

Federal Department of Home Affairs FDHA

Federal Food Safety and Veterinary Office FSVO

Federal Department of the Environment, Transport, Energy and Communications DETEC

Federal Department of Environment FOEN Soil and Biotechnology Division

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Dignity of the animal Explanatory notes on the 'weighing of interests'

1. Introduction

The current Swiss Animal Welfare Act (Tierschutzgesetz, TSchG¹) entered into force on 1 September 2008. Unlike its predecessor, it protects not only the welfare but also the dignity of the animal.

The Swiss Act on Non-Human Gene Technology (Gentechnikgesetz, GTG²), in force since 1 January 2004, governs the use of genetically modified organisms (GMOs), i.e. their closed-system production, field tests and marketing. The legislature states that the use of GMOs must respect the dignity of living beings. The constitutional term 'dignity of living beings' (thus including the 'dignity of the animal') does not imply an absolute value in either Act. Respect for dignity, therefore, does not preclude the imposing of strain on animals. However, strain must be justified by overriding interests. The question of whether strain can be justified is answered by carrying out a 'weighing of interests' but neither Act provides detailed instructions on how to do so. Uniform practice is necessary on account of the overlap between the two Acts in the area of animal experiments using genetically modified vertebrates.

The 'Dignity of the animal' study group of the Federal Food Safety and Veterinary Office has devised a model procedure to ensure that weighing of interests is carried out correctly and uniformly. It is addressed to people who deal with specific issues involving respect for the dignity of animals. The model leads users through the procedure in seven stages. In the context of animal welfare legislation, it aims to help determine whether interventions are permissible in vertebrates, cephalopods and decapods, especially in the licensing of animal experiments. In the context of the GTG, it aims to help determine whether interventions are permissible in the production and marketing of genetically modified vertebrates. These explanatory notes aim to present the theoretical background behind the concept of 'dignity of living beings'/'dignity of the animal' and to describe how this concept is put into practice by conducting a weighing of interests.

2. Dignity of living beings/dignity of the animal: the concepts explained

The 'dignity of living beings' is a concept from the Swiss Federal Constitution (Article 120 BV³) which has been enshrined in national law. Two Acts are relevant in this respect: the Act on Non-Human Gene Technology Engineering (Gentechnikgesetz, GTG) and the Animal Welfare Act (Tierschutzgesetz, TSchG).

Article 120(2) of the Federal Constitution

"The Confederation shall legislate on the use of reproductive and genetic material from animals, plants and other organisms. In doing so, it shall take account of the dignity of living beings as well as the safety of human beings, animals and the environment, and shall protect the genetic diversity of animal and plant species."

¹ SR 455 Animal Welfare Act of 16 December 2005 ² SR 814.91 Swiss Act on Non-Human Gene Technology of 21 March 2003 ³ SR 101 Federal Constitution of the Swiss Confederation of 18 April 1999

The concept of 'dignity of living beings' relates to individual living beings: each individual animal and plant must be treated with dignity. The concept serves to protect the individual, not the species or genus.

Even though the 'dignity of living beings' was included in the Constitution in connection with the discussion of gene technology, it applies irrespective of how a living being was created, i.e. it applies not only to transgenic animals and plants. It is a general constitutional principle which must be taken into consideration in all areas.

In animal welfare legislation, dignity concerns all areas addressed by the legislation. This is clear from the purpose set out in Article 1 of the TSchG: "The purpose of this Act is to protect the dignity and welfare of animals."

According to prevailing doctrine, the concept of dignity of living beings is based on a particular ecoethical position known as hierarchical biocentrism. According to this position, all living beings - i.e. not just human beings or other sentient beings - have inherent worth and should therefore be given moral consideration for their own sake, not simply because they are economically useful or aesthetically valuable to us. This inherent worth is based on what is termed 'inherent good'. The Constitution assumes that all plants and animals, as well as some other organisms, have an inherent good. In the GTG and the TSchG, however, the term 'dignity of living beings' or 'dignity of the animal' is confined to specific organisms: plants and animals in the GTG; vertebrates, cephalopods and decapods in the TSchG.

