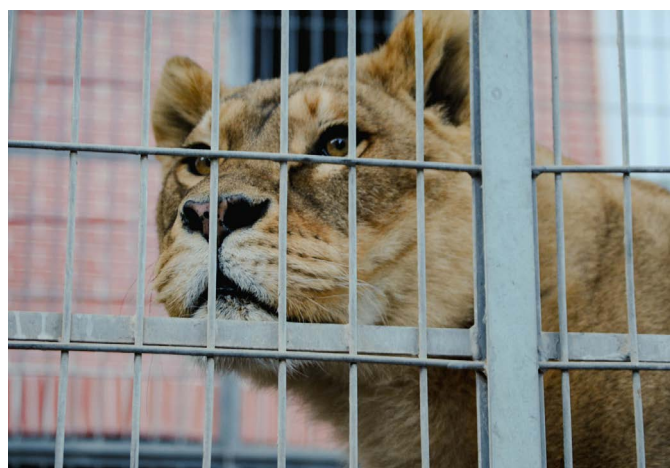
Outlining the arguments against the use of wild animals in travelling circuses, the draft legislation states:

'In summary, the Government does not believe it is appropriate to continue to use wild animals in travelling circuses because:

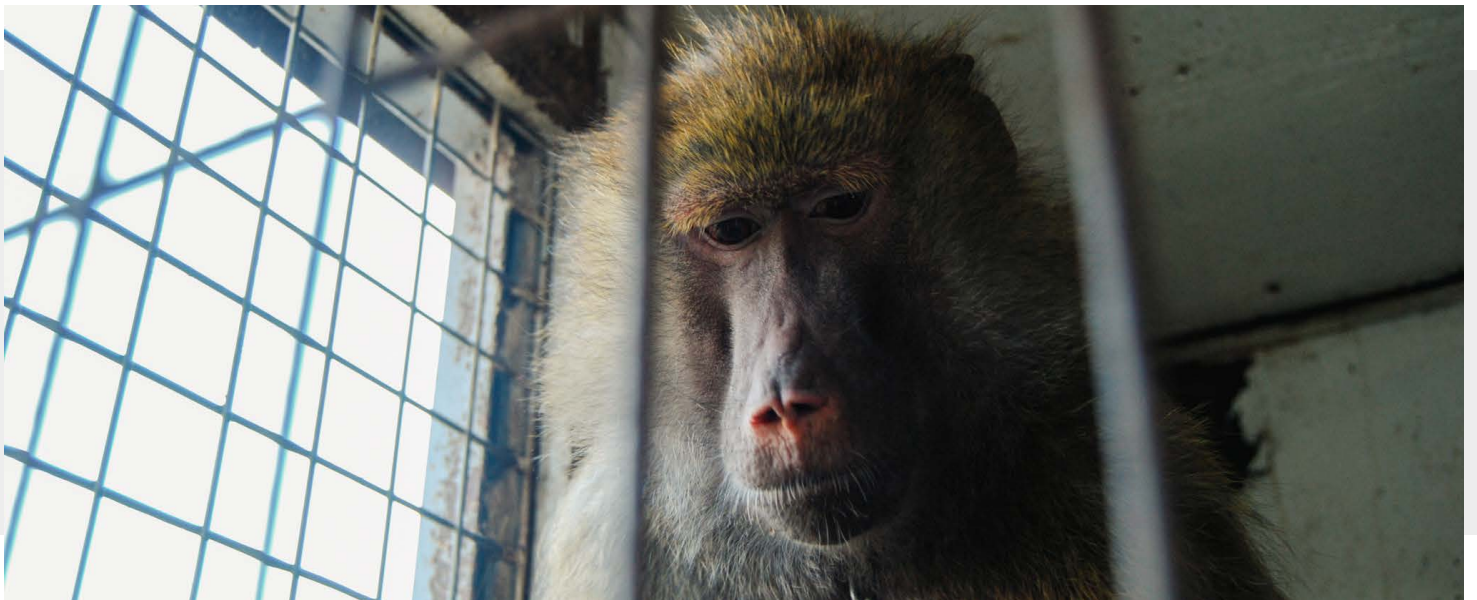
- It is not necessary to use wild animals in travelling circuses to experience the circus;
- Wild animals are just that and are not naturally suited to travelling circuses and may suffer as a result of being unable to fulfil their instinctive natural behaviour;

- We should feel duty-bound to recognise that wild animals have intrinsic value, and respect their inherent wildness and its implications for their treatment; and
- The practice adds nothing to the understanding and conservation of wild animals and the natural environment.'

