Albert Schweitzer Foundation

Ending the killing of day-old male chicks in the European Union

An effective EU-wide prohibition with workable transition rules and safeguards against circumvention

1. Why EU action is needed now

Male chicks from egg-laying lines cannot produce eggs and grow less efficiently than specialised broilers. They have therefore traditionally been killed shortly after hatching. EU law regulates chick-killing methods but does not prohibit the routine killing of healthy male chicks from egg-laying lines[1]. Several Member States have introduced national measures, but their approaches differ in scope, time limits for in-ovo procedures, exceptions and implementation. As a result, hatcheries are subject to different animal-welfare requirements and operate under different competitive conditions within the internal market.

There is now an opportunity to establish a common EU approach. The European Commission has announced a targeted revision of EU animal-welfare legislation for laying hens and broilers by the end of 2026, explicitly providing for an end to the systematic killing of male chicks and equivalent requirements for imports that are compatible with WTO rules [2].

The forthcoming legislation therefore has to resolve several practical questions: which chicks should be covered, which compliance pathways should be permitted, how should in-ovo methods be regulated, which exceptions should be allowed, how long should the transition period be, and how should compliance be verified and circumvention through imports prevented. A common EU framework can address these questions while creating a level playing field, greater certainty for investment decisions and room for technological innovation.

[1] Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing, in particular Annex I EUR-Lex
[2] European Commission, 'Revision of EU animal-welfare legislation', 2026 announcement concerning laying hens, broilers, male-chick killing and equivalent import requirements European Commission.

2. Policy options and regulatory design

2.1 Available compliance pathways and their trade-offs

There is no single technical route to ending routine post-hatch killing. Several pathways are already available, with different implications for animal welfare, production efficiency and implementation.

Pathway	Animal-welfare implications	Implementation and economic implications
In-ovo sex determination	In-ovo sex determination identifies male embryos before hatching, allowing their incubation to be terminated and avoiding post-hatch killing. Welfare implications depend particularly on the stage of embryonic development at termination.	Commercially established and already deployed at scale[3]. Requires access to suitable technology or service models.
Rearing male layer chicks	Avoids the killing of male chicks immediately after hatching, but entails a full rearing period, including housing, transport and slaughter, with the associated animal-welfare risks.	Used in practice, but layer-line males generally have lower growth performance and production efficiency than specialised broilers. Existing EU welfare rules are not specifically tailored to the particular challenges of rearing male chicks from egg-laying lines.
Dual-purpose systems	Both sexes are reared: hens for egg production and males for meat production.	Structural alternative, but studies document performance trade-offs compared with specialised production systems[4].

[3] Hörning, 'Zur Umsetzung des Kükentötungsverbots in Deutschland', Berichte über Landwirtschaft 101(3) (2023); French Ministry of Agriculture, 'Fin de l'élimination des poussins mâles en filière poules pondeuses au 1er janvier 2023', 2022. Hörning, Ministry

[4] Tiemann, Hillemacher and Wittmann, 'Are Dual-Purpose Chickens Twice as Good?', Animals 10 (2020), 1980; Lambertz, Wuthijaree and Gauly, 'Performance, behavior, and health of male broilers and laying hens of 2 dual-purpose chicken genotypes', Poultry Science 97 (2018), 3564–3576, Tiemann et al, Lambertz et al.

Technological advances may change the trade-offs between these pathways. Legislation should specify the required outcome without mandating a particular commercial solution, while ensuring that permitted pathways do not undermine the animal-welfare objective of the prohibition.

2.2 Lessons from existing national approaches

Experience from Member States shows that the transition is feasible, but scope, in-ovo time limits and exceptions determine how far routine chick killing is actually eliminated. National measures or formal phase-out initiatives are already in place or underway in Germany, France, Austria, Luxembourg, Italy and the Netherlands, as well as at regional level in Belgium, including Wallonia and Flanders[5]. The table below highlights four selected approaches.

Member State	Key feature	What it shows
Germany	Broad prohibition on killing chicks of domestic chickens (*Gallus gallus*), subject to specified exceptions; from the 13th day of incubation[6], certain interventions linked to in-ovo sex determination that result in embryo death are prohibited.	A binding post-hatch prohibition can be combined with an early in-ovo limit without mandating a specific alternative technology.
France	Narrower prohibition limited to laying lines; in-ovo sex determination up to day 15; exceptions include animal-feed use and male chicks not identified by the sex determination process. Transition supported by €10.5 million in public investment[7].	Rapid implementation is possible, but broader exceptions can preserve certain categories of post-hatch killing.
Austria	Shredding is prohibited; viable male chicks may still be killed for animal-feed use; separate rules govern in-ovo timing[8].	A ban on one killing method does not amount to a general prohibition on chick killing.