"Inherent good" means it is appropriate for an individual living being to be able to lead a life typical of its species. To prevent it from living that life is to cause it injury or harm. According to the Constitution, the term 'living being' encompasses animals, plants and other organisms. However, according to the current interpretation of the term, not all living beings have the same inherent worth. Rather, there is a hierarchy of living beings which is particularly evident in the context of the GTG but in principle applies in all areas. In the non-human area, a distinction is made between vertebrates, invertebrates, plants and 'other organisms'. 'Other organisms' have the lowest inherent worth on this scale, while vertebrates have the highest.

For the purposes of the TSchG, the term 'dignity of the animal' is defined in Article 3(a) as follows:

"dignity: Inherent worth of the animal that has to be respected when dealing with it. If any strain imposed on the animal cannot be justified by overriding interests, this constitutes a disregard for the animal's dignity. Strain is deemed to be present in particular if pain, suffering or harm is inflicted on the animal, if it is exposed to anxiety or humiliation, if there is major interference with its appearance or its abilities or if it is excessively instrumentalised."

Article 8(1) of the GTG provides that the dignity of living beings must not be disregarded and specifies circumstances in which it is not respected:

"In animals and plants, modification of the genetic material by gene technology must not violate the dignity of living beings. In particular, violation is deemed to have occurred if such modification substantially harms species-specific properties, functions or habits, unless this is justified by overriding legitimate interests."

The dignity of living beings/dignity of the animal does not imply an absolute value. However, 'strain' on animals (TSchG) or 'harm' caused to plants and animals (GTG) must be justified by overriding legitimate interests (in the following, 'strain' and 'harm' are combined in the single term 'strain'). The question of whether strain can be justified in a specific case is answered by carrying out a weighing of interests. If justification is possible, the dignity of living beings/dignity of the animal is respected in the individual case despite the intervention: the proposed intervention can be carried out. If the strain cannot be justified by overriding legitimate interests, the dignity of living beings/dignity of the animal is not respected: the proposed intervention must not be carried out.

Because the weighing of interests as presented here is relevant in the context of the GTG only in connection with vertebrates, the term 'dignity of living beings' is not used in the following; 'dignity of the animal' can suffice.

3. Putting the 'dignity of the animal' into practice: what is a weighing of interests and when should one be carried out?

Putting the dignity of the animal into practice is a the task primarily entrusted to people with a scientific background (e.g. people working in cantonal animal welfare enforcement, people conducting animal

experiments). A major difficulty they face in carrying out a weighing of interests from the perspective of dignity is that it requires them to make a moral value judgment, i.e. a judgment that:

- 1. is normative, not empirical (a normative judgment concerns the way something *should* be, not the way it *is*);
- 2. consequently, cannot be arrived at and verified by an appropriate scientific method;
- 3. is based on non-quantifiable criteria;
- 4. allows the person making the judgment a degree of discretion, but without being random.

The weighing of interests is not an empirical method but a normative procedure. It is about comparing the value of different interests. The purpose of the comparison is to identify which interests carry the greater moral weight, i.e. are of a higher order and are therefore morally more significant. Consequently, it is not about describing or explaining an empirical situation or verifying a hypothesis. Rather, it is about substantiating a judgment based on moral considerations. However, empirical facts do play an important role: which animals are involved? What type of intervention is proposed? What effects would the intervention have on the individual's ability to lead a species-specific life? Empirical scientific knowledge is therefore vital in order to conduct a weighing of interests. However, this knowledge is not enough to arrive at a well-founded moral judgment. It requires normative criteria which allow a weighting to be assigned to the interests for moral consideration on both the 'strain' side and the 'interests' side of the weighing of interests. Therefore, research scientists or those responsible for animal welfare enforcement cannot undertake the necessary weighing of interests (solely) from a scientific perspective. They need to expand their outlook and consider how an intervention's effects on the animals compare, from a moral perspective, with the interests described by the law as legitimate.

A request for a weighing of interests to be carried out presupposes that it is an open question whether or not a planned intervention respects animal dignity. However, there are cases in which it is clear from the outset that dignity is not respected. Here, the legislature has conducted an abstract weighing of interests (in anticipation of individual procedures) and imposed a general ban on the intervention in question.

Article 9 of the GTG lays down an irrefutable legal presumption of this kind for genetically modified vertebrates. These may be produced and used only for purposes of research, therapy or diagnostics. If they are produced for other purposes their dignity is not respected, whatever those purposes may consist of. In these cases their production is therefore prohibited. This ban is the result of an abstract weighing of interests already undertaken by the national legislature in respect of all cases outside of research, therapy or diagnostics.