While waiting for governments to fulfil their manifesto promises, a series of private members bills were introduced by both Labour and Conservative MPs in a bid to bring forward the ban and to keep the issue on the political agenda. These bills were based on the legislation promised by the Government and called for by a unanimous vote of backbench MPs. Each time, however, the Bill was blocked by one of three Conservative MPs. Ahead of the 2015 election, the Conservatives and most other parties pledged in their manifesto to ban wild animals in circuses.



A 2016 report commissioned by the Welsh Government, and for which researchers consulted 658 experts and organisations around the world, concluded that animals don't 'achieve their optimal welfare requirements' in circuses, with the scientific evidence supporting a ban.¹⁹ It also found that life for the animals 'does not appear to constitute either a 'good life' or a 'life worth living'.



Opinion polls conducted since 1999 consistently showed that the public are overwhelmingly opposed to wild animal acts²⁰ and there is cross-party political support for a ban.

Thanks to the public's long-standing support, and the work of animal protection organisations, including Animal Defenders International who campaigned for over two decades to ensure the Government kept to its word and continually exposed the realities of the industry through undercover investigative footage, the ban was successfully enacted.

Although the Wild Animals in Circuses Act 2019 was introduced at a time where the Government had other priorities related to Brexit, progress pushed ahead. In doing so, the Government proved that it is more than capable of working on multiple issues at any given moment in time and that other important priorities will not act as a hindrance to block legal action on behalf of animals. A Defra spokeswoman told The Independent in 2018: "The Government wants to see an end to the use of wild animals in travelling circuses and will legislate for a ban as soon as parliamentary time allows".²¹

The Government bill was introduced to Parliament in May 2019 and passed in July 2019, the legislation coming into force the following January.

Any legislation proscribing the mistreatment of animals, from banning dog fighting to

prohibiting the use of wild animals in circuses, to banning imports of ivory, could be described as restricting an individual's personal choice, but allowing animal suffering and cruelty on such grounds would clearly fly in the face of a compassionate and ethical society that chooses to protect the vulnerable. That is why a ban on wild animals in circuses consistently had overwhelming public support.



Once ADI had exposed the horrific suffering and abuse of circus animals behind the scenes, there was overwhelming public support for a ban on wild animal acts. That support never wavered in two decades. For the sake of animals and to better reflect the British public's support for strong animal protection measures, we hope Britain will strive to lead on animal protection legislation again."

JAN CREAMER,
President of Animal
Defenders international





Photo by Nick Fewings on Unsplash

CONCLUSION

The steps taken by the Government in recent years in a bid to improve animal protection in the UK are the direct result of decades of dedication and demand from the public, politicians and animal protection organisations alike. The ban on foie gras made by force-feeding is a key component in transforming promises from the Government into reality, impacting and saving the lives of millions of animals.

The animal cruelty involved in producing foie gras has already been conceded in the form of the Government banning its production in the UK. There is no logical explanation as to why the Government is stalling towards banning the importation of a product that it already deems too cruel to produce here.

Although the question of limiting public choice has been raised as a potential blocker for the progress towards a ban on foie gras

made by force-feeding, this has never been a strong consideration when implementing past animal protection legislation. All evidence points to an overriding voice of the public vowing to stand against animal cruelty, every time. Further, the political support behind this ban has been unwavering, with Conservative MPs leading the demand for this devastating product to be forbidden.

The UK's reputation as leaders in animal welfare depends on the next steps the Government takes, either to stay true to its word or to betray the British public. We have the opportunity to vote against cruelty and choose to align our actions with our values as a nation. The next move rests entirely on the Government, so let's take this opportunity to ask our policy-makers: will you choose cruelty or compassion?

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