[5] Luxembourg Government, Animal protection in Luxembourg, 2018; Italy, Legislative Decree No 205 of 7 December 2023, Art. 3, and Ministerial Decree of 4 September 2025 implementing Art. 5; Flanders, Vlaamse Codex Dierenwelzijn, Art. 37; Walloon Government, 'Une stratégie concrète en faveur du bien-être animal', 3 July 2025. Luxembourg, Italy, Flanders, Wallonia

[6] Germany, Tierschutzgesetz, Section 4c, Gesetze im Internet

[7] France, Décret n° 2022-137 du 5 février 2022; French Ministry of Agriculture, 'Fin de l'élimination des poussins mâles en filière poules pondeuses au 1er janvier 2023', 2022, Légifrance, consolidated decree

[8] Austria, Tierschutzgesetz, Section 6, RIS

Member State	Key feature	What it shows
Netherlands	Government-backed sector roadmap for phasing out the killing of day-old male chicks from egg-laying lines[9].	Government and industry can organise a phased transition even without relying on one technical solution.

These approaches differ materially in scope, timing and exceptions. The EU need not replicate one single national model, but must identify the features needed for an effective common standard.

German experience also illustrates the limits of national action: in 2022, the Verein für kontrollierte alternative Tierhaltungsformen e. V. (KAT) reported that 9 million out of a total of 20 million male chicks from egg-laying lines were reared in Poland[10]. Brother-rooster rearing has since declined substantially as in-ovo sex determination has become more widely used.[11] The 2022 experience nevertheless illustrates the cross-border dimension that can arise during a transition driven by national measures.

2.3 Regulatory design choices for the EU

2.3.1 Options for the scope of the prohibition

Existing EU marketing legislation defines 'laying chicks' by their intended use for egg production[12]. This definition is unsuitable for the proposed prohibition because male chicks selected for killing will not be reared for egg production.

A prohibition regardless of sex or production purpose, as in Germany, would reduce loopholes but go beyond the practice addressed here[13]. A production-based approach could instead cover healthy male chicks hatched from egg-laying lines.

Males genuinely kept for breeding would fall outside the prohibited practice. This avoids the need for a broad exemption for breeding purposes that could also cover surplus males not actually needed for breeding.

2.3.2 How should in-ovo sex determination be regulated?

[9] Government of the Netherlands, *Roadmap Uitfaseren van het doden van eendagshaantjes van legrassen*, 2024/2025, Rijksoverheid
[10] Hörning, B., 'Zur Umsetzung des Kükentötungsverbots in Deutschland', Berichte über Landwirtschaft, 101(3), 2023, Hörning.
[11] Federal Information Centre for Agriculture (BZL), 'Was ist ein Bruderhahn?', updated 24 November 2025, landwirtschaft.de.
[12] Commission Regulation (EC) No 617/2008, Article 1(2)(a)(ii), EUR-Lex.
[13] Germany, *Tierschutzgesetz*, Section 4c, Gesetze im Internet.

An EU prohibition could either set technology-specific cut-offs, potentially allowing later interventions for some methods, or establish a uniform in-ovo cut-off.

National rules already vary. Germany prohibits certain interventions that cause embryo death linked to in-ovo sex determination from the 13th day of incubation; France allows sex determination up to day 15; in Austria, sex-based sorting is prohibited after the 14th day of incubation[6,7,8].

Scientific evidence does not establish a precise day on which subjective pain perception or sentience begins. Relevant neurological development associated with nociception has been identified from around embryonic day 13, while nociception-related behavioural and cardiovascular responses have been observed at later stages[14]. The evidence does not establish a precise onset of pain perception, but it does allow policymakers to set a precautionary cut-off before later embryonic development.

A later cut-off preserves access to a wider range of technologies. An earlier cut-off provides a greater margin of welfare and creates stronger incentives for methods that can be used at earlier stages of incubation. Commercial technologies already operate before the later national cut-offs, so the choice is not merely theoretical. A cut-off at the end of day 12 of incubation would provide a precautionary margin before relevant neurological development identified from around day 13.

The EU must also decide how detailed technical requirements regarding in-ovo sex determination should be. Numerical thresholds for accuracy, hatchability or specific intervention types could offer precision but may quickly become outdated. An alternative is to combine a clear time limit with a limited set of technology-neutral requirements: methods should work reliably under commercial hatchery conditions and avoid unnecessary adverse effects on embryos and chicks that continue to develop.

2.3.3 Options for exceptions to the prohibition

Some exceptions concern circumstances fundamentally different from routine killing for economic reasons. These include compulsory animal-health or disease-control measures, non-viable animals and individual cases where killing is necessary to prevent serious suffering.

Scientific use warrants separate consideration. Directive 2010/63/EU already lays down requirements on replacement, reduction and refinement for animals falling within its scope, but

[14] Kollmansperger et al., 'Nociception in Chicken Embryos, Part II', Animals 13 (2023), 2839; Süß et al., 'Nociception in Chicken Embryos, Part III', Animals 13 (2023), 2859; Weiss et al., 'Nociception in Chicken Embryos, Part I', Animals 13 (2023), 2710; Mace and Knight, 'Development of the capacity to suffer in embryos and chicks', Frontiers in Veterinary Science 12 (2025), 1698528, Kollmansperger et al, Süß et al, Weiss et al, Mace and Knight

does not generally cover chicken embryos killed before hatching[15]. A scientific exception can therefore either be framed broadly or restricted to clearly defined and necessary purposes, with the new legislation setting additional conditions where the existing framework does not apply.