Genetic interventions in vertebrates may be permissible only if the vertebrates are produced for a purpose stated in Article 9 of the GTG. However, interventions for these purposes are not authorised automatically. Whether or not they are permissible has to be determined on a case-by-case basis by means of a weighing of interests. Even if the intended aims or legitimate interests are assessed as positive, this does not mean that they must always outweigh the strain caused by the genetic modification.

Animal welfare legislation also contains provisions in this regard. For example, Article 4(2) of the TSchG prohibits the mishandling, neglect or unnecessary overworking of animals. In addition, Articles 16 to 24 of the Swiss Animal Welfare Ordinance (Tierschutzverordnung, TSchV) list a large number of prohibited procedures. Further prohibitions in connection with the breeding of animals and with animal experiments are contained in Articles 25(3) and 138 respectively of the TSchV. A weighing of interests is always necessary in connection with the production of and experiments on genetically modified animals, as well as in all other animal experiments, and in general wherever strain is imposed on an animal. In the context of animal welfare legislation, a weighing of interests must also be conducted where there is a need to assess specific issues which are not explicitly regulated, or where existing regulations are called into question (e.g. by animal welfare organisations or in the context of political initiatives).

According to Article 8(2) of the GTG, whether the dignity of the animal is respected must be determined on a case-by-case basis by carrying out a weighing of interests. The animal welfare legislation lacks such an explicit reference to a case-by-case basis, but the wording of the definition of dignity in Article 3(a) of the TSchG does relate to the individual case. It makes little sense to assess issues such as castration or breeding of animals across the board in a weighing of interests focused on whether or not dignity is respected. A given intervention may entail different strains on the one hand and different legitimate interests on the other hand depending on the individual case. For example, the strain caused to an animal by neutering should be assessed differently depending on the animal's species, gender and age, and on the neutering method used. In addition, different legitimate interests of vary-

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⁴ SR 455.1 Animal Welfare Ordinance of 23 April 2008

ing importance come into play depending on whether the animal to be neutered is a cat, a horse or a piglet.

4. Weighing of interests: the procedure

The weighing of interests is divided into seven stages:

1. Describing the aim

The first stage is to state the aim of the proposed procedure as precisely as possible. In other words, what is to be achieved by this intervention? This question is not trivial but vital in order to assess the intervention (see Steps 3 and 4 in particular).

2. Presentation of the facts

An accurate presentation of the facts is important in order to conduct the weighing of interests correctly. The facts include everything potentially of relevance in assessing the intervention at issue:

- What precisely will be done?
- Who will perform the intervention?
- Under what conditions will the intervention be performed (e.g. constraints, anaethesia, etc.)?
- What is the reason for the intervention?
- Scientific information allowing an accurate assessment of the strain;
- Scientific information allowing an accurate assessment of the significance of the legitimate interests concerned;
- Etc.

If the weighing of interests is conducted without knowledge of the full facts, it may lead to an incorrect assessment.

3. Question of suitability

The next step is to consider whether the intervention at issue is appropriate in order to achieve the intended aim in full, or at least in part. If this is the case, the weighing of interests is carried out; the same applies in cases where it is not possible to gauge whether the intended aim will be achieved. If it is clear from the outset that the intended aim cannot be achieved by means of the proposed intervention, the intervention must not be carried out and there is no need for a weighing of interests.

Example: use of an unsuitable animal model, e.g. selection of a species in which the results cannot usefully be transposed to humans on account of physiological differences.

4. Question of necessity

The necessity of an intervention is established if the intended aim cannot be achieved by a measure that entails no strain for the animal, or less strain than the proposed intervention. The question therefore arises of whether an alternative to the proposed intervention exists which could also be used to achieve the intended aim but imposes little or no strain on the animal (in this case, dignity would not be affected, example: certain animal experiments can be replaced by experiments using cell cultures or by computer models).

If this is not the case, we need to clarify the extent to which a possible alternative would affect the animal's dignity and whether it is gentler than the procedure originally proposed (example: castration of male piglets may no longer be carried out without anaesthesia but only under analgesia). If an alternative is available, it is included in the weighing of interests and compared with the proposed intervention.

If the weighing of interests finds that the alternative respects the animal's dignity, the alternative must be given preference. However, the following must be borne in mind: when considering a particular intervention, there will often be alternatives which can indeed be used to achieve the intended aim and entail less strain for the animal but are more difficult or more costly to implement (e.g. more labour-intensive or more expensive) than the intervention being considered. The question arises of when use of the alternative can be imposed instead of the intervention originally considered. This question should be assessed from the perspective of reasonableness. The greater the strain imposed by the original procedure in terms of dignity, the greater the effort or expense the stakeholders can reasonably be expected to accept in relation to the alternative.

5. Identification and assessment of strain

Based on full knowledge of the facts, strain can be identified and weighted.

Forms of strain

For the purposes of animal welfare legislation, the forms of strain contained in the definition of 'dignity' (Article 3(a) of the TSchG) are crucial. These are:

- · Causing pain, suffering or harm, exposing to anxiety
- Humiliation
- Major interference with the appearance
- Major interference with the abilities
- Excessive instrumentalisation

In the context of the GTG, the weighing of interests under Article 8 must focus in particular on substantial harm to species-specific properties, functions or habits as forms of strain. No more detailed definition is given of what is meant by "species-specific properties, functions or habits" (Article 8(1) GTG). The term 'species-specific' concerns those properties, functions or habits which beings of a given species can perform 'as a rule', e.g. growth, reproduction, movement and social skills. Why the legislature chose these criteria becomes clearer if we consider the idea underlying 'speciesspecific properties, functions or habits'. This refers to the concept of what constitutes a normal life of a (free-living) member of a species under ideal environmental conditions. These 'species-specific properties, functions or habits' specify and define what is understood by 'inherent good'. It means that it is appropriate for individual living beings to lead a life typical of their species. It is this inherent good that gives them a moral inherent worth and hence a dignity, for the sake of which they are to be respected. This includes particular natural development (growth), reproduction and associated behaviours, a specific type of food and food intake, specific behavioural patterns in a social context in social species or as 'loners' in non-social species, a specific ability to adapt to new environmental conditions and particular circumstances and situations that typically cause unpleasant or pleasant sensations (pain and pleasure). A normal life therefore implies a certain range of what can be described as 'speciesspecific'. The boundaries are vague. We therefore have to deal with grey areas where it is not always clear whether we have already gone beyond what is 'normal'.

Definitions of the forms of strain listed above:

Pain: An unpleasant sensory experience (sensation) which leads to physiological changes and/or behavioural responses designed to escape or avoid the negative experience. If a correlation with certain mimical indicators is not possible, animals' sensation of pain should be determined on the basis of criteria such as the presence of nocireceptors, brain structures required for pain perception, learning of avoidance behaviours or suspension of normal behaviour under the influence of noxic stimuli. Examples: post-operative pain following castration in male piglets; pain during the branding of horses using a cold or hot brand)

Suffering: A long-lasting or permanent state experienced as stressful (for example, continuing pain), accompanied by particular behaviour or phenomenological expressions. Examples: heat stress in dairy cows; isolation of an individual animal which normally lives in a herd.

Harm: Impairment of species-specific properties, functions and habits (Article 8(1) GTG). This provision is taken into account in the table by defining the criterion 'harm' in more detail as follows: 'harm, especially impairment of growth, reproductive capacity, adaptive capacity, mobility, and species-specific social behaviours'. Understood in this way, the criterion 'harm' also includes the criterion 'major interference with the abilities'. This is why the criterion 'abilities' is not listed separately in the table.

Examples: harm to reproductive capacity due to castration; harm to species-specific social behaviours due to ear and tail docking in dogs.

Anxiety: A sensation of threat accompanied by physiological responses and reflected in species-specific and/or individual behaviours.

Example: restraint (e.g. holding) can cause anxiety in many animals, especially if they are not accustomed to human handling and if this situation is also accompanied by an additional, unpleasant intervention (e.g. injection, blood sampling).

Major interference with the appearance: A major (and therefore morally relevant) interference with the appearance is caused if:

- the change leads to a loss of function;
- it is permanent or irreversible (tail/ear docking); coat trimming in a poodle would not be described as a major interference with the appearance.

The criterion 'major intervention with the abilities' is covered by the criterion 'harm' (see definition of 'harm'), so is not listed separately in the table.

Humiliation: An animal is humiliated if it is perceived and treated in a way that completely disregards its moral status as a living being that should be respected for its own sake. The situation should be assessed irrespective of whether the animal is conscious of the humiliation.