A separate policy choice concerns exceptions for economic use and technical failure. France and Austria allow killing in specified circumstances where chicks are used as animal feed, while France also exempts accidentally undetected males[7,8]. Such exceptions can preserve routine post-hatch killing or reduce the consequences of errors in sex determination; excluding them leaves hatcheries responsible for healthy males that hatch accidentally.

The key question is whether exceptions should be confined to objective necessity or also extend to economic use and technical failure.

2.3.4 How quickly should the transition take place?

The EU could set a shorter or longer uniform transition period, or allow differentiated timelines for specific operators.

National experience shows that major changes in hatchery practices can be implemented relatively quickly. Germany's prohibition took effect in January 2022 after the relevant legislation was adopted in 2021; France required existing hatcheries to comply by the end of 2022, supported by public investment.[6,7] No single national example determines the appropriate EU timeline. An EU-wide transition must account for differences in hatchery structures, technology access and starting conditions, alongside the growing deployment of commercial alternatives[16].

A common deadline combined with targeted financial, technical or service-based support can address genuine transition barriers without permanent exemptions or unequal competitive conditions.

2.3.5 How should compliance be verified?

The EU can either create a new dedicated traceability system or integrate compliance checks into existing hatchery record-keeping systems and official control procedures.

Hatcheries already keep records required under EU law concerning incubation, hatching and batch movements[17]. This provides a basis for batch-level verification without requiring individual traceability for every egg or chick.

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[15] Directive 2010/63/EU on the protection of animals used for scientific purposes, in particular Article 1, EUR-Lex
[16] European Investment Bank, Putting an end to chick culling, project 20220702, 2023, EIB. EIB
[17] Commission Regulation (EC) No 617/2008, in particular Articles 5 and 6, EUR-Lex.

Additional documentation could therefore be limited to the information needed to establish the compliance pathway used and, for in-ovo methods, whether the relevant time limit was met. Regulation (EU) 2017/625 already provides the framework for risk-based official controls of animal-welfare requirements[18]. Using these structures can limit administrative burdens while ensuring verifiable compliance.

2.3.6 How should circumvention through imports be prevented?

A ban limited to EU hatcheries would not prevent imports of female chicks from hatcheries in third countries where male chicks are routinely killed.

One option would be not to impose equivalent requirements on imports. This would minimise trade-related complexity but risk shifting the practice abroad and creating unequal competitive conditions.

A second option would be to require third-country producers to use the same technical methods as EU operators. This would ensure formal uniformity but restrict alternative methods that may achieve the same outcome.

A third approach would be outcome-based equivalence: imported animals or products would have to originate from systems providing an equivalent level of protection without being required to use identical technology. Existing EU control law already provides mechanisms for additional third-country entry conditions and equivalent requirements[19].

The most direct link to hatchery practices concerns imported female day-old chicks and laying hens. Extending requirements to shell eggs and egg products would address the broader risk of shifting chick killing to third countries but require more complex certification.

WTO case law recognises that animal-welfare concerns can form part of public morals under Article XX(a) of the General Agreement on Tariffs and Trade (GATT), but related trade measures must avoid arbitrary or unjustifiable discrimination[20]. The appropriate product scope and certification framework therefore require separate legal assessment.

[18] Regulation (EU) 2017/625 on official controls, in particular Article 9, EUR-Lex
[19] Regulation (EU) 2017/625 on official controls, in particular Articles 126–129, EUR-Lex.
[20] WTO, European Communities — Measures Prohibiting the Importation and Marketing of Seal Products, DS400/DS401, WTO DS400

3. Recommendations for the forthcoming EU legislation

On the basis of these regulatory choices, the Albert Schweitzer Foundation recommends that the forthcoming EU legislation:

1. **Prohibit routine post-hatch killing of healthy male chicks hatched from lines used for egg production across the EU,** without mandating a particular technical solution.
2. **Where in-ovo sex determination is used, require in-ovo sex determination and any intervention resulting in embryo death to take place as early as possible and no later than the end of day 12 of incubation,** with technology-neutral requirements for commercial reliability and the avoidance of unnecessary adverse effects.
3. **Limit exceptions to objectively necessary animal-health measures, individual cases where killing is required to prevent serious suffering and strictly regulated scientific purposes.** Economic use of killed chicks or errors in in-ovo sex determination should not justify routine killing.
4. **Require full application within two years of entry into force**, using targeted and temporary financial or technical support to address genuine transition barriers and avoiding permanent exemptions.
5. **Base enforcement on existing hatchery records and risk-based official controls**, requiring only the additional batch-level information necessary to verify compliance.
6. **Introduce equivalent requirements for relevant imports into the EU, compatible with WTO rules** and designed to prevent circumvention and competitive disadvantages for EU producers. These requirements should be based on equivalent outcomes rather than identical technologies.

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