Humiliation is caused in the following situations:

- mechanisation of the animal, the animal as a machine;
- making fun of the animal;
- portrayal of the animal as inanimate, objectification;
- measures associated with a complete loss of control (cyborg).

Excessive instrumentalisation: An animal is excessively instrumentalised if its inherent good is completely disregarded.

Dealing with specific issues has shown that humiliation and excessive instrumentalisation are virtually indistinguishable, so these two criteria are combined for the purposes of the table.

The requirements of the TSchG and the GTG have been incorporated as follows into the model procedure for the weighing of interests:

	Are the following forms of strain present?
1	Pain, suffering, anxiety
2	Harm, especially impairment of growth, reproductive capacity, adaptive capacity, mobil-
	ity, species-specific social behaviours
3	Major interference with the appearance
4	Humiliation, excessive instrumentalisation
5	Other

For the weighing of interests to be understandable, the forms of strain identified must not only be allocated to the set criteria ('no/yes' column) but also described in more detail ('Which, specifically?' column).

Assessment of strain

Regarding the importance of the individual criteria mentioned above, or components of the inherent good of an animal, two points are crucial:

- 1. Any change beyond what is normal must be taken into consideration if it represents a type of strain. If this strain is due to a non-natural cause, e.g. genetic modification, this means that the dignity of the animal may be disregarded.
- 2. Different degrees of strain should be distinguished.

Based on the 'degree of severity' classification used in animal experiments, a three-stage weighting system has been adopted:

- * slight/mild strain
- ** moderate/substantial strain
- *** severe strain

These categories are described most clearly in connection with animal experiments on sentient vertebrates. With regard to the criterion 'causing pain, suffering or harm, exposing to anxiety', Article 24 of the Swiss Animal Experimentation Ordinance (Tierversuchsverordnung) not only distinguishes four degrees of severity but also defines them in more detail:⁵

Degree of severity 0 - no strain: Interventions and procedures in animals for experimental purposes which do not cause pain, suffering or harm to the animals, expose them to anxiety or impair their general condition:

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⁵ SR 455.163 Ordinance of the FVO of 12 April 2010 on laboratory animal husbandry, the production of genetically modified animals and the methods of animal experimentation

Degree of severity 1 - mild strain: Interventions and procedures in animals for experimental purposes which cause short-term mild pain or harm, or a slight impairment of general condition;

Degree of severity 2 - moderate strain: Interventions and procedures in animals for experimental purposes which cause short-term moderate or medium to long-term mild pain, suffering or harm, short-term moderate anxiety or a short to medium-term severe impairment of general condition;

Degree of severity 3 - severe strain: Interventions and procedures in animals for experimental purposes which cause medium to long-term moderate pain or severe pain, long-term moderate to severe suffering, medium to long-term moderate harm or severe harm, long-term severe anxiety or a severe impairment of general condition.

In other areas, the strain categories described above form a relatively rough grid which often allows a measure of discretion. This applies to all of the criteria listed above with a view to species-specific properties, functions or habits. This is because the basic concept of a natural development is based on the existence of a particular range of normal properties, functions and habits for each species. Differences within that range may not constitute a strain. Strain can be said to exist only if that range is exceeded, for example as a result of genetic modifications. However, because there are no clear boundaries in this regard, there is an unavoidable lack of precision. When does a restriction on mobility become even a mild strain? And when does a mild strain become a significant one? Regarding the normal properties, functions and habits of a species, it is also important to assess a particular strain with a view to the inherent good as a whole. For example, the loss of reproductive capacity (e.g. as a result of castration) is certainly a strain, but not necessarily a severe one. This is the case if the other criteria to be considered in order to assess the inherent good as a whole are not adversely affected, i.e. if the castrated cat is able to lead an otherwise normal life for a cat.

What does it mean for the weighting if several types of strain are present? Crucially, the individual strains to be allocated to a weighting category cannot add up to a total that might lead to classification in a higher category. For example, if there is a mild degree of strain on several criteria (pain, suffering, anxiety, etc.), this does not mean that the overall strain becomes substantial or severe. Conversely, it also follows that, even if there is considerable strain across all criteria, it should be regarded as less important than a severe strain on one criterion only. The crucial factor in determining the overall weighting is therefore the greatest individual strain in each case. The same applies to the weighting of legitimate interests.

The weighting classes are categories. This is not a graduated but a lexicographic classification. The number of stars assigned to a category is therefore to be understood as descriptive, rather than quantitative. This is why the results for different categories cannot be added together or totalled up. This does not mean that the number of affected criteria does not play a role in the weighting. Assuming that Case A involves a substantial impairment of mobility (two stars), while Case B also involves substantial suffering, the strain in Case B should be given more weight overall. Nevertheless, if the suffering in Case C is to be classed as severe, this strain must be given more weight than that in Case B, even if it is the only strain.

6. Identification and evaluation of legitimate interests

Which legitimate interests are involved?

The weighing of interests compares the strains on the animals with other values and interests and must show whether the latter can be regarded as overriding. It is important to note that morally relevant interests are involved on both sides. The interests that are compared with the strains are not just any interests. This is expressed in the GTG by the term 'legitimate'. The non-exhaustive list given in Article 8(2) GTG shows that the interests to be considered in this procedure must be important interests of society as a whole. The following are mentioned:

- human and animal health;
- · guaranteeing food security;
- the reduction of harm caused to the environment;
- the preservation and improvement of environmental conditions;
- securing a substantial economic, social or environmental benefit for society.

In the TSchG, the term 'legitimate' does not appear in connection with interests. Only in connection with animal experiments (Article 137(1) TSchV) is there an explicit reference to interests which may be used to justify experiments and should therefore be included in the weighing of interests. However,

since this procedure in the context of animal welfare legislation also entails a moral value judgment, not just any interests can be presented here either. Here too, the interests must merit the description 'legitimate'. This is also confirmed by the quality of the interests mentioned in Article 137(1) in connection with animal experiments:

- preservation or protection of the life and health of humans and animals;
- new knowledge on fundamental processes of life;
- protection of the natural environment.

In addition, the interests considered here can also include interests protected by the Constitution. Individual interests can be considered if they are interests of a person as a citizen. This means interests in the sense of basic rights protected by the Constitution. However, individual interests in the sense of specific private interests cannot be included in the weighing of interests.

Because the same intention lies behind the legitimate interests referred to in the TSchG and the GTG, the list of interests in Article 8(2) is adopted, with adaptations, for the weighing of interests in the context of animal welfare legislation. The following interests should be considered:

	Are there legitimate interests in the following areas?
1	Human and/or animal health
2	Expanding scientific knowledge
3	Preservation and improvement of environmental conditions
4	Protection against violation of fundamental rights such as eco-
	nomic freedom, freedom of ownership, freedom of research
5	Other

Point 5 ('Other') takes account of the fact that there may be further interests to consider. However, they must be interests of society as a whole; private interests may not be listed here either. As with the types of strain, for the weighing of interests to be understandable, the interests identified must not only be allocated to the set groups of interests ('no/yes' column) but also described in more detail ('Which, specifically?' column).

Evaluation of legitimate interests

The list of interests in Article 8(2) GTG does not have an order of priority intended by the legislature, i.e. they cannot be put into an absolute order such that, for example, human and animal health could be said to take precedence over the other interests. However, relative weightings are possible. For example, it can be said that human health is relatively important as a rule, while increasing knowledge has relatively minor importance. The 'as a rule' illustrates the importance of a case-by-case assessment, because the interests mentioned do not always carry the same weight. Regarding health, for example, the development of a treatment for a life-threatening disease would be given more weight than one for a non-life-threatening disease. The weighting of interests is always carried out on a case-by-case basis and there is a substantial degree of discretion.

For the assessment of legitimate interests, a four-stage weighting system (* to ****) was chosen, i.e. one weighting category more than for strain. Because strain has to be justified by overriding interests, this is necessary in order not to rule out three-star strains in advance. Here too, the results in the different categories cannot be added together or totalled up.

7. Comparison: strain vs. legitimate interests/Conclusion

In principle, the weighing of interests should include all strains and all legitimate interests involved in the individual case. However, the decisive factors are the severest form of strain and the most significant legitimate interest. Strain can be justified only by <u>overriding</u> legitimate interests. This means that dignity is only respected if the most significant legitimate interest can be given more weight than the severest form of strain. If the interest is given the same or more weight than the strain, the interest is indeed legitimate but not <u>overriding</u>. In this case, the strain cannot be justified and the dignity of the animal is not respected. The result of the weighing of interests can be seen from the following table:

Dignity of the animal is		Legitimate interests			
respected		*	**	***	****
Strain	*	no	yes	yes	yes
	**	no	no	yes	yes
	***	no	no	no	